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## TRUSTEESHIP COUNCIL

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TRUSTEESHIP COUNCIL

Second Special Session

VERBATIM RECORD OF THE THIRD MEETING \*
(Transcription from the sound track)

Held at Lake Success, New York, Friday, 9 December 1949, at 3.00 p.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.197 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

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The PRESIDENT (Interpretation from French): I declare open the third meeting of the second special session of the Trusteeship Council.

CONSIDERATION OF THE RESPONSIBILITIES OF THE TRUSTFESHIP COUNCIL UNDER SECTION B OF RESOLUTION A ON THE QUESTION OF THE DISPOSAL OF THE FORMER TTALIAN COLONIES ADOPTED BY THE GENERAL ASSEMBLY AT ITS 250th PLENARY MEETING ON 21 NOVEMBER 1949 (T/420, T/421) (Continued)

The PRESIDENT (Interpretation from French): We resume the discussion on the point of whether the Trusteeship Council shall set up a committee to preced with preliminary consideration of the Trusteeship Agreement for the Territory of Somaliland.

Mr. SAYRE (United States of America): I want to be brief because I hope that we may finish our discussion at an early hour this afternoon. I wanted merely to say a word in support of the New Zealand draft which was presented to us this mcrning.

It seems to me that the draft presented by New Zealand is concise and to the point, and that It provides for the appointment of a committee to undertake at once the work which must be undertaken; I think, as that was pointed out by the representative of the United Kingdom, the time element is very important. If the transfer of the Territory is to take place within the next nine months, as I understand it, it will be necessary to have this Trusteeship Agreement drafted and agreed to by the interested parties, and ready to put into operation by March. That allows very little time for all that has to be done.

I think all of us agree that, following the precedent of former activities, it would be advantageous to have the preliminary work done by a committee which I hope might start work at once. By placing the preliminary work in the hands of a committee, I think we all understand that the Trusteeship Council would not be abandoning any of its functions: we should not empower the committee to take any final action, although we should hope that the committee would be able to agree upon some draft which could be put before the Trusteeship Council and, I hope, allow speedy action to be taken, presumably at the beginning of our regular session on 24 January.

I also like the idea which the representative of France has proposed and which is embedded in his draft amendment. I am only wondering whether his ideas, which he expressed this morning, might not be made a little more precise by some formula along these lines: if, for instance,

/at the end

at the end of paragraph 2, under "Decides therefore", we added the words:

"...representatives of Colombia, Egypt, Ethiopia and India may
be invited to submit their views whenever the committee considers
it desirable;"

I make this suggestion partly because I feel we must have confidence in our committee and must empower them to invite representatives of those four countries to submit their views whenever the committee so desires, partly because we also, in order to conserve time, do not want the committee to be swellen into too large a body. If we put the formula in this language, I think it would allow the committee to act expeditiously; it would give it full freedom to hear the views of any ofhthese four representatives and, I hope, would enable the committee to reach agreement among themselves on the text of the draft to be submitted to the full Council on 24 January.

May I repeat the words of my suggested amendment:

"...Representatives of Colombia, Egypt, Ethiopia and India may be invited to submit their views whenever the committee considers it desirable:"

If I correctly understood the remarks of the representative of France this morning, that formula would, perhaps, more precisely express his ideas than the formula which he proposed, and I should like to ask whether such an amendment would be agreeable to him.

Mr. LAURENTIE (France) (Interpretation from French): The suggestion which has just been put forward by the representative of the United States does not, of course, meet with any opposition on my part since, after all, we are only seeking a more specific and precise draft, and thish corresponds, in fact, exactly to the ideas which I wished to express this morning. Nevertheless, I should only accept this change in my amendment if it met with the approval of the majority of the Council. I do not know, for instance, whether the representative of Iraq, since he this morning made some remarks on this matter and on the French proposal, should not be called upon to give his opinion as to which of the two drafts he prefers. I should rely on his opinion, with the President's permission, as to the choice between the two drafts which have, after all, the same purpose.

The PRESIDENT (Interpretation from French): I should like to ask the representative of the United States whether he is presenting a formal amendment. In that case, I would ask him to give the text to the Secretariat and to have it circulated.

Reprosentative of the UHITED STATES OF AMERICA:

Mr. SAYNE (United States of America): I should like, in the interests of simplifying the procedure, to ask the representative of New Zealand whether he would accept this proposal of mine as part of his draft resolution. If he would, it would obviate many procedural difficulties.

The PRESIDENT (Interpretation from French): I ask the representative of New Zealand to reply to this question.

Mr. LAKING (New Zealand): Perhaps the representative of the United States would give us the text of his proposed amendment again.

Mr. SAYRE (United States of America): I shall repeat it:
"...Representatives of Colombia, Egypt, Ethiopia and India may
be invited to submit their views whenever the committee considers
it desirable:"

Mr. LAKING (New Zealand): I should be willing to accept that if it would expedite matters.

The PRESIDENT (Interpretation from French): In this case, since the amendment of the representative of the United States has been accepted by the sponsor of the resolution, could I ask the representative of France whether he would be prepared to give up his own amendment.

Mr. LAURENTIE (Interpretation from French): Certainly, I do.

Mr. BAKR (Iraq): I wanted just to express my point of view in preferring the previous French amendment. However, the representative of France has withdrawn his amendment and a new amendment has been incorporated into the draft resolution. Therefore, I have nothing to say.

The PRESIDENT (Interpretation from French): Are there any other remarks on the draft resolution before the Council?

Mr. NORIFGA (Mexico) (Interpretation from Spanish): Of course the representative of Mexico is not going to be more royalist than the King and attempt to bring any pressure to ensure that the representatives invited to participate here be allowed to participate permanently and not simply on occasion as will be the case if we adopt the New Zealand draft and United States amendment thereto.

As a matter of principle

As a matter of principle my delegation would be in agreement in that the invitation should not be limited to those cases when the committee deemed it desirable, thus bringing interruptions to the participation of those delegations. But as I said at the beginning, the delegation of Mexico will not be more royalist than the king, and concerning, India, Egypt, Colombia and Ethiopia, since they are directly concerned, I would like to know whether they think that in accordance with this formula they could fulfill their responsibilities in accordance with the resolution of the Assembly and the decision taken by the Trusteeship Council. I would like to have that information from them.

