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TRUSTEESHIP COUNCIL

Fifth Session

VERBATIM RECORD OF THE TWENTY-FOURTH MEETING  
(Transcription from sound recording)

Lake Success, New York  
Wednesday, 20 July 1949, at 10.30 a.m.

President: Mr. Roger GARREAU France

Note: The Official Record of this meeting, i.e. the summary record, will appear in provisional mimeographed form under the symbol T/SR.188 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

The PRESIDENT (Interpretation from French): I declare open the twenty-fourth meeting of the fifth session of the Trusteeship Council.

EXAMINATION OF PETITIONS (T/234, T/217/Add.1, T/217/Add.1/Corr.1, T/218/Add.1) (Discussion Continued)

The PRESIDENT (Interpretation from French): According to our agenda the first item that we have to consider today is a number of petitions presented to the Visiting Mission to Tanganyika and Ruanda-Urundi. The Council will recall that it was decided that these petitions should be examined at the same time as the report.

We have already disposed of the report but we still have to examine a certain number of petitions: eight have been enumerated in document T/Agenda 188 and T/Agenda 189. The first is that of 22 Shinyanga Township Africans, document T/PET.2/51.

PETITION FROM 22 SHINYANGA TOWNSHIP AFRICANS (T/PET.2/51, Resolution 66 (IV), T/350)

Mr. LAURENTIE (France) (Interpretation from French): This petition, as well as the majority of those that are before the Council today, refers to very general questions, and that is why, during our last session, it was decided that the examination of these would be deferred until the Council came to consider the Visiting Mission's report. The Council later decided that the report of the Visiting Mission could serve to clarify later debates, once it had considered the report of the Administering Authority.

In principle it would appear that the fate of these petitions, due to the fact that they are of a general nature only, which has already been commented on in the report of the Visiting Mission, could follow the general trend of the discussions on the report itself. But I should like to say to the Council that it might be useful if it referred to document T/218/Add.1, pages 7 and 8, where the observations of the Visiting Mission are laid down. It will note that these observations merely refer to the text of the report itself. For example, the petitioners ask for greater education and the Visiting Mission has presented to the Council all that is contained in the report on education. The petitioners ask that the indigenous population be given greater powers.

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The report of the Visiting Mission refers to matters concerning the indigenous administration and the powers given to the indigenous population by the United Kingdom Administering Authority.

As I said, this is a very general question and can be boiled down to the fact that it asks that the standard of living of the African population be safeguarded and improved, and that nationals of other Members of the United Nations should open more schools for greater educational facilities. In other parts of the petition it is said that discrimination against coloured people is carried out. All these questions had been studied by the report of the Visiting Mission, by the Council, when it discussed the report in 1948, and they will be studied in the Council again when it studies the next annual report, to see how things have improved.

There are other subjects of the same tenor which would serve as a yardstick for the Council in the discussions which will be held. They will tend to touch the substance of this matter, as well as the matter of education and of the indigenous population taking part in the administration of the Trust Territory, and so on. They definitely touch upon the very essence of the life of Tanganyika and refer in general to the entire administration of the Trust Territory.

The PRESIDENT (Interpretation from French): If there are no other remarks on this petition I feel that we can answer the petitioners in the way that the Chairman of the Visiting Mission to Tanganyika has suggested.

All the items contained in this petition have been and are being examined in the Council, because they are general questions which always come up in our discussions. As the representative of France said, these matters were discussed by the Council when we discussed the reports, and they will repeatedly be discussed when we continue to discuss the annual reports. There are important matters which will be referred to the Council year after year when we discuss the reports on any of these Territories.

Mr. INGLES (Philippines): I should like to call the attention of the Council to the fact that one of the points raised in the petition is the immediate abolition of racial discrimination. During the last session of the Council we approved a general resolution urging

/the Administering

the Administering Authority to exert more vigorous efforts in the abolition of racial discrimination in the Territory.

It might be advisable to refer to that resolution in the reply to be given by the Council to the petitioners.

The PRESIDENT (Interpretation from French): If there are no other remarks, I feel that the Council can reply as has been suggested by the representative of the Philippines.

I am sorry, but the Secretary has just informed me that we have answered these petitioners. All the petitions being discussed this morning have been replied to, in accordance with a decision taken by the Council.

We have to examine the new petition, and I therefore do not see why we have to investigate and study these petitions. It had escaped my notice that we have already replied to all these petitioners. I will read to the Council the reply made:

"The Council took note of the observations of the United Nations Visiting Mission to East Africa on the petition (T/218, T/218/Add.1).

"The Council took note of a statement by the representative of the Administering Authority on the petition.

"THE TRUSTEESHIP COUNCIL,

"HAVING NOTED that the petition raises questions of a general character concerning conditions in Tanganyika,

"HAVING NOTED that these questions are dealt with in the report of the United Nations Visiting Mission to East Africa,

"HAVING DECIDED to postpone the final examination of the report of the Mission until the fifth session,

"DECIDES that the questions of a general character raised in the petition will be dealt with in conjunction with the final examination of the report of the Mission;

"REQUESTS the Secretary-General to communicate to the petitioners the resolution adopted by the Council on 23 March 1949 on the question of racial discrimination in Tanganyika and any subsequent decisions which the Council may adopt on these questions, together with the relevant parts of its official records;

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"INVITES the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council."

This reply was sent on 25 March 1949.

/Mr. RYCKMANS

Mr. RYCKMANS (Belgium) (Interpretation from French): We have now before us once more a question to which I have several times drawn the attention of the Council. There are two categories of petitions: there are real petitions where the petitioner complains of unfair treatment or that the existing legislation is not good, and requests the Trusteeship Council to help him; these are real petitions, when, for example, a man asks that his farm be returned to him; we then make a decision and send a recommendation to the Administering Authority after having studied the case. Besides these, there are other communications which are called petitions, in which the signatories bring to our attention certain problems which we should consider even if they were not brought to our attention, but where the petitioners consider that we should pay more attention.

It seems to me that it would be better to consider these petitions as communications which may be classified under their respective headings and considered by the Visiting Missions when on the spot. All the members of the Council would also take into consideration the facts brought to their attention, and would bear them in mind when considering the annual reports. This is how we should reply; it is the only reply which can be made. We can return to these petitions a dozen times and the position will remain the same; these are general problems which we must consider in the normal course of our work, and the fact that someone draws our attention to them neither adds nor detracts from the necessity of considering them.

It seems to me that, in general, we should reply that the information contained in such petitions has been brought to the attention of all the members of the Council, <sup>and</sup> that they will take it into account when considering the report on the Trust Territory.

Mr. KHALIDY (Iraq): I do not know whether I am right, but I thought these petitions were to be postponed until next session. Am I right about that?

The PRESIDENT (Interpretation from French): It was agreed that these petitions would be examined together with the report of the Visiting Mission, but we have finished with the report of the Visiting Mission without having discussed these different petitions which had already been discussed at our previous session.

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It was this preliminary examination that gave the Council the idea of considering these petitions from an informative viewpoint. As the representative of Belgium said, these petitions which have been sent to the Trusteeship Council refer to general conditions; we have considered them and shall consider them again when the Council considers the report of the Administering Authority. We have already, as the Council heard in the reply I read, taken note of these petitions, and the items raised in the petitions will be discussed at the same time as the reports from the Visiting Mission and the Administering Authority. I have just read the text of the reply given to the twenty-two Shinyanga Township Africans, and this same answer was sent to the eight petitioners on the list before members of the Council. I was reading from document T/350.

These petitions, dealing with different items contained in the documents, will be considered when we discuss the report of the Administering Authority on Tanganyika and Ruanda-Urundi.

Mr. INGLES (Philippines): The resolution read by the President says, among other things, that the Council decides: "that the questions of a general character raised in the petitions will be dealt with in conjunction with the final examination of the report of the Visiting Mission." It further requires the Secretary-General to inform the petitioners of any subsequent decisions which the Council may adopt on these questions.

My delegation believes that the tenor of the resolution is such that the petitioners are entitled to be informed of what further action this Council has taken on questions raised by them in accordance with the terms of the resolution itself.