The PRESIDENT (Interpretation from French): I should first of all like to ask the representative of the United States whether the amendment which he proposed and which has been accepted by the delegation of New Zealand, means that the representatives of the four Powers which have been admitted to take part in our debates without right of vote, would also be admitted to sit within the committee but would only speak when called upon to do so by the committee itself, in order to accelerate the debates of the committee. other words, that the four delegations would be seated at the table of the committee and might therefore follow all its debates, but would only take the floor when it would appear useful to the committee for them to do so, and in this case the Chairman of the committee might invite one or other of the four members to formulate This would not be a strict rule and I am quite convinced that the four delegations concerned would not make undue use of their right to take part in the deliberations, which would be granted to them by the Trusteeship Council. Nevertheless, their statements would be strictly limited to the cases in which the committee, and in fact the Chairman of the Committee, would consider it appropriate to call upon them in order to have the necessary information.

Was that the opinion of the representative of the United States? It seems to me that this point should be clarified.

Mr. SAYRE (United States): Yes, that was the thought in my mind. In interpreting such language I should suppose that it would go without saying that the correittee would be extremely anxious to

hear the views of any of these four delegations whenever any of them carecto speak, but after all, in view of the time element, we must give considerable freedom to the committee to determine how lengthy the dehate may be, and I think in order to allow the committee full freedom it would be wise to expect some such procedure as the Chairman has just suggested, and this thought was in my mind when I made the proposal.

Mr. FAWZI BEY (Egypt): It may be said that this part of the Council's work is an organizational one and I am not supposed to intervene. On the other hand, the Council is evidently supposed to have the co-operation of the other members of the United Nations who have been invited to participate in its debates concerning Somaliland.

I am not going to speak of courtesy; I am going to speak of rights and of logic. I prefer to eliminate the word "courtesy" for a little while at least.

The Council wants our participation. Last year I participated in the debates of the Economic and Social Council, then I participated on the same subjects in the debates of the committees of the Economic and Social Council, and I had full participation as of right and as a Member of the United Nations, considering that neither the Economic and Social Council nor this Council nor the Security Council is the private property of those who happen to be members for a while, but belong to the United Nations and represent the United Nations.

You are our representatives, nothing more and nothing less.

When I participate I want to do so honourably in the name of my country. I want full participation; I do not want to sit there just watching and to be called upon to speak just whenever it pleases the committee, and when I want to speak to have to await the reaction of the committee. I do not think any Member of the United Nations can accept such a position while maintaining the honour of his country.

I suppose for these reasons the exact position which was in the minds of the proponents of the various ideas which we have heard this afternoon did not occur to me. I want to be clear about this point before proceeding any further.

Mr. LAKING (New Zealand)! I just wanted to say that when I accepted the amendment of the United States delegation it was in the sense that the Chairman has explained. My delegation is not in the least interested in limiting the participation of the four countries concerned in the debates except to the extent that it may be necessary to limit the debates as a whole in order to get the work completed within a reasonable time. I would understand this amendment in the sense that those representatives will certainly be present at the Council table the whole time, and I would think that their participation would, in fact, be of the fullest nature.

Mr. FANZI BMY (Egypt): I am grateful to the representative of New Zealand for the explanation which he has just given. As I said before I presume that it did not occur to the minds of those who have expressed various ideas in this Council this afternoon that we be put into such an awkward position as simply to wait on the pleasure of the committee as to whether we participate or not in the debates that will take place.

However, as the wording of the amendment proposed by the representative of the United States and accepted by the representative of New Zealand stands it does not give the idea in the way in which we read it, that is, to accept our intervention whenever the committee feels it proper. No: if I am there and I want to intervene I want to ask for the floor and have it as of right, not simply to take it as a concession from the committee. I would not accept that position, and I am sure that you would not like to consign the position of any Member of the United Nations to such a state. You would not do that, and if you would, it would be against my very strong opposition.

At the same time I certainly appreciate the necessity for the speedy expedition of our work and I fully participate in that. But the more you will institute such unsavoury elements in the debate the more sorry you are going to be, and whenever we participate in a sub-committee, the more we participate in it the less we shall participate in the debates of the full Council.

That is logic and fairplay and I am sure you will agree.

Mr.BAKR (Iraq): I have not expressed my point of view with regard to the New Zealand draft resolution as smended by the representative of New Zealand. I expressed my point of view with regard to the French amendment and suggested at that time to omit the words "insofar as it may be necessary" on the grounds that the word "necessary" is an elastic term and also on the grounds of the difficulty of who is going to decide whether it is necessary or not.

All these difficults arise also in the new sentence which it is suggested should be added to the effect that representatives might be invited to submit their views whenever the committee considers it desirable. "Considers" and "desirable" are also elastic terms because we are seeking the advice of these Member States, and in the opinion of my delegation it would be more courteous to give them freedom to express their point of view when they find it advisable; in fact to give them liberty to express their point of view when, in their consideration, it is advisable, and not to limit it to the members of the committee only.

As has just been expressed by the representative of Egypt, this is considered by them to be inappropriate and limiting their liberty to express their point of view. I find myself in full agreement with what has been said by the representative of Egypt and I suggest that certain alterations should be made in the text in such a way that will give full liberty to the Members invited to give expression to their opinions whenever they find it appropriate themselves.

The PRESIDENT (Interpretation from French): If that is a formal amendment which is presented by the representative of Iraq, will he please repeat the actual text.

Mr.BAKR (Iraq): ".....when they deem it necessary." They, the representatives of Colombia Egypt, and Ethiopia and India and not the members of the committee.

The PRESIDENT (Interpretation from French): I think that we have now become involved in a somewhat casuistic discussion. I think that actually the presence of the four Members taking part in the work of the committee points to the fact that they will never find their right to take the floor refused. When, for instances we have representatives of the Trust Territories in the Trusteeship Council, they sit at the table and are questioned by the Council, but each time they wish to speak, or to take the initiative to make a remark, the President always

grantsthem the floor. There is no practical difficulty here. In fact, whatever the formula adopted may be, there is always the same result.