In connexion with the remarks made by the representative of Belgium, I believe that there is before the Council the question of whether the Council should encourage or discourage petitions dealing with general conditions. In the opinion of my delegation, apart from the question of whether the Council should encourage such petitions, the Council should at least take a positive step which would show that it is not discouraging the presentation of such petitions.

Petitioners raising questions of a general character perform a general service, not only to the peoples of the Trust Territories, but also to the Administering Authority and to the Trusteeship Council itself. They should be commended for the interest they have taken in the affairs of the Trust Territory.

/Moreover,

Moreover, the right granted to the inhabitants of Trust Territories to address petitions to the Trusteeship Council is not limited to petitions which affect the petitioners personally, and embraces also petitions which deal in a general way with problems confronting the Trust Territory.

In view of this, my delegation believes that we should take further action on this petition, and not consider it a closed case just because of the passage of resolution 66 (IV) of the Trusteeship Council. That resolution precisely envisages further action by this Council, and for this reason this Council may adopt the procedure of examining these general questions now, or later in connexion with the examination of the annual reports of the Trust Territories concerned.

/The PRESIDENT

The PRESIDENT (Interpretation from French): The remarks of the representative of the Philippines are justified by the very terms of the text which I just read. We answered to the petitioners that the items raised in their petition would be examined at the same time as the report of the Visiting Mission.

After the initial examination of the report of the Visiting Mission, these petitions were briefly examined by the Council and it was decided to send the answer which I read to the petitioners. It was also decided that these petitions would be examined in the course/ of the final examination of the report of the Visiting Mission. We have examined that report and have finished with it very quickly because of the limited time we have at our disposal but it is understood that all the matters that were examined in connexion with the report of the Visiting Mission, as well as all the questions of a general nature that figure in the eight petitions before us now, will be re-examined in the course of the consideration of the report of the Administering Authority to which we shall have to return every year.

Therefore, I think it might be correct to indicate to the petitioners that they refer to the previously given answer and to say that the report of the Visiting Mission was submitted to the Council at this session and that certain decisions were taken on this report and sent to the General Assembly, it being understood that all the items discussed and reported to the Council by the Visiting Mission will be the object of permanent consideration when the annual reports of the Administering Authorities for these Territories are received.

Mr. SOLDATOV (Union of Soviet Socialist Republics)(Interpretation from Russian): During the present session of the Council, when we considered the question of the report of the Visiting Mission to East Africa, the representative of the Philippines raised the point regarding the time when we shall consider the petitions which were received by the Visiting Mission and which were postponed at the fourth session until the fifth session of the Trusteeship Council.

An explanation was given then that the petitions received by the Visiting Mission would be considered at the present session when all the other petitions received directly by the Trusteeship Council would be considered. Thus it was clearly envisaged that, during the consideration of the report of the Visiting Mission, the petitions

/received by the



received by the Visiting Mission would be considered by the Trusteeship Council at the present session in connexion with the consideration of all other petitions. As far as I recall, the President himself made such a statement.

Thus the question does not arise now whether the Council, in considering the report of the Visiting Mission, has disposed of the petitions. We did not consider the petitions and, moreover, it was agreed at that time that these petitions would be considered by the Council together with all other petitions received by the Trusteeship Council at this session.

I wish to make quite clear the state of affairs whereby one cannot, by references to the fact that we dealt briefly with the report of the Visiting Mission, say that we did consider the petitions also. We did not consider the petitions and they are still to be considered.

Moreover, the representative of Belgium raised a question here which was not raised for the first time and it is not for the first time that he endeavoured to persuade us that there are two kinds of petitions: one kind which the Trusteeship Council should consider and another which the Trusteeship Council should not consider, that is, statements of a general nature from the populations of Trust Territories. With such an approach, one cannot agree.

Petitions in regard to the political, economic and social situation in a Territory and in regard to the educational advancement of the native population are of no less value to the Trusteeship Council than petitions in which there are personal complaints. The petitions which are at the present time on the agenda of our meeting testify to the fact that the questions raised by the petitioners are, as a rule, of a very concrete nature.

I am not in a position now to deal with all the petitions but I can refer, for example, to the petition from the Chagga Council. Is there anything of a general nature in the fact that the population of the Chagga tribe is deprived of land, that the land was alienated, was not given back to the population and that the population, at times, suffers difficulties in this connexion.

All these facts are given in the petition and data is even given in regard to the distribution of land and the dearth of land from which the population suffers. The petition states directly: "The Chaggaland consists of three major sections: Hai, Vunjo, and Rombo." It also gives concrete data on each of the three sections in regard to the situation of the population from the point of view of land ownership.

/I do not wish

I do not wish to read the whole petition. I shall merely refer to certain portions of it in order to support my reasoning. For example, in regard to Hai, it is stated that definite data cannot be given with respect to alienated land because sufficient information is not available, but that a great part of the land is alienated.

It goes on to give information regarding the suffering entailed by the dearth of land:

"The number of males aged between 18 and 25 years is about 5,400; these are at the moment without and greatly in need of 'vihamba'. Males between 13 and 18 years who will demand 'vihamba' in the next five years number about 26,200. Males aged between 7 and 13 years who will demand 'vihamba' in five years following upon the last lot above number about 29,900.

"Thus within ten years to come there will be a total of about 56,100 males in Hai who will have demanded 'vihamba'. The unfortunate Hai locality with its so numerous large alienated areas, has no room for 'vihamba' for these people; so bad is the position that the 5,400 males now pressing hard for 'vihamba' cannot find them in the locality. Because of lack of land people go to European settlers and Missions within their country asking for grass for their animals and pieces of land for cultivation. The European settlers and Missions exchange a load of grass for a load of cow-dung for manuring their farms. This reduces, very considerably, the manure for the fertility of the Native 'vihamba' and coffee shambas.

/If this continues

" If this continues for the next few years, the position will be aggravated, and natives will not even get grass nor firewood nor good crops. In the higher parts of the locality there is the Forest Reserve; further below are the many European Estates and the Moshi Township.

" We instance the very desperate need of land by bringing to the notice of the Land Commission, the fact that the Kibosho people have had to pay the sum of 60,000/- to redeem a very small part of European Estate in their country, in order to enable a few natives to procure more 'vihamba'."

The same data is brought for other regions. For example, lack of land in Vunjo is illustrated by the fact that the population of Marangu, numbering 2,940 taxpayers, had to pay in cash 220,000/- in order to buy out two small parcels alienated from themselves; and this goes for other populations.

The same data is received with regard to the region of Rombo.

I bring this data from only one petition in order to illustrate the fact that in the petitions there are concrete requests. In one case we have a petition where the request is from one man; in another case there is a petition received from the Chagga Council. Why should the petition from the Chagga Council, which deals with many concrete problems, not be duly considered and an appropriate decision obtained in the Trusteeship Council? Why must we put aside this petition which expresses the complaints of a great part of the population? Why must we think of this petition as a general statement, and not consider it?

I could illustrate concretely many other features from the petitions received from the Tanganyika African Association, for example.

The Soviet delegation cannot agree with such an approach and I am of the opinion that we must abide by our own decision that each petition must be considered separately in connexion with the material which is contained therein. We must consider the petition, take a decision appropriately, and inform the petitioner of this decision. If we should accept any other procedure we would be violating the basic feature of the work of the Trusteeship Council, which is that we should pay the utmost care to the needs and requests of the native populations of the Trust Territories.

Therefore I suggest that, without wasting time, we should deal concretely with the consideration of each of the petitions which are

/ listed in

listed in document T/Agenda 188. If we do not do so we shall waste a lot of time and will not have time to consider the petitions.

Sir Alan BURNS (United Kingdom): It is completely immaterial to me when these petitions are considered but it seems to me that the proper time to consider them is when the report on Tanganyika is being considered at the next session.

The representative of the Soviet Union has read us a lot of matter about the land question put forward in the petition of the Chagga Council. I could waste the time of the Council by reading some of the comments of the Administering Authority which are contained in the observations put up in document T/352, but I am not going to, though I have long ago given up any hope that this Council would get through its work without wasting time. However I do not propose to contribute to that waste.

It seems to me that the Council must think seriously of what it is doing. If we are going to discuss every petition on general grounds every time, let us consider what will happen. Suppose we have twenty petitions, each one complaining that in Tanganyika or some other Territory the educational system is not satisfactory. That matter of education will also be discussed in the general discussion on the annual report. Are we going to discuss the question of education again in connexion with every one of those twenty petitions that I have suggested might come in?

The Council is never going to do efficient work if it wastes its time in endless repetition of the same old arguments.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I presume that there is no difficulty involved in the discussion of any of these petitions, and we are helped very much by the fact that we have here a special representative who could obviate any difficulties that might arise and clarify any doubts that we might have.

I do not think that the postponement of the petitions received by any Mission would establish a precedent if we postponed them until we considered the report of the Visiting Mission. Of course it is obvious that certain Administering Authorities are allergic to petitions and these allergies become at least dilatory tactics when the petitions are to be considered.

But I think that if we are stepping wrong, we should step wrong

/ quickly;

quickly; and I think that if we are making mistakes we should do the same, and we should finish this matter right away. We should adopt a much more practical system when discussing these matters.

If, when we discuss each and every petition, the different representatives are going to think out loud before the Council and present ideas which are unacceptable -- and I must refer now to that of Mr. Ryckmans when he said that there are certain petitions which cannot be considered as petitions but rather as information -- then of course this is opposed; of course we will object to it; we will argue against it and will never finish with it.

If we follow the idea of Mr. Soldatov and read out loud all the texts, in that case also we will never finish this list.

What I propose is that the delegations that have any interest in giving answers to these petitions should prepare draft resolutions -- draft responses or answers. Then if we have those texts we shall know, line by line, what is and what is not acceptable, what has already been done, what has not been done and what will be done. I think that will be the most practical solution: to postpone the examination of these petitions until to-morrow and by to-morrow overcome the rule of procedure of the twenty-four hours delay before the consideration of a written document, and then we will have eight, nine, ten, fifteen or twenty documents before us containing proposed answers. Then we consider these proposed answers and we know exactly where we are. That will avoid reading, re-reading, discussing and re-discussing these matters and starting the debate here as though we were just beginning the discussion of the report of the Visiting Mission.

That is why I formally propose that we postpone this until to-morrow until the delegations that are interested in the matter can present their draft resolutions on the different petitions. Because, as I said before, if we are going to believe that draft resolutions are going to emanate from the discussions held here I am afraid that either we are very wrong or it is going to take a long time to prove us right.

/ Mr. SAYRE:



Mr. SAYRE (United States of America): I think all of us are clear that we should not try to sidestep the matters raised in these petitions. These, as the USSR representative has said, are serious matters, matters deserving serious study and serious consideration and so far as I can see it is the business of the Trusteeship Council to give serious study and serious consideration to these matters.

On the other hand, this Council, with the heavy agenda which it faces at every session, surely must apportion the times and places for carrying on such discussions. Surely we cannot two or three times in each session bring up the same subject matters and the same general field of discussion. In the discussion of our annual reports we have already allotted time and opportunity for such discussions. It would seem to me that it follows that such discussion of these general matters as are undertaken by the Council should take place at the time when we discuss the annual reports, when these matters must be discussed and that we should not undertake twice in the same session to cover the same matters.

All this, it is clear, does not mean that we want to escape the discussion. Surely it does not mean that we want to sidestep the issues raised in these petitions. We want to face them, we want to face them squarely but we want to face them at the proper time when we can devote as much time to these issues as they deserve.

It would seem to me that from the procedural viewpoint it is fairly clear what we ought to do and I should like to move that we proceed accordingly, that is, I should like to move that we send to each petitioner a reply enclosing the resolution adopted by the Council on the Visiting Mission's report accompanied by a copy of the Visiting Mission's report. That will show the petitioner that the subject has already been considered and discussed. Then, in the second place, we go on to inform the petitioner that the questions have been and will be examined in connexion with the consideration of the annual reports each year. This is a recurring subject; we certainly will not dispose of it in a single session. In the third place, I suggest that we send the petitioner a copy of the observations which were adopted by the Council with respect to the Trust Territory in our most recent examination of the report on that Territory.

In other words, in our replies to each separate petitioner we should cover three points: first, that we send him a copy of

/the resolution

the resolution adopted by the Council on the Visiting Mission's report, together with a copy of that report; second, that we inform the petitioner that questions such as he raises have been and will be examined in connexion with the consideration of the annual reports; and in the third place, that we send to the petitioner such observations as were adopted by the Council with respect to the Trust Territory in the Council's most recent examination of the report.

By doing so it seems to me that we are treating the petitioners with the fairness with which they should be treated. They should be given to understand that these are not idle matters; that they are not being brushed off the back of the Council; that we are not disregarding them; that we consider them so important that we are continuing to consider them from year to year. I therefore propose that resolution.

Mr. LAURENTIE (France) (Interpretation from French): I entirely agree with what was just said by Mr. Sayre of the United States of America and, therefore, I must admit that he is giving great importance to what Messrs. Noriega and Soldatov have said. Over and above all it is <sup>not</sup> true that the answers that Mr. Sayre is proposing must correspond to all the petitions that we are hoping to examine this morning. I think it exactly covers the petition from the twenty-two Shinyanga Township Africans which we have just begun to discuss. That is the only petition to which this answer refers and that is the only petition this answer covers.

I think we could take the draft resolution presented by the United States representative as an example, as a model, and then see whether it is applicable to all the following petitions. If so, we can send it. If we notice that there is one point or another that requires a specific answer we can adapt this blanket resolution; for example, I think the next petition -- from the Tanganyika Bahaya Union -- refers to questions of a general nature and especially does it refer to matters similar to that of the Shinyanga Township Africans. Therefore the same reply could be sent to the second petition. We could find the common denominator. There is a specific point in this in which they ask the annexation of Ruanda-Urundi to Tanganyika. The Council can reply to that specific point by saying that it does not intend taking any action on that subject.

The same might be applied for the third petition which is from the Chagga Council, the petition referred to by Mr. Soldatov. Of

/course there is

course there is a very serious and important item referred to in the Chagga Council petition, as Mr. Soldatov said, but nevertheless that specific question can be covered together with the investigation which is to be made when we consider the report of the Mission but what we must underline now is the fact that the <sup>Trusteeship</sup> Council has taken special notice and special note of these questions of land which is, obviously, of great importance to the Chagga tribe. It is a very important question, no doubt. Up to now that tribe has cultivated land on the sides of the mountains and, due to the increase in population, have had to seek land in another part of that Territory. Therefore there is a specific point to which the Council will have to refer and which the Council will have to consider continuously. That part will receive a different answer.

To what Mr. Sayre said I feel that we ought to add something to cover this question of land and we could answer in the tenor that the Trusteeship Council is considering making a study of this matter. I think that might cover this point.

The same thing might be applied to other petitions such as that of the Tanganyika African Association petition. That might be considered in the same light as that of the Shinyanga Township Africans petition. But we would, as I said before, establish a certain common denominator and then tomorrow, as Mr. Noriega suggested, we could consider all the answers that have been proposed -- in writing, I presume -- and see whether the blanket statement suggested by Mr. Sayre can be applied to all the petitions. If anything has to be added to these different answers it will be added but if this idea were to be followed we would be able to finish our work in half an hour.

/Sir Alan BURNS

Sir Alan BURNS (United Kingdom): I hope that if documents are being sent to the petitioners on the lines suggested by the representative of the United States, the observations of the Administering Authority which have been submitted to the Council in every case, will not be overlooked. They should of course be added to the voluminous documents with which each petitioner is to be favoured.

The representative of Mexico referred to the fact that the Administering Authorities were allergic to petitions. I hope he did not refer to me because I can assure him that I am not in any way allergic to petitions. I have been dealing with them now for twenty or thirty years and what I have learned in that period is a sense of proportion in dealing with petitions. I do not accept as gospel truth everything I see in a petition; having seen a great many, I can assure the Council that in most cases, even if they have a germ of truth in them, that truth is very grossly exaggerated.