Are there any other remarks on this point and on the resolution as a whole?

Mr.SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would like to make a few brief comments on the draft resolution submitted by the delegation of New Zealand in document T/L.l. I would like to comment in the draft as a whole and not exclusively on the question which has been under discussion for the past ten or fifteen minutes.

The first remark which I would like to make on this draft resolution is the following. The Soviet Union delegation supports the proposal herein contained, that a committee be composed of twelve individuals. In any event, if a committee of six is set up, which my delegation feels is not desirable, my delegation will consider that the Soviet Union should be represented on such a committee, as it is certain that the work of the Soviet Union delegation on such a committee would, in the future, substantially expedite the work of the Trusteeship Council in respect of the Trusteeship Agreement for Italian Somaliland; it would expedite the work of the Trusteeship Council itself. which is what I wish to state.

The second comment which I would like to make deals with the conquestion of in what way, and who, is to submit a draft Agreement, and how is such an Agreement to be submitted? My delegation supports those representatives who feel that a draft Trusteeship Agreement must be prepared by the Trusteeship Council, and the Soviet Union delegation sees no necessity for paragraph 2 of the draft resolution submitted by the delegation of New Zealand.

For this reason the Soviet Union delegation feels that there is no need for the formulation of the last paragraph, as it is now, in the draft resolution before us. Paragraph 3 as it now stands, should be so changed as to make it quite clear that the Trusteeship Council should instruct the committee to be set up, should instruct it to prepare a draft Trusteeship Agreement for Italian Somaliland and to report thereon, with such a draft Agreement for Italian Somaliland, to the Trusteeship Council.

These are three general remarks which I wished to make on the draft resolution submitted by the representative of New Zealand.

Regarding this last question; the question of the four Member participation. States, Egypt Colombia, India and Ethiopia/an the very or the committee which it is proposed to establish, as well as in the Crastocship Council as a whole, I would point out the following.

The Mass delegation in this

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The USER delegation follows, in this question, the principle which has already been stated here and that is that these delegations have been invited to participate both in the work of the Council and in the work of the committee -- that is, they have the right to speak. They are there in a consultative capacity and I do not see why there is any reason now to think up any limiting phrases or provisions to be introduced into a resolution which would embarrase any particular representative or delegation of the four States I have mentioned or make their position difficult.

If the Trusteeship Council has decided to invite these members to participate in the work of the Council, then the Council has no right to begin limiting their rights in this respect. In this particular case it really would be discourteens, unlightfied and/worthy of the Trusteeship Council if we were to think up/limiting provisions and reservations and conditions to hadge in the participation of these four States in the work of the Council itself and in the work of the commuttee, in the preparation of a Trusteeship Agreement for Somaliland.

These are the brief comments which the USSR delegation finds it necessary to make at this stage of the discussion.

Mr. BAKR (Iraq): I would like now to read the text of my amendment. It reads as follows:

"Add the following at the end of paragraph 2 of the operative part: 'The representatives of Colombia, Egypt, Ethiopia and India shall be invited to participate in the work of the Committee and to express their point of view when they deem it necessary.'"

The PRESIDENT (Interpretation from French): We now have before us a certain number of amendments. The amendment submitted by the representative of Iraq will be circulated to result the Council; members have already noted the text of it. Then we have proposals formulated by the representative of the Soviet Union; I think that he has submitted these remarks in the form of amendments also.

The first amendment would include a change in paragraph 1 of the draft resolution of New Zealand. Then he formulated two remarks concerning the following points of this draft resolution; but if the representative of the Soviet Union wishes a change in the text, will he submit his amendments to us in writing.

/Mr. SOLDATOV:

Pre-EOIDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I have just made a statement on the substance
of the dreft resolution proposed by the delegation of New Zealand.

Specifically, when I speke about the composition of the sommittee, I was
not the first one, I think, who raised that question. I simply agreed
with a previous statement, and I thought that at this stage we could
simply exchange views before submitting formal amendments.

However, if we find that we cannot reach an agreement on the questions which I have reised, it will of course be necessary for me to submit these emendments in written form. At this stage, however, I would like to know the opinion of the other members of the Council on these questions which I have raised. Perhaps during the course of the discussion we might agree on some sort of joint text and arrives at common agreement.

The PRESIDENT (Interpretation from French): We are therefore faced with two proposals as regards the procedure of the Committee -the New Zealand proposal is that this committee be composed of six members, the Soviet Union delegation proposes a committee of all, that is twelve, members of the Council.

I would be happy to hear the remarks of the members of the Council on this subject. If no one wishes to speak we shall have to proceed to a vote immediately.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): In my speech this morning I made an observation concerning the meaning of the term "to seek agreement" which appears in the New Zealand proposal, so that we might have an explanation in concrete terms which would satisfy our doubts as to whether this phrase did not mean that we were delegating to the committee the powers to negotiate the Agreement which were given by the General Assembly to the Council.

If the committee were composed of twelve members, then it would not be important, if it were said very clearly that it would be the committee which would negotiate the Trusteeship Agreement, because all twelve members of the Council would be represented on the committee, and perhaps that might facilitate the work of the Council, since the committee could then -- with very clear terms of reference -- embark upon the negotiations in a very well defined manner and upon the drafting of the Trusteeship Agreement with Italy. Perhaps this committee might comprise every member of the Council. In that case, we should not need a committee. The Council itself could just prolong its extraordinary session and could work on this matter. Perhaps we

/might not even

might not even need a committee; we could just say that the Council was doing the negotiations. In that case perhaps we should be saving a lot of time at the next session of the General Assembly, and in one special session we could liquidate the matter, so to speak.

Mexico is not going to participate in this work next year, and perhaps we could save some time in the discussions in the Council if the discussions -- no matter how long -- should take place at this preliminary stage of the negotiations.

These are the offservations which my delegation would present from a strictly impartial point of view, speaking from its experience in the work of the Council.

The PRESIDENT (Interpretation from French): I ought to point out that the convening of a committee of twelve members is not exactly the same thing as working in plenary session as we are at the present time. The only difference is not that by working in committee we could smoke, whereas we are not allowed to do so here; but there is a difference which is of greater importance, and that is that actually the discussion is more informal. We work in a small committee, even if there are twelve of us.