May I also add, with the President's permission, that if there is any suggestion of postponing this discussion until tomorrow it will be impossible for the special representative to be present.

Mr. RYCKMANS (Belgium) (Interpretation from French): I think that the representative of the Soviet Union was perfectly correct when he made a distinction of the Chagga petition, but in any case this does not seem to me the kind of petition to which I referred. This petition contains a positive request; the petitioners are of the opinion that they do not have enough land; they are not in agreement with the disposal of ex-enemy lands; they feel that the solution is to their disadvantage and they ask the Council to intervene on their behalf to obtain another solution. With regard to this demand on the Chagga Council there is a real petition and it seems to me that there is nothing against the examination of the Administering Authority's reply and of its suggested policy. The Council can either approve or disapprove of it, or can wait until a reply is received from Chagga. If the Chagga Council is in agreement with the solution suggested after Mr. Wilson's reply, then everything will be all right.

But with regard to petitions of a general nature, I insist that the Council should not consider them as petitions and should not reply  
/to the petitioners



to the petitioners as if they were real petitions. In the case of such communications, the Council can only reply that the information supplied by them will be distributed to the members of the Council and will be taken into consideration when the general situation in the Trust Territory is being considered, and that is all. It is obvious that when the petition deals with a real request or complaint, as is the case with the Chagga Council, then certainly we have to deal with the substance of the matter and give a concrete reply.

Whether we consider it now or later; whether we ask the special representative today to explain the situation to us; whether we make a decision immediately or await additional information, is another matter. But the petition from the Chagga Council is a real petition and must be so considered, at least in so far as the question of land is concerned.

The PRESIDENT (Interpretation from French): I think that the situation has been sufficiently clarified. The representative of the United States has already presented us with a draft resolution, such as was suggested by the representative of Mexico.

But there is one great disadvantage in the postponement of this matter until tomorrow and therefore I think we can take decisions regarding these matters.

Regarding the first petition -- that of the Shinyanga Township Africans -- I do not think there is anything there of special interest. It deals with general questions and I think the proposal of the United States could be applied to it. I will ask the Council, therefore, <sup>whether</sup> / it agrees with the answer suggested by Mr. Sayre.

Mr. SAYRE (United States of America): With the amendment suggested by the representative of the United Kingdom -- that is, that the observations of the Administering Authority should be sent with the other observations.

The PRESIDENT (Interpretation from French): Would the Council agree, then, to send an answer to these petitioners in the way that the representative of the United States has suggested?

/Mr. SOLDATOV



Mr. SOLDATOV (Union of Soviet Socialist Republics)(Interpretation from Russian): Could the President specify what the proposal of the representative of the United States is as to the reply. What resolution does he suggest we should accept with regard to the petition we are considering now, the Shinyanga Township Africans petition?

The PRESIDENT (Interpretation from French): I will ask the Secretary to re-read the proposal of the representative of the United States, with the addition suggested by the United Kingdom representative.

Mr. ALEKSANDER (Secretary of the Trusteeship Council): It covers three points:

(1) To send to the petitioners a copy of the resolution adopted by the Trusteeship Council on the Visiting Mission's report, together with a copy of the report and the observations of the Administering Authorities concerned;

(2) To inform the petitioners that the questions they raise have been and will be examined in connexion with the consideration of the annual reports;

(3) To send to the petitioners a copy of the observations which were adopted by the Trusteeship Council with respect to the Trust Territory in the Council's most recent examination of the report on that Territory.

The PRESIDENT (Interpretation from French): I must point out that this type of reply will definitely be consistent with the answer already given to the petitioners on 25 March 1949 and which I read to the Council. In that answer it was stated that the Trusteeship Council:

"HAVING NOTED that the petition raises questions of a general character concerning conditions in Tanganyika,

"HAVING NOTED that these questions are dealt with in the report of the United Nations Visiting Mission to East Africa

"DECIDES that the questions of a general character raised in the petition will be dealt with in conjunction with the final examination of the report of the Mission."

We have therefore already replied that the petition refers to questions of a general character which have been and are being considered

/constantly by the

constantly by the Trusteeship Council. I would therefore like to ask the Council whether that reply would satisfy all the members of the Council. If there are no objections, it shall be so decided.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would like to ask that our decision should be put to the vote.

The PRESIDENT (Interpretation from French): Very well, I will put it to the vote.

A vote was taken by show of hands.

The United States proposal was adopted by 7 votes to 1.

PETITION FROM THE TANGANYIKA BAHAYA UNION (T/PET.2/53, T/PET.3/11, Resolution 68 (IV), T/351)

The PRESIDENT: We will proceed to the second petition, the petition from the Tanganyika Bahaya Union. I think that this petition could also receive a similar answer to that sent to the Shinyanga Township Africans. I do not think there are any particular or specific questions referred to in it.

Mr. LAURENTIE (France) (Interpretation from French): There is something I wish to point out. This petition asks that Tanganyika and Ruanda-Urundi should be united ; therefore I consider it might be useful to reply to this that the Council considers that an entirely negative answer has<sup>to</sup>/be given to this question.

/Mr. SAYRE:

Mr. SAYRE (United States of America): I think it might be useful if the Secretary would read to us the reply that has already been sent to these petitioners if it is not long.

The PRESIDENT (Interpretation from French): The Secretary will read the answer; it is in document T/328, page 19, resolution 68 (IV).

Mr. ALEKSANDER (Secretary of the Trusteeship Council): The resolution adopted at the thirty-eighth meeting in respect to this petition reads as follows (I shall read only the operative part):

"THE TRUSTEESHIP COUNCIL

"HAVING NOTED that the petition raises the question of the unification of the Trust Territories of Ruanda-Urundi and Tanganyika,

"HAVING NOTED that the petition raises questions of a general character concerning conditions in Tanganyika which are dealt with in the report of the United Nations Visiting Mission to East Africa,

"HAVING DECIDED to postpone the final examination of the report of the Mission until the fifth session,

"DECIDES that the questions of a general character concerning conditions in Tanganyika raised in the petition will be dealt with in conjunction with the final examination of the report of the Mission;

"REQUESTS the Secretary-General to communicate to the petitioners any subsequent decisions which the Council may adopt on these questions, together with the relevant parts of its official records;

"INVITES the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council."

Mr. RYCKMANS (Belgium) (Interpretation from French): In the reply I note that there is no reference to the second part of the petition, dealing with the unification of the Trust Territory of Ruanda-Urundi with Tanganyika. If not for this, the resolution would be perfect; if, instead of making this reference, we say that the general questions will be considered when the Visiting Mission's report will be considered and that these general questions will be considered by the Trusteeship Council during its usual course of work, this would be the best, the perfect reply when we deal with communications. When they tell us that the Administration of Ruanda-Urundi or Tanganyika is not good, this is not

/s petition

a petition; this is a general statement which has to be considered in the usual course of our work, and the only reply that we can give to the signatories of this petition is in this spirit and is the only reply to such petitions which are not petitions.

With the exception of this second sentence, I support the proposal of France, if you put it in diplomatic language and say that "the Trusteeship Council is not in a position to consider the policy of this or that power."

The PRESIDENT (Interpretation from French): If there are no other remarks, I would ask the Council whether it would be of the opinion that we could reply as has been suggested by the representative of France. The Council then agrees.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I repeat my request that our decisions be put to a vote.

The PRESIDENT (Interpretation from French): Very well, it shall so be done. Those who are in favour of an answer couched more or less in the terms suggested by the representative of France please raise their right hands.

Mr. INGLES (The Philippines): The Chair will be kind enough to ask the Secretariat to read the proposal of the representative of France.

The PRESIDENT (Interpretation from French): I will perhaps ask the representative of France to repeat his proposal.

Mr. LAURENTIE (France) (Interpretation from French): I think we can only answer by saying that the question of the unification of the Territories of Ruanda-Urundi and Tanganyika does not fall within the competence of the Council, and therefore the Council has been unable to consider it.

Mr. SAYRE (United States of America): I do not want to interrupt proceedings, but I just want to ask a question if I may -- whether that would square with the answer which Mr. Aleksander just read out, that is, the first answer sent them. I would hesitate to

/reply now

reply now that it lies outside of the jurisdiction of the Trusteeship Council if, in our first answer, we said that we are giving consideration to the matter.

I just raised the question.

If I may give my general reaction to the answer to the question which I have raised, the former resolution was:

"DECIDES that questions of a general character concerning conditions in Tanganyika raised in the petition will be dealt with in conjunction with the final examination of the report of the Mission."

I think there would be no conflict if we differentiate between "questions of a general character" on the one hand, and the kind of question which the representative of France was alluding to, namely, the joining of Tanganyika with Ruanda-Urundi. I think we have got to be a little careful in the reply to just make that differentiation, and I think we can do that along the line of the suggestion of the representative of France if we are careful in the wording.

The PRESIDENT (Interpretation from French): Then we will reply to this petition along the general lines adopted for the previous petition -- I think a paragraph that will concern the particular point of the unification of the Trust Territories of Tanganyika and Ruanda-Urundi. Will the Council agree that an answer be given in that sense?

Following the request of the representative of the USSR, we will put this matter to a vote.

Mr. RYCKMANS (Belgium) (Interpretation from French): If I understand correctly, we will reply to this gentleman that, with regard to the request concerning the union of Tanganyika and Ruanda-Urundi, it is not within the competence of the Council. But this is not all. As to the rest, I think that we already said in our previous reply that with regard to the general questions, the Trusteeship Council will consider them in the course of its normal work. We should not go on to say, "We did not consider the rest of your petition when we considered the report of the Visiting Mission, but we will consider it when the different questions rise and we will give you a reply in the future." No. We must end this business. It seems to me that this is not a petition but is a general statement, which may be very useful, as the representative of the Philippines said, and it is sometimes good that this gentleman brings certain facts to our attention on matters <sup>to</sup> which <sup>report</sup> of the <sup>of the</sup> Administering Authority does not refer. But this is not a petition.

/The PRESIDENT



The PRESIDENT (Interpretation from French): We shall put the proposal previously presented to the vote. Those in favour of the answer to be sent, as read to the Council, please raise their right hands.

The reply proposed by the representative of France was adopted by 5 votes to none.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Would the President read the text of the full reply which will be sent?

The PRESIDENT (Interpretation from French): The Council will be informed of the answer. It will be printed and distributed.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Would the President give us the text of the decision just taken by the Council?

The PRESIDENT (Interpretation from French): The Secretary of the Trusteeship Council will be good enough to read this text, on which we have just voted.

Mr. ALEKSANDER (Secretary of the Trusteeship Council): There are two points: one is <sup>that</sup> the question of the unification of the Trust Territories of Ruanda-Urundi and Tanganyika, does not fall within the competence of the Council and therefore the Council was unable to consider it.

As for the general questions, the Council will consider them in the course of its normal work.

Mr. RYCKMANS (Belgium): If there is no question of postponing and giving them further answers then I vote for the resolution.

Mr. SAYRE (United States of America): I understand that all of these replies will be prepared by the Secretariat and submitted to the Council for approval before being sent, so that I think the representative of the USSR can be satisfied on that point.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Nevertheless I would ask that decisions on the petitions should be taken on the basis of a clear wording.

If we do not act in this way it will mean that we decide on something now, and, when the Secretariat presents us with the final texts of the decisions, we shall have to consider it once again. It seems to me, therefore, preferable to know exactly what is the text for which members of the Council are voting, and in the final consideration only drafting changes would be needed.

The representative of Belgium now tells us that he would have voted for the proposal, but he voted against it, so he did not know for what he was voting.

The PRESIDENT (Interpretation from French): The representative of the USSR is perfectly right when he says that <sup>we</sup>/should vote on a precise text. But we have not done so, because, as we have done previously, we discussed a petition and proposed the general tenor of the answer, which the Secretariat will draft. The draft reply will then be put to the Council for its final decision.

It is a procedure that has, of course, certain complications, but it has been followed previously. I should like to recall to the Council that the French delegation has time and again called its attention to the advantages there would be in the establishment of a drafting sub-committee that would prepare the answers, which would then be presented to the Council for agreement. With that type of procedure we should have gained time. But you notice that each time the Council takes up the consideration of petitions it falls into chaos, loses a tremendous amount of time, and falls into the quagmire of drafting.

The Council could adopt a reasonable procedure to cover all petitions. Every time petitions are discussed it is very difficult to come to a decision, because we are not a drafting committee.

Mr. RYCKMANS (Belgium) (Interpretation from French): It seems to me that we waste time because the Council interferes with the work of the Secretariat.

What did we do with the petition from Bahaya with regard to the request concerning the Tanganyika Bahaya Union? We decided to reject this petition and that the Secretariat should communicate this to the petitioners, in order to inform them of the decision of the Trusteeship

/Council.

Assistant  
Council. It was suggested to the/Secretary-General that he make the reply most courteous and diplomatic, to the effect that in view of the fact that this question was not within the competence of the Trusteeship Council, it could not take it into consideration. That is all. It was left to the/Assistant Secretary-General to inform the petitioners of the decisions of the Council.

The PRESIDENT (Interpretation from French): The Secretariat will prepare an answer in accordance with the vote that was taken here. If that answer is not appropriate, we can change it here in the Council. Otherwise I do not see how we can ever go back on a vote that has been taken. Once we have voted on it here, then after we have voted we shall have to establish exactly what the answer will be.

Mr. RYCKMANS (Belgium) (Interpretation from French): I should like to know what the Assistant Secretary-General thinks about it. Does he think that the Council controls the wording?

Mr. HOO (Assistant Secretary-General) (Interpretation from French): If the decisions taken by the Council are clear, the Secretariat can draft and edit the answer. During the last session, every time the Council made a decision, the Secretariat took up that decision and took care of the drafting. The decisions taken in the Council were never written decisions: resolutions were adopted and then the Secretariat went through the report and drafted the decisions taken by the Council. Once the Council has adopted a decision, it is the Secretariat that drafts it.

PETITION FROM THE CHAGGA COUNCIL (T/PET.2/59. Resolution 72 (IV); T/352).

The PRESIDENT (Interpretation from French): I repeat, we will go on to the third petition, from the Chagga Council. The representative of France has already presented observations regarding this matter, as has the representative of the USSR.

Mr. RYCKMANS (Belgium) (Interpretation from French): Could we not ask Mr. Lamb a question concerning the communications to be made to Chagga?

In paragraph 20 of the reply of the Administering Authority it is said that recommendations (a) and (c) were accepted by the Government of Tanganyika and approved by the Secretary of State. Recommendations (b) and (d) were bases for amendments. With regard to this, proposals were made to Chagga.

Did the Chagga people reply, or is that reply to be expected? If they are satisfied, then this will permit us to finish with this petition at once. If they did not reply to this proposal, then it would be proper for us to wait until the reply is received.

At the invitation of the President, Mr. Lamb, Special Representative for Tanganyika under British Administration, took his seat at the Council table.

Mr. LAMB (Special Representative): The position when I left was that this was being explained to the Chagga and being discussed with them, and the latest information I had was that it was being favourably accepted and received by them.

As a point of interest, I might possibly refer to a public speech <sup>on 19 April</sup> made by the Chief, who is the Chairman of the Chagga Council and leads the petitioners. I will read more than is necessary because we do hear things of other nature sometimes read in the Trusteeship Council.

/Referring to this

Referring to this particular matter, he says:

"Our patiently and paternally sympathetic Government, beset by many urgent problems of varying importance, had not been idle, for in the meantime it had been trying to find ways and means of solving this problem for us. The result was the establishment of the Moshi-Arusha Land Commission, headed by Mr. Justice Mark Wilson. The Commission heard witnesses from all interested elements, and its report incorporated the various evidences. Its recommendations were criticized by all racial elements, and it was the final concensus of opinion, African and non-African, that was conveyed to the Colonial Secretary. Under the circumstances, I consider the present result the fairest and most just to be arrived at."

The PRESIDENT (Interpretation from French): If there are no other remarks, I suggest that we reply to the petitioners that the question was placed before the Trusteeship Council, and that a declaration was made by the Administering Authority that the solution found to this question had proved satisfactory to the petitioners.