Also I should point out the possibility which is before the Council, and that is that it might have another special task of great importance which will depend on a vote to be taken, probably today, in the General Assembly. Under the circumstances, the Council as such should maintain as far as possible its own liberty of action. That is why I wish to point out this slight difference — that the committee which would be composed of the twelve delegations sixing in the Council would, nevertheless, work in more practical conditions and easier conditions than in plenary session of the Trusteeship Council. I am sure the representative of Mexico agrees with me on this point. It is a technical point.

Mr. BAKR (Iraq): Crity this morning I expressed the opinion of my delegation in preferring that this issue should be dealt with by the Council itself rather than by a committee, taking into consideration the fact that the members taking part at the beginning of an issue would eliminate some duplication of work later on. If a committee of a few members deals with a subject and then refers it to the Council, the Council will reconsider it and there will be some duplication of work.

As we are in need of finishing our work as soon as possible and accomplishing it in the shortest possible time, it is preferable that every member of this Council should participate at once. This will

facilitate the work and bring it to a better conclusion in the shortest possible time. And as the new suggestion of creating a committee composed of the whole membership of this Council is nearer to my point of view which I expressed this morning, I am inclined to agree with the representative of the USSR's proposal.

Mr. LAURENCIE:

Mr. LAURENTIE (France) (Interpretation from French): I would simply like to say that I believe that experience has taught the Trusteeship Council that so far when it works in a small committee, the work was better than in a very big committee. I think that on this point that there is a fact which should be retained.

On the other hand, it is absolutely out of the question, as the discussion this morning showed to, that the committee which would be set up should have to negotiate with the Administering Authority the terms of the future Trusteeship Agreement. This negotiation will belong to the Council itself at a later stage, and cannot belong to the committee, so that I do not think that a priori there is any advantage in a group which will be precisely a working group being entrusted with the greatest number of persons possible. I do not think this is necessary. I believe that the experience of the Council and of its committees previously has showed us exactly what we must expect, and we know that we will get greater efficiency from a smaller committee than from a larger one.

Mr. FIETCHER-COOKE (United Kingdom): I have endorsed the views of the representative of France; kwx the past experience of this Council shows that a small committee works faster and that a larger committee does not in fact have much effect in reducing the arms equent discussion in the Council.

I am also glad of the opportunity of speaking in favour of a sixmember Committee, and against, for example, a twelve member committee, because I hope it will remove any misapprehension on the part of those member states who have been invited to this table, and in particular, in the mind of the representative of Egypt, that my objections to increasing the numbers of those who will participate in the work of this committee/im not directed against those states because they are not members of the Trusteeship Council, but merely because they will of necessity add to the number of voices wishing to discuss these things in the sub-committee. For exactly the same reasons, I am weights equally apposed to any suggestion that the committee of six which has been proposed should be increased to twelve, and I more therefore that it will be quite clear that my objections to the four member states participating throughout all the deliberations -- anl, as the representative. of Egypt has suggested -- as a right, are objections which are in no sense directed against their status as Mombers of the United Nations, but mercly that

merely that in the interests of efficiency we should restrict the numbers in the committee of those who are going to participate regularly in the discussion to the minimum compatible with the representation of all the views, which would appear to me to be six.

Mr. van LANGENHOVE (Belgium) (Interpretation from French):

I think I shall express my opinions by my vote; I think that will be the most concise/of doing so -- but I believe the President asked for opinions in a more explicit manner. Therefore I would say that though I have not the experience of the work of the Trueteeship Council, it seems that common sense would point out that when one mants more useful and rapid work in a committee, one does it through a committee of six, rather than through a committee of twelve. I admit willingly that a committee of the Council having the same composition as the Council is not absolutely identical with the Council; nevertheless the difference is so small that we may wonder whether it would really justify the setting up of a committee in this case.

As to the participation of the states which have been invited this morning to take part in the work of the Trusteeship Council, I am of the opinion that in this respect we should leave the greatest freedom of appreciation possible to the committee which would be set up.

Mr. LIU (China): On behalf of my delegation I wish to express the view that we are in favour of a small committee, rather than a committee of the whole, to deal with this matter. We believe that it will expedite the work tremendously, and at least my experience during the last session of the Council has tended to confirm the views expressed by the representatives of France and the United Kingdom. Therefore I shall vote for a small committee of six.

As to the second paragraph, may I say, while I have the floor, a word concerning the New Zealand proposal? My delegation supports the view that the Council should have its own draft of the Trusteeship Agreement to be negotiated with the Administering Authority, and it should not merely take a draft that may be submitted by the Administering Authority as the sole basis of our discussion.

With regard to the participation of the four Powers invited to the discussions of the Council, my delegation feels that they should be given full freedom to express their views, so long that is within the limits that the majority, I believe, of the Council agreed to this morning.

That is to say, each will be confined to the particular aspect of the question that particularly concerns it.

The PRESIDENT (Interpretation from French): Before we continue with the discussion, I should like to point out that as far as I know a few members of the Council were not very desirous of taking part in the work of the committee, if the committee were a smaller one -- that is, a committee of six. I have received certain intimations on the part of my colleagues in this respect. Therefore, it might be perhaps possible to reconcile the various views expressed by maintaining a smaller committee while giving satisfaction to those who wish to take part in the work of such a sub-committee. This is simply a suggestion which I throw out, and I think we might consider it.

Mr. FAWEI Bey (Egypt): If I may be permitted to add a few words to what I said previously, I should like to remind the Council of various points. First of all, it does seem to mex, as it seemed to other members around this table, that there has been already a decision of the Council that certain non-member countries be invited to participate in the debate of the Council concerning Schaliland. There has been a decision.

/Before this

Assembly which is incorporated in paragraph 4 of its resolution regarding Somaliland. This decision says that the members of the Advicory Council -- of whichEgypt is one -- shall be invited to participate without a vote in the debates of the Council concerning Somaliland. We are now members of this Council and the only limitation the General Assembly has placed on this membership is the matter of voting, which is quite understandable and quite in conformity with our work in the United Nations. The Trusteeship Council has no right to put any other limitation on the manner in which the countries which are not members of the Trusteeship Council are to participate in the detates concerning Somaliland. Whether these debates take place in full Council or in one of the Council the Council, they are Trusteeship Council debates.