Mr. RYCKMANS (Belgium) (Interpretation from French): I think this would be going further than the special representative indicated, and would perhaps be rather compromising for the Administering Authority. The special representative said that, at the present time, it was his impression that the proposed solutions were well received, but we do not know this for sure and should therefore say that, in view of the fact that proposals have been made to the Chagga Council and that we have not yet received the official results of the conversations between them and the Administration, the Council decided to postpone consideration of this petition until it shall have received this additional documentation.

The PRESIDENT (Interpretation from French): Is the Council ready to adopt the proposal made by the representative of Belgium?

Mr. RYCKMANS (Belgium) (Interpretation from French): We should first find out whether the representative of the United Kingdom is in agreement.

/Sir Alan BURNS



Sir Alan BURNS (United Kingdom): Yes, I agree.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I repeat my request that all decisions on petitions should be put to the vote, this one as well.

The PRESIDENT (Interpretation from French): Very well. Those who are in favour of the proposal of the representative of Belgium will please raise their hands.

A vote was taken by show of hands.

The proposal was adopted by 7 votes to none.

PETITION FROM THE TANGANYIKA AFRICAN ASSOCIATION (T/PET.2/61,  
Resolution 74 (IV), T/353)

The PRESIDENT (Interpretation from French): We shall now pass to the fourth petition, the petition from the Tanganyika African Association. The resolution adopted on that is resolution 74 (IV), document T/328, page 22.

Perhaps the representative of France, who was the Chairman of the Visiting Mission, could give us some information regarding this matter.

Mr. LAURENTIE (France) (Interpretation from French): Regarding the petition presented by the Tanganyika African Association, it might be sufficient to adopt the United States reply because I think it covers this question completely. This is definitely a petition raising questions of a general character concerning conditions in Tanganyika; no specific point has been raised by the petitioners, and I think it might therefore be appropriate to follow the lines indicated by the representative of the United States when we discussed the petition from the Shinyanga Township Africans.

The PRESIDENT (Interpretation from French): If there are no other remarks, I shall ask the Council to state whether it is in agreement with the suggestion of the representative of France.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like some clarification: do our  
/decisions

decisions mean that the petitions--those from the Chagga Council, the Shinyanga Township Africans, the Tanganyika African Association, for example -- will be considered at the sixth session of the Trusteeship Council in connexion with the report of the Administering Authority? That was my understanding: that all these questions raised in the petitions will be considered at the sixth session of the Council in connexion with the report of the Administering Authority.

The PRESIDENT (Interpretation from French): The petitioners will be informed that the questions raised in their petition will be examined together with the consideration of the annual report. Therefore, it is up to all the members of the Council when we examine the annual reports, to draw the attention of the Council to the relevant petitions which have come before the Council.

These are questions of a general nature; the petitions give us certain indications and information which may be recalled by members of the Council at any moment during the discussion of the annual reports of the Administering Authorities. When a specific point is reached in the examination of these reports, a representative can say that we have received a petition on this particular matter, and can draw the attention of the Council to it.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to clarify the matter of the Chagga Council petition. This petition should be postponed until information is received on the attitude of the Chagga Council to the proposals of the Administering Authority.

The PRESIDENT (Interpretation from French): Very well. It will be so done.

Mr. RYCKMANS (Belgium) (Interpretation from French): We always get into the same confusion, and I beg the Council to pay attention to this. We say that we shall consider the petition of the Tanganyika African Association on the occasion of the consideration of the report. No, we shall not then consider the petition. In connexion with the annual report we shall consider the questions within the competency of the Council to which our attention has been drawn by the petition. But it is not a question of considering the petition.

/When we consider

When we consider the question of education in Ruanda-Urundi, for example, what shall we in fact be considering? Shall we consider the petition from Mr. Van Saceghem, or shall we consider the question of education in Ruanda-Urundi? We shall consider the question of education, and should therefore reply to Mr. Van Saceghem that we are grateful for his information, that it will be taken into account, and that is all. But let us not tell the petitioner that his petition will be considered at another time. At another time we shall consider the problem of education in Ruanda-Urundi only. We shall then be asked: "what did you do with the petition?" It is not a petition; we shall do nothing with it.

/The PRESIDENT

The PRESIDENT (Interpretation from French): That was what I just explained to the representative of the USSR when I answered the question he put to the Council. I said that, as they were petitions of a general character, every member of the Council can in the end when, for example, we discuss the problems of education in Tanganyika say "In such-and-such a petition there is an item referring to this and I should like the special representative to clarify this point." It is not a case of re-examining a petition indefinitely.

Mr. RYCKMANS (Belgium)(Interpretation from French): I agree with the President, but if we reply to a petitioner "Your petition will be considered at such-and-such a time" we will have to send him a new communication. There is no question of considering his petition again. We took note of it and each member can bring it up again when the matter raised in the petition is discussed.

What I object to is the practice of replying to the petitioner that his petition will be considered on such-and-such an occasion because then we would have to tell him that his petition was not considered on that occasion but will be considered on another occasion. Each time the question arises, someone will ask what has happened in regard to that petition. We should simply reply that the petition will be taken into consideration and that is all.

The PRESIDENT (Interpretation from French): I understand as well that when we reply to the petition we are not closing discussion on it. The general questions which are referred to in the petition will be discussed. The reply sent by the Secretariat will have to be in that sense of course.

Mr. RYCKMANS (Belgium)(Interpretation from French): I agree if the petitioners will not expect another communication on their petition.

The PRESIDENT (Interpretation from French): I thought the Council was in agreement on that. If there is still some confusion in the minds of the members of the Council, I wish to call attention to the fact that we are trying to find some convenient procedure for covering these points. Otherwise, we shall continually find ourselves in this confused state. We have a system which obviously is not the best in the world for examining these petitions so, in the future, we must find a more convenient system which will avoid this confusion.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics)(Interpretation from Russian): What would happen, for example, in the following case? The report on Tanganyika will be before the Council at its sixth session. In connexion with the problem of education, material will be used which was contained in one or another petition and, to a certain extent, even the decision of the Trusteeship Council will be connected with the material supplied by a petition. Does that mean that we can make no reply to the petitioner? It seems to me that we could reply to the petitioner at that time.

Why does the representative of Belgium feel that we should end once and for all work on these petitions? We are not finished with them; we are saying that these problems will be considered at a future date. Let us envisage that these problems will be considered and that the Trusteeship Council will take a decision on them. Why could not the petitioner be informed of this decision by the Trusteeship Council?

We cannot exclude the possibility of sending a reply to a petitioner. The present reply is a purely formal statement but when the question of education is considered by the Council and a decision taken, why could not the petitioner be informed in the following way: "In the consideration of the annual report, the Trusteeship Council took a decision which, to a certain extent, fully reflects the matters dealt with in your petition." I do not think we should exclude the possibility of a reply by the Council to a petition which raises serious questions dealing with a situation in a Trust Territory.

The USSR delegation cannot agree with the representative of Belgium that a decision to send a purely formal reply at this time excludes decisions on the substance of the matter and the possibility of sending a communication to the petitioner in regard to the decision taken by the Trusteeship Council on this matter.

If, during a future session, the Trusteeship Council should consider matters relating to Tanganyika and should take a decision on educational matters in Tanganyika which would have a bearing on a petition by the Tanganyika African Association, we should inform the Tanganyika African Association that the Trusteeship Council, at its sixth session, considered the educational situation in Tanganyika and took a decision on the basis of the report of the Administering Authority and that this decision fully satisfies the question raised in its petition. That would satisfy the petitioner and the Trusteeship Council.

/Mr. KHALIDY



Mr. KHALIDY (Iraq): It is a source of amazement to me why the Council did not see fit to appoint a committee of four to study petitions in general considering that there is so much divergence of opinion. Evidently it is too late now.

It is no use going through every petition and wrangling on every point in the petition. That would entail a redundant discussion on many points which were raised during the consideration of the report. It seems to me that the best course to take now is to adopt a general resolution allowing the Secretariat to do the job. The Council can take a general decision on what to do with these petitions and then the Secretariat can go ahead and do it.