Therefore I should like to feel sure that my statements and the President: summing up of the position in this regard is in conformity with the thoughts of the representatives of France and New Zealand. If this is so, I accept them to be in agreement with the wording which has been submitted and distributed by the representative of Iraq which, to my understanding, is in perfect conformity with the usage in the United Nations of the resolution of the General Assembly and with the President's interpretation of this point.

The PRESIDENT (Interpretation from French): Since the representative of Egypt referred to a decision taken this morning, I shall recall the terms of this decision.

First of all, the representative of Egypt invokes paragraph 4 of the General Assembly's resolution, but I would recall that it was clearly understood this morning, when we took the decision referred to, that it is not under paragraph 4 of the resolution of the General Assembly that these delegations were invited to sit at the Trusteeship Council table. It is in an advisory capacity and because of the interest and concern the delegation of Egypt has for the question of a Trusteeship Agreement for Somaliland.

We have not forgotten paragraph 9 which points out that the Advisory Council shall commence the discharge of its functions when the Italian Government begins its provisional administration. Therefore as there is no Advisory Council, at the present time, for Somaliland, these delegations are not sitting here as members of a body which is still non-existent. The delegation of Egypt has been invited here, as has the representative of Colombia, because of the fact that since Egypt will later be a member of

the Advisory Council provided for in the resolution it is especially concerned with the work of the Council. There should be no misunderstanding on this score and I wish this to be will clarified very definitely.

On the other hand, I believe that the representative of Egypt is right when he recalls that the decision of this morning made no mention of a difference between the Trusteeship Council as a whole and the committees thereof. Therefore, in my opinion, since I presented the formula to the Council and it did not meet with any opposition, I believe that there is no reason to make any difference between a full meeting of the Council and any meeting of a committee or sub-committee. That is the interpretation which I think I am called upon to give as to the unanimous decision taken by the Council this morning.

I believe, therefore, that this procedure would be to give up the various amendments which have been suggested in this matter and to remain with the decision which was taken this morning. I think that would be the simplest manner in which to find a solution to this question.

Do the representatives of the United States and New Zealand wish to insist on their emendments?

Mr. SAYRE (United States of Amorica): As far as I am concerned I am entirely agreeable to accepting the President's suggestion. I think it is a very good one.

Mr. LAKING (New Zealand): I have already indicated my understanding of the way in which this amendment was accepted and it is entirely in conformity with what the Fresident has just said. In those circumstances I do not insist on the amendment.

The PRESIDNET (Interpretation from French): There remains the question of the composition of the committee.

As I pointed out a short while ago, I think that certain delegations did not expressly wish to take part in the work of this committee. It might therefore be possible to meet with the general concensus as to the figure of six. If any member of the Council wishes the committee to be composed of twelve members, as the representative of the Soviet Union proposed, then we would have to resort to a vote.

The emendment submitted by the representative of the Soviet Union will be circulated in a very short while. Pending the receipt of these amendmenta, are there any other remarks on the point under discussion, the constitution of the committee and the number of members who will participate in its work?

I would recall that so far three members of the Council have formally expressed their wish to take part in the work of the committee, whatever the number of its members may be. They are the representatives of the United Kingiom, Iruq and the Soviet Union. The three members have expressed the desire to take part in the work of the committee.

There are perhaps other members but I do not have any names before me.

Mr. Fletcher-Cooke wished to be a member of the committee, Mr. Soldatov and
the representative of Iraq. Are there any other members?

Mr. INGLES (Philippines): As a member of the Advisory Council, the Philippines would like to participate in the work of the committee. But I should like to find out whether it is in order now to discuss other parts of the New Zealand resolution?

The PRESIDENT (Interpretation from French): Yes, certainly,

/Mr. INGLES (Fhilippines)

4:55

Mr. INGLES (Philippines): I indicated this morning that we were going to present amendments to the New Zealand draft resolution, and for that purpose, I should like at this stage merely to read, with the permission of the President, our propased amendments to paragraph 2 of the New Zealand draft resolution.

We propose to substitute for paragraph 2 the following:

"2. To instruct the Committee to draw up a Trusteeship Agraement, drawn up in accordance with the above-mentioned resolution of the General Assembly, giving due consideration to the wishes and best interests of all parties concerned;"
We propose then the addition of a new paragraph which would read:

"The Committee may also allow the representatives of local opinion, as of political parties or other organizations in Somaliland, to express their views before the Committee if they so desire;"

We should also smend paragraph 3 of the New Zealand resolution by inserting, after the phrase "Trusteeship Agreement", and before the phrase "if possible", the following clause:

"...and the observations of the delocations who may have participated in the work of the Committee,"

Thus paragraph 3 as amended would road as follows:

"3. To instruct the Committee to submit its report, including the draft text of a Trusteeship Agreement and the observations of the delegations who may have participated in the work of the Committee, if possible by the beginning of the sixth regular session of the Council."

The PRECIDENT (Interpretation from French): Will the representative of the Philippines please send in his amendments in writing.

Mr. HEMRIQUEZ-URENA (Dominican Republic) (Interpretation from Spanish): Since this is a matter of getting the opinion of all the members of the Council, I should like to touch upon two points which appear to be of interest.

In the first place, my delegation views with great sympathy the amendment proposed by Iraq. This seems to us to be the broadest and most entisfactory for/purposes of cooperation which is to be expected by the Committee from those Merbers who have asked to work with us in this Council.

The suggestion presented by the delegation of the Philippines /also seems to be

also seems to be of great interest. I refer to the amendment to the effect that, in case the committee considers it desirable...

interrupting the representative of the Dominican Republic but, if I understood the President correctly, the amendments originally submitted relating to the participation of Member States in the Committee have all been withdrawn, and the President has himself ruled that, by virtue of their presence at the Council table, these representatives were admitted.

If I am incorrect, perhaps the President will clarify this matter.

The PRESIDENT (Interpretation from French): It is true that a short time ago I suggested to the various members who had submitted amendments concerning the participation of the four States in the work of the committee to withdraw their various amendments. I therefore considered, for my part, that the amendment submitted by the delegation of Iraq was also withdrawn; it had no reason to stand since the proposal has been accepted.

(Interpretation from French):
Nor. HENRIQUEZ-URENA (Dominican Republic), I beg the
Council to excuse me; I was not present at that time.
(Interpretation from Spanish): I was saying that the suggestion which has just been put forward by the representative of the
Philippines to the effect that, if necessary, we should welcome members of the local pupulation who might wish to express their point of vidw, seems to me to be in accordance with a precedent which, not only in the Council, but also in the General Assembly and its Committees, has been put into practice in relation to similar matters. The practice to which I refer is a sort of open door which should, I think, be made use of by the Council.

Concerning the number of members of the committee, I am more in agreement with the limited number of six, as appears in the criginal proposal. One could perhaps increase this to eight members, but I would go along with my colleagues who feel that a committee limited in number works more specially and with greater facility than does a larger committee. I am therefore inclined to favour a limited number of members of the committee. Since the Chair has referred to those delegations which have expressed their desire to participate in the committee, I may say that our delegation would take great pleasure in working on this committee.

The PRESIDENT (Interpretation from French): I propose that we adjourn for ten minutes in order that the Secretariat may draw up the amendments which will be put before the Council in a moment.

The meeting was suspended at 4.18 p.m. and resumed at 4.40 p.m.

The PRESIDENT

The PRESIDENT (Interpretation from French): We shall resume our discussion. I think that we are now in a position to proceed to a vote on the resolution and the various amendments which have been submitted. But before taking the vote I would like to ask the members of the Council whether they have any remarks to make.

Mr. INGLES (Philippines): I should like to explain further the amendments of my delegation inasmuch as they have already been circulated before this Council.

We had already indicated this morning that paragraph 2 of the New Zealand draft emphasizes the initiative on the part of the Administering Authority, first by the consideration of the draft agreement which it is going to submit and secondly by the agreement which the committee is instructed to seek with the Administering Authority.

The seeking of an agreement with the Administering Authority by the committee seems to my delegation -- as we have already indicated this morning -- to be a delegation of the Council's prerogative. Our proposed amendment to paragraph 2 of the New Zealand proposal, therefore, shifts the initiative from the Administering Authority to the Council and to its committee in that the committee shall make the draft but may take into account the wishes and best interests of all concerned, which would include the Administering Authority of course.

If we assume that the negotiations contemplated by the General Assembly Resolution are a bilateral proceeding, we cannot upset the balance by allowing only one party to propose a draft agreement and leave nothing to the other party but to accept or reject it, or suggest modifications thereto.

To make the position of my delegation clear, we have no objection to the Administering Authority on the one hand scemitting a draft agreement for consideration by the Trusteeship Council or its consiste. But we do insist that the Trusteeship Council should be free to propose a draft of its own to the Administering Authority. As a matter of fact, we tried to show this morning that it is a duty which the Trusteeship Council cannot shirk. It should be borne in mind that the Trusteeship Council had no part in the preparation of the draft agreement which is to be submitted, as ammounced this morning, by the Administering Authority. Yet a concession is being made to allow the Administering Authority to intervene in the preparation of the draft to be submitted by the Trusteeship Council. This is implicit in the ruling of the Chair that representatives not members of the Council now sitting at this Council table will

automatically participate in the work of the committee.

And this is as far as my delegation would allow without the Trusteeship Council, in our view, abdicating totally its responsibility to make a draft agreement of its own pursuant to the directive of the General Assembly.

In connexion with our amendment to introduce a new paragraph to "allow representatives of local opinion such as representatives of political parties and other organizations in Samaliland to express their views before the committee if they so desire", suffice it for us to state that this is a principle which we believe no one in this Council should oppose.

By the terms of the General Assembly Resolution, the local population of Somaliland is considered to be sufficiently advanced to express an opinion in this matter in view of the fact that independence is to be granted them after ten years. And I should like to recall that in the case of the Trust Territory of Western Samoa, a Trust Territory in which the Administering Authority had the full initiative to propose a Trusteeship Agreement, I understand that the Government of New Zealand consulted the local population before they submitted the Trusteeship Agreement to the General Assembly for approval.

Regarding our amendment to paragraph 3, in which we would like the observations of delegations who may have participated in the work of the committee to be included in the report of the committee, this serves a dual purpose. Firstly, it would allow the full Council to be apprised of the views of the representatives of the thocal population of Somaliland in view of the fact that they are not now participating in the deliberations of this Council and would only participate in the deliberations of the committee. Secondly, this may serve a useful purpose in shortening the debates in the full Council when the report of the committee shall have been submitted to the Council, because the delegations making these observations in the committee may not find it necessary to repeat them in full before the Council.

With these observations my delegation submits these amendments for the consideration of this Council.

Mr. IAURENTIE (France)(Interpretation from French): Without Witshing to delay the work of the Council too much, I would nevertheless like to say a few words concerning the amendments which have been submitted by the delegation of the Philippines.

As regards the first amendment, I confess that I do not/in what way draft it modifies paragraph 2 of the original/resolution presented by New

Zealand. The representative of the Philippines has just told us that it is up to the Trusteeship Council to draw up a document itself, to present a draft, but the New Zealand draft resolution does not say anything else. It simply says that the committee should take into account any Italian proposals. What does the Philippines emendment say? It says that account should be taken of the wishes and best interests of the parties concerned, and Mr. Ingles has just added that this of course gave the right to Italy to submit a draft on its part.

/In these circumstances

In these circumstances, I really do not see what difference there is between the two drafts. Therefore, it seems to me that this amendment -- whatever the intentions behind it may be -- is already contained within the provious resolution.

As to the second emendment, I am in complete agreement with the Philippine proposal. I think that it is quite natural that the Committee, if it considers it appropriate and necessary, and if wishes are expressed in this direction, should hear the representatives of the local populations and political parties and other organizations. Perhaps there has been too much of a tendency in some committees of the United Nations to forget precisely that there may be local opinion, and that very often it is expressed in constituted bodies. This has often occurred in the Fourth Committee in the last few weeks.

Therefore, the French delegation can but be in agreement with xmx this principle of consultation as against the rather dictatorial, I might say, attitude of the United Nations.

As regards the third amendment, I think it is not appropriate, and in view of the decision and the attitude we have taken, I do not think we should change our point of view.

Mr. FIETCHER-COOKE (United Kingdom): The representative of the Philippines, if I took down his words correctly, said: "We cannot allow one party to produce an agreement and leave it to the other to accept it or reject it, or to make comments upon it." But, whatever the exact wording of his amendment may be, that is exactly what he has in fact proposed. He has proposed that this committee shall produce a draft Trusteeship Agreement, then put it to the Italian Government, inviting it either to accept it or reject it, or to make comments. Of course, it is a fact that if you have two parties who are endeavouring to reach agreement, somebody must make the first proposal. The work of the committee would be quite impossible if both parties propose suggestione to each other.

Therefore, if it is agreed that the first document must either come from the Administering Authority or from the committee -- and as for as I can see it must come from one of those two sources -- there seems to me to be a large number of arguments as to why it should emanate from the prospective Administering Authority, for it is the Administering

/Authority

Authority which will have to work this document, which will have to administer the Territory in accordance with its provisions. It so happens that in this particular case, the proposed Administering Authority is not without experience of conditions in the Territory in question, and is therefore familiar with the circumstances which exist there, and has a weelth of information and experience upon which to base the first draft of a Trusteeship Agreement. -- a wealth of information and experience, which, I venture to suggest, is not directly available to the committee or sub-committee which it is proposed to set up.

Therefore, while I agree that it is equally true to say that the representative of the prospective Administering Authority -- that is, of Italy -- cannot produce an agreement and hold a pistol at the head of the committee and say: "Either you accept this or else!" There must clearly be room -- and that is the intention of the resolution -- for discussion, deliberation and elaboration; but there must be a document to start with, and I think that all the considerations of common sense would suggest that the first document should be submitted by the Italian Government.

Secondly, as regards the second amendment proposed by the representative of the Philippines, the resolution under which the Council is operating at the present time goes into considerable detail as to the method by which this Trusteeship Agreement shall be drawn up. are several paragraphs. We ourselves have followed what is here, and no doubt the Council will have to take account in the future committee of a number of guiding principles and statements made in this resolution. That is to say, the General Assembly in its wisdom has given to this question a great deal more attention as to matters of detail than perhaps it has done as regards similar questions in the past. But the Assembly has not seen fit -- nor apparently deemed it necessary -to make specific provisions that the representatives of local opinion, such as the representatives of political parties and other organizations in Schaliland, should appear either before the Council or the committee, and I have no doubt that if the Assembly had considered that necessary or desirable, or had regarded it as a definite prerequisite of any Trusteeship Agreement, it would have so stated in its resolution, and we should have been bound by it.

Therefore, I see no justification whatever for the second emendment proposed by the Philippines. Moreover, this particular principle has, as members of the Council will be aware, been proposed by the representative of the Philippines on previous occasions, not, it is true, in

connexion with the slaboration of the Trusteeship Agreements, but in connexion with the study of annual reports. The matter was discussed and debated upon at some length in this Council, and the Council decided not to accede to that proposal. I therefore would suggest to the representative of the Philippines and to the Council that the Council has already pronounced itself on the question of principle.

As regards the third amendment, the addition of the words "and the observations of delegations who may have participated in the work of the Committee," there does seem to be to be one difficulty here. a point on which I would wish to insist, but if I have conceived the purpose of this committee -- and perhaps I have misconceived it -correctly, it is to produce an efficient working group which will submit a draft document to the Trusteeship Council at the earliest possible Now the inclusion of this amendment, which will obviously opportunity. require the keeping of summary, if not verbatim, records in the committee, will, I think, destroy a large part of the value of the committee's work. It will make it a much more formal body, and it will be quite impossible for the members of the committee to approach their work in that rather less formal -- and that does not mean less serious -- frame of mind than the proceedings of the Council are themselves carried out. also be a strong invitation to all members engaged in this work to speak for the record. Long speeches will be made, possibly to ensure that they are not made in the Council; but nevertheless they will undoubtedly be made if it is known that they are going on the record and that in the fullness of time they will appear in published documents.

It seems to me that that approach to the problem conflicts with the not not idea of an efficient, informal,/un-serious working group, whose task it is in the minimum time possible to produce a useful and effective draft agreement before the Council itself to discuss and deliberate.

In the view of my delegation, that will be the time for members of this Council and member states who have been associated here to record their views -- if they wish to do so -- at length, saying whether they agree or disagree with any particular points of principle which are involved in the Agreement.

/The PRESIDENT:

The PRESIDENT (Interpretation from French): At the present stage of our discussion I think it is my duty, as President, to recall the very explicit terms of the resolution of the General Assembly.

In paragraph 5 it says:

"That the Trusteeship Council shall negotiate with the Administering the Authority the creft of a Trusteeship Agreement for submission to the General Assembly if possible during the present session, and in any case not later than the fifth regular session;"

That means that the Trusteeship Agreement will be ratified not by the Trusteeship Council but by the General Assembly. What is expressly requested of the Trusteeship Council is that it should negotiate the draft of a Trusteeship Agreement with the Administering Authority concerned; that is, Italy. We must recall during all our debates to come that the Administering Authority is taking part in the debate here. It is not a power sitting in an advisory capacity. It is a question of negotiating agreement between two parties; the Trusteeship Council on the one hand and the Italian Government on the other. The negotiation is intended to arrive at a draft Trusteeship Agreement which will be submitted by the Trusteeship Council to the final approval of the General Assembly.

I think it is necessary to recall the express terms of this resolution of the General Assembly which is/basis of our work.

Mr. INGLES (Philippines): My delegation feels called upon to reply to certain remarks made in connexion with its amendment.

The representative of France saw no difference between our amendment to paragraph 2 of the New Zealand draft resolution and the terms of paragraph 2 of the New Zealand resolution as it now stands.