I understood the resolution of the United States representative was to that effect and I am sorry it is not being executed in that sense.

Mr. HOOD (Australia): I think there is a certain amount of unnecessary misunderstanding on the procedural aspects of this question. If I understood the representative of the USSR correctly, his point is met exactly by the resolution which the Council adopted at its last session, resolution No. 74 (IV), which provides quite clearly that the Secretary-General shall communicate to the petitioners any subsequent decisions which the Council may adopt on these questions.

That leaves the remaining processes of reply to the petitioners to the Secretariat which is perfectly <sup>proper</sup> and in accordance with the general intention of the representative of Iraq, but which is also based on a specific resolution of the Council. I see no difficulty.

Mr. RYCKMANS (Belgium) (Interpretation from French): This discussion may not be completely useless. What the representative of the USSR said is compatible with what I have said.

Suppose a petition from the Chagga Council brings to our attention certain problems. We reply "With regard to the positive request in your petition, we reply the following.... As to the general points raised in your communication, the Council takes note of them and will take them into consideration when the appropriate questions are considered by the Council."

Let us not inform them that their petition will be reconsidered. It is the points raised in the petition which will be reconsidered so we should not put on the agenda consideration of a petition by the Chagga Council for example.

/Once a problem

Once a problem has been brought to our attention, it is quite normal, as the representative of Australia indicated, that the Secretariat should keep the petitioner informed of decisions which are of interest to him. By applying this method, we could avoid a constant return to petitions.

The PRESIDENT (Interpretation from French): I think the representatives of Australia and Belgium have answered the question asked by the representative of the USSR.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I did not raise the question; I just endeavoured to clarify the decision of the Council because the representative of Belgium seemed to be under a misunderstanding. I am thankful to the representative of Australia and to his reference to the resolution which really makes the matter clear.

The PRESIDENT (Interpretation from French): Then we will continue the consideration of petitions, and perhaps we can finish these quickly.

We will go back to the resolution on the petition from the Tanganyika African Association.

The Chairman of the Visiting Mission suggested that we answer this petition in the terms of the general answer proposed by Mr. Sayre. Does the Council agree with that type of answer? Does anybody ask for a vote on it? Does the representative of the Soviet Union ask for a vote?

Mr. SOLDATOV (Representative of the Soviet Union) (Interpretation from Russian): Yes.

The PRESIDENT (Interpretation from French): I had asked if anybody had asked for a vote. I did not hear you answer. We will go on to a vote.

Mr. RYCKMANS (Belgium) (Interpretation from French): According to the President's statement and in view of what has been said by the representatives of Australia and Iraq, I think that we should delete this problem from our agenda.

The President stated that a reply was given to the petitioners to the effect that the questions dealt with in the petition would be considered --not the petition itself but the questions -- and that the petitioner would be informed of the decision of the Trusteeship Council on the problems and questions dealt with in the petition. So we do not now have to reply to the petitioner.

When there is a petition which requests certain personal demands, when the Council takes a decision, the Secretariat will inform Mr. so and so about the decision.

/ The PRESIDENT:

The PRESIDENT (Interpretation from French): Then we have to go over the votes again that we have already taken; we have to re-do all that.

Mr. RYCKMANS (Belgium) (Interpretation from French): Would the President allow me to present a suggestion. I would suggest the following: In view of the fact that the Trusteeship Council did not promise to the petitioners that the petitions would be reconsidered but that the questions raised in the petitions would be considered; and in view of the fact that the petitioners have already been informed that the future decisions of the Council on problems that interest them will be communicated to them, there is no need to consider such petitions any further.

I think that I agree with the representative of Iraq.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): It seems to me that we could finish our work quickly. There are only a few petitions on which a decision is still pending. We were taking decisions quite quickly and are now wasting time on the consideration of side-line questions.

One cannot agree with the proposal now made by the representative of Belgium. The decision taken at the fourth session was quite clear; that is, that the Trusteeship Council will consider the problems dealt with in the petitions at its fifth session in connexion with its consideration of the report of the Visiting Mission. We did not examine the report of the Mission at this session and did not consider the questions dealt with in the report of the Mission. But we decided to consider the petitions and the matters contained therein.

We have dealt with three petitions and have now finished the consideration of the fourth petition; only the vote remains. The other petitions will not take more than fifteen minutes. Now why should we raise once more the question of procedure? It seems to me that we can finish quickly and take decisions with regard to the remaining petitions.

If we do not do so I reserve my right to speak about the proposal of the representative of Belgium and I will not speak as briefly as I have done now.

/ The PRESIDENT:

The PRESIDENT (Interpretation from French): I would like to remind the Council that we have already taken a vote on the formal proposal presented by the representative of the United States in the terms that were read out. . . I propose now that we should take a vote that will state whether or not we should answer in the same sense to the petition of the Tanganyika African Association.

Those who are in favour of an answer along similar lines as that proposed by Mr. Sayre please raise their right hands.

A vote was taken by show of hands.

The proposal was adopted by 9 votes to none.

PETITION FROM MR. R. VAN SACEGHEM (T/Pet.3/14, Resolution 52(IV))

The PRESIDENT: We will go on to the next petition, from Mr. R. Van Sacegham. Are there any remarks on this petition?

Mr. SAYRE (United States of America): I do not think this need take us long. This petition could really be divided into two parts. One is the request for the grant of a scholarship; the other is a general consideration of educational problems.

As to the first, we have already taken a decision. In resolution 52(IV) which is contained in Supplement No.1 of the Resolutions, you will read: "The Trusteeship Council decides . . . that no action by the Council is called for in the specific request of the petitioner with respect to the granting of a scholarship;"

As to the second part, we decided that "the general question of education raised in the petition will be considered in conjunction with the final examination of the report of the United Nations Visiting Mission to East Africa," and requested the Secretary-General "to communicate to the petitioner any subsequent decisions which the Council may take on this question, together with the relevant parts of the official records of the Council."

It would seem to me that having dealt with the first part we could dispose of the second part very briefly by following the same formula as has been proposed with respect to the other petitions

The PRESIDENT (Interpretation from French): I ask whether it feels that we can answer as Mr. Sayre has suggested. If there are no objections or remarks we will take a vote on this matter immediately.

/ Those who



Those who are in favour of an answer such as suggested by Mr. Sayre please raise their right hands.

A vote was taken by show of hands.

The proposal was adopted by nine votes to none.

/ We will now

PETITION FROM MR. GASSAMUNYIGA MATTHIEU (T/PET.3/8, RESOLUTION 62 (IV))  
PETITION FROM MR. FRANCIS RUKÉBA (T/PET.3/9, RESOLUTION 63 (IV))  
PETITION FROM MR. G. CLEMENT NITILEMPAQA (T/PET.3/12, RESOLUTION 65 (IV))

The PRESIDENT (Interpretation from French): We shall now go on to petition number 6, the petition presented by Mr. Gassamunyiga Matthieu.

Mr. RYCKMANS (Belgium) (Interpretation from French): Could we not take the petitions from Messrs. Matthieu, Rukeba and Ntilempaqa together? They are all of the same nature. It seems to me that these are general observations on the Administration of Ruanda-Urundi.

The PRESIDENT (Interpretation from French): Does the Council feel that we could answer in the same sense as we answered the previous petition, the same answer as that proposed by the representative of the United States? If there are no objections we shall put this to the vote.

A vote was taken by show of hands.

The proposal was adopted by 8 votes to none.

The PRESIDENT (Interpretation from French): We have thus concluded the examination of the petitions.

#### REVISION OF THE RULES OF PROCEDURE

The PRESIDENT (Interpretation from French): We shall go on to item number 2 on our agenda which, I believe, will not give rise to a long discussion. It is the revision of the rules of procedure. The representative of the United Kingdom had asked that this item be discussed. Last night he suggested that rule 99 be examined by the Trusteeship Council. I should therefore like to ask Sir Alan Burns to be good enough to explain his point of view on the matter of rule 99 of the rules of procedure.

Sir Alan BURNS (United Kingdom): As I pointed out yesterday, my feeling is that some steps should be taken by the Council to ensure that the report of a visiting mission should not be published until such time as the observations of the Administering Authority are

available to be published with it, subject of course to a time-limit to the Administering Authority which would prevent any undue delay.