But in his statement he precisely talks about one fundamental difference between our amendment and the New Zealand draft because he stated that the New Zealand draft refers to the draft egreement to be submitted by the Administering Authority, whereas the Philippine draft would take into account the wishes and best interests of all parties concerned. While including the Administering Authority, it would include also, for example, the interest of the local population.

I can understand also his omission of any reference to our contention that the present paragraph 2 of the New Zealand draft resolution in instruction the committee to take an agreement with Italy on the text of a draft agreement would, in effect, be a delegation of the Council's prerogative to conduct a negotiation itself.

Regarding the remarks made by the representative of the United Kingdom, his point of view is that the Administering Authority should take the initiative in proposing a draft Trusteeship Agreement. Our view, as I explained this morning, is that the terms of the General Assembly resolution expressly confer the initiative to propose an agreement upon the Trusteeship Council.

Yet we made a concession this afternoon when we said that while we do not object to the Administering Authority's proposing a draft agreement, we cannot — that is, the Trusteeship Council cannot — abdicate its plain duty to prepare a draft of its own, and it is of the essence of negotiation that before the two parties may negotiate each party much have, beforehand, a draft representing its points of view so that the negotiation will, in fact, be a reconciliation of the conflicting points of view which may arise.

Regarding the opposition by the representative of the United Kingdom to the second paragraph of our amendment, I should not, perhaps, have been surprised in view of the consistent stand of his delegation in this Council opposing, in any manner whatsoever, representation of local population before this Council.

being threshed/in the General Assembly, it was the United Kingdom delegation itself which proposed that local opinion in the former Italian colonies should be consulted by the First Committee on the future status of their territories. That being the case, I do not see why objection should be made to the consultation of this local population on the manner in which they are to be administered pending the grant of their independence. With respect to the difficulties which are said to arise in paragraph 3 of our amendment, sufficee it for my delegation to state that these observations would not be reproduced in full in the report of the committee. It would be sufficient for the report of the committee/etate the essential points of these observations in a brief or digested form.

Mr. BAKR (Iraq): Paragraph 5 of our terms of reference specifies the negotiations with the Administering Authority on the draft Trusteeship Agreement. It does not specify or formulate the draft Trusteeship Agreement. It left this to the Council.

In my opinion, the Council itself is in a better position to formulate this draft Trusteechip Agreement being composed of both Administering and non-Administering Authorities. It will be in a better position to judge the interests of both the Administering Authority and the local population and could negotiate on that basis with the Administering Authority.

In this respect I believe that paragraph 1 of the Thilippine amendment is more adequate and appropriate than the original draft presented by the delegation of New Zealand.

/In regard to 6:05

With regard to paragraph 2, in my opinion this will go together with paragraph 1, because, in order to arrive at a better understanding to formulate the draft agreement, we have to take paragraph 2 into consideration and to apply its terms -- that is, the opinion of the local population as being one of the interested parties concerned.

With regard to paragraph 3, I believe that it is more enlightening and, to the work of the General Assembly, taking into consideration the fact that the final ratification will be adopted by the Assembly, it is more appropriate to give ample explanations to the Assembly when submitting our report regarding the observations of the delegations who may have participated in the work of the committee.

In this respect, my delegation is in full agreement with the amendments submitted by the Philippines delegation, and we warmly support them.

Mr. MASCIA (Italy) (Interpretation from French): This morning I took the liberty of communicating to the Trusteeship Council the fact that my Government had prepared a draft agreement which it was prepared to submit to the Council or to the authority to be designated to undertake the preliminary negotiations.

I stated this because it was mentioned in the draft resolution submitted by New Zealand, and I wished to inform the Council that my Government had already studied this matter and had nomen illeas part in thereon.

In the second place, we considered that up to now the Trusteeship Council's custom had been to negotiate Trusteeship Agreements on the proposal of the Administering Authorities. The representative of the United Kingdom has very clearly illustrated this procedure. Of course, it is a question of negotiation, and the draft agreement is in fact only the setting forth of points of view; it does not mean that we should necessarily discuss only one single draft. I am surprised at the concern of the representative of the Philippines in this respect, because we have not the slightest intention of imposing any draft or of stating "You must accept this, or else..."

Of course, we know that this negotiation and the agreement will be different from the practice of the Trusteeship Council heretofore. This is a complex agreement and, naturally, a great number of items will give rise to discussion, elaboration, amendments and so forth.

I also wished to point out, as regards the interest of the local population, that we are the first to be concerned with this problem. We know that the Trusteeship Agreement is only of very short duration --

it will only last ten years. Therefore, it is in the interest of my Government to prepare these populations as soon as possible for self-government, and the interests of these populations will certainly be of prime concern to my Government. I simply wished to state this in order to dispel the concern which certain delegations would seem to entertain on the subject, and to confirm once again our wish to collaborate to the maximum extent with the Trusteeship Council for a happy conclusion to these negotiations.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interrespect pretation from Russian): Within, to the amendments suggested by the delegation of the Philippines, the Soviet Union delegation wishes to state that in general it supports these amendments. Particularly, we should like to express our complete agreement with paragraph 2 of the Philippine amendment which proposes that:

"The Committee may also allow representatives of local epinion, such as representatives of political parties and other organizations in Somnliland, to express their views before the Committee if they so desire".

The delegation of the Soviet Union most wholeheartedly supports this paragraph, and we feel that this particular paragraph should be accepted unanimously by the Trusteeship Council because I recall that, when previously there has been question of the participation of local populations and organizations in the discussions of the Trusteeship Council on matters concerning them, the discussions in the Trusteeship Council have shown that the majority of the Council's members agreed in principle with this provision. At least six delegations votedformally formerly for a similar provision which had been submitted, if I am not mistaken, by the representative of Mexico.

The delegation of the Soviet Union will vote for paragraph 2 of the Philippine amendments. We shall also support paragraph 3 and part of paragraph 1.

The PRESIDENT (Interpretation from French): If there are no further remarks, we shall pass to the vote.

Mr. PEACHEY (Australia): Before proceeding to the vote, I should like to make clear the position of the Australian delogation.

We should favour the establishment of a smaller committee than a committee of the whole, having had rather an unfortunate experience particularly with regard to the drafting committee for Nauru