It seems to me that it should be possible, if the Secretary-General transmits to each member of the Trusteeship Council confidentially a copy of this report, to avoid any premature publication. I am well aware that there is always the danger of leakage of such information but I think the Council should do all in its power to obviate that possibility and I suggest no amendment to the rule but a recognition by the Trusteeship Council of the desirability of publishing both the report and the observations of the Administering Authority together. In the meantime the report of the visiting mission should be treated as a confidential document.

The PRESIDENT (Interpretation from French): The Assistant Secretary-General shall make a statement on the item raised by the representative of the United Kingdom.

Mr. HOO (Assistant Secretary-General): As I had the opportunity of telling the Trusteeship Council on a previous occasion, there are no secret documents in the United Nations. We have "restricted" and "unrestricted" documents but they are not secret.

What we could do is issue a limited number of copies at the beginning and send them to the members of the Council only, but we cannot vouch for secrecy. If one document somehow leaks out we cannot, of course, guarantee that that will not happen. What we could do is ask the Conference Department to issue only a limited amount of the report and send one copy to each member of the Council so that the Administering Authority will be provided <sup>for</sup> through its member of the Council and publish the report later when the Council so decides.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I wanted to ask a question on order but the representative of Mexico wishes to speak on the substance as far as I understand.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I am rather in a strange position because I find a conflict between the

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proposal just made and work carried out by the United Nations on freedom of information. If we consider the final act of the Conference on Freedom of Information, that was held in Geneva in April of 1948, and if we examine the records of the Third Committee of the General Assembly during our last session and, furthermore, if at the same time we examine the draft convention that was adopted by the Third Committee itself and then by the General Assembly, we would find that there is a definite clash between this proposal and the matters of principle which were adopted and approved by the Conference on Freedom of Information and the questions of principle that are involved in the Convention of Freedom of Information adopted by the General Assembly during our last session.

I must say -- and this I am saying with all due respect to the United Kingdom delegation -- that it was the United Kingdom delegation in the Third Committee and in Geneva that most heartily fought to give the greatest possible freedom of access to information.

I should also like to point out to the Council that in the Convention adopted by the General Assembly that there is a clause that specifically guarantees to newspapermen access to <sup>sources of</sup> information of the United Nations. Within the sources of information are included the bodies of the United Nations and the documents that these bodies of the United Nations produce.

/Very often for reasons

Very often, for reasons of the work itself, organs of the United Nations have to decide to have closed meetings and then the entry of newspaper men is not permitted. But I recall the fact that the representative of the United States in the Third Committee fought very warmly in favour of this article. It was decided in this article of the Convention that there would always be a possibility of giving information to the press on the work of the United Nations and its committees. It was felt that if in certain parts of the world there was not sufficient opportunity for newspaper men to be given information, it could not be accepted, nevertheless, that in the United Nations itself there could be any restriction or secrecy with regard to documents prepared by the United Nations, which gave a summary of the work of certain committees or sub-committees or any other bodies of the United Nations.

Therefore, I do not know whether a resolution of the Council in this sense could really be considered as consistent with the attitude of the General Assembly and that of the special Conference called by the United Nations on Freedom of Information.

Mr. HOOD (Australia): I find this question somewhat baffling when examined in the light of the actual rule 99. It is quite clear from that rule -- as the Assistant Secretary-General has just stated -- that it is open to the Secretariat to circulate any such report immediately to the members of the Trusteeship Council. That appears to be provided for in the rule, and that is all right.

But then there is a second provision in the rule on which I should like to ask the Assistant Secretary-General a question as to his interpretation of it. The rule says: "The mission may authorize the Secretary-General to release its report in such form and at such date as it may deem appropriate." That release is apparently something different from the transmission to each member of the Trusteeship Council. What exactly is meant by the term "release"? If release means something over and above circulation to the members of the Trusteeship Council, then that implies that circulation among the members of the Council is of a confidential nature, does it not? Otherwise I do not understand the rule.

Mr. HOO (Assistant Secretary-General): All the documents of organs of the United Nations are made available to the public as  
/ soon as



soon as they are made available to the organ to which they are addressed, so I do not know of any other instance in any other organ of the United Nations of the matter now being discussed by the Council. Usually the other organs want their documents to be distributed as widely as possible, but here I think the trend is different and we have no other precedent.

As far as I understand this sentence about release of reports it is that it would be an advance release, in summarized form; that is why it says "in such form and at such date as it may deem appropriate." It is not necessarily released after the reception by the Council of the report.

I say this, remembering the precedent we had -- and the representative of Australia knows this himself -- in the Palestine report. The Council will remember that when we made that report it could not be published right away because it was too long and it was not even in New York, it was drafted in Geneva. But it was arranged to release the summary of the main parts of that report by telegram with Lake Success. I think that is the meaning of that sentence.

Mr. SAYRE (United States of America): I do not want to interrupt the list of speakers and I do not want to speak on the general subject, I simply want to answer the question asked by the representative of Australia because I think I can answer it very briefly.

That sentence was written into rule 99 to provide for a situation which arose in connexion with the report on Western Samoa. The Visiting Mission had returned from Western Samoa with a report which had not yet been laid before the Trusteeship Council. I think I may say that one of the newspapers got that report -- or at least got what they alleged to be the report -- and threatened to publish it the following Monday if it was not released. And it was for that reason that this sentence was written into the rule, which would authorize the release -- and that means the release to the public -- of a report under conditions where one might fear distorted comments otherwise. I think that is the reason it was written into the rule.

/Mr. LAURENTIE:

Mr. LAURENTIE (France) (Interpretation from French): I spoke about this matter at the beginning of this session, the Council will recall.

Regarding the change in rule 99 I do not think that the objections presented by the representative of Mexico, which are objections on principle and with reference to freedom of information, would apply. It is not contrary to the freedom of the press that the author of a document decides not to present it to the public until after a certain delay. It is a procedure that we, the Trusteeship Council, adopted when we considered the report of the Committee on Jerusalem. It was understood that that document would not be given any publicity whilst the Committee was working on it, and the representative of Mexico took part in the work of that Committee. It is therefore perfectly feasible that we should do this.

Regarding the advantages inherent in the delay of publication, I think these are for the Council to <sup>decide.</sup> This happened last year. A report was published as an unrestricted document of the United Nations, that is to say, it was sent to the press inside and outside the United States, but in a very fragmentary and second-hand form. The journalists of the world took this report and published what they thought was a "scoop" and the result was that the Visiting Mission and the Trusteeship Council were subjected to very grave criticisms which were at times very acrimonious on the part of the press of the world. They suggested that the Council was losing its serenity and that the Visiting Mission had definitely lost a great deal of confidence; and it worried the Council and the Visiting Mission and we were in danger of becoming perhaps a trifle hot-headed. Also, I must admit, the Council was in danger of losing its great efficiency because of the atmosphere created by the premature publication of this document.

Last year the members of the Visiting Mission to Western Samoa were very worried by the criticisms to which they were subjected, but the fact of the matter is that the contrary might be the case. I think that that was an unfavourable circumstance occurring as the result of our work. It is perfectly clear that if the tone of the press was unfavourable it was because the report was published in incomplete form and I think we might safely say prematurely. Had the report been published two months later, together with the observations presented by the Administering Authority concerned, it is obvious to us all that any honest newspaper man would have  
/considered the

considered the entire matter together with all the information, he would have read the report and the observations of the Administering Authority, which he could not do then because the details had not been completely given to him. The press did not have all the documents and the matter had not as yet come to a head. They attacked something which was not as yet ready to be considered by them.

That is the important<sup>point</sup> and that is the crux of the matter as I see it, in order to guarantee the efficiency and the calm work of the Council.

The PRESIDENT (Interpretation from French): I have two other speakers on my list, the United Kingdom and Belgium. I understand that Belgium is willing to withdraw, so that the United Kingdom is the only speaker. But if this is going to become a long meeting, we might adjourn and take up this matter at three o'clock this afternoon.

The meeting rose at 1.0 p.m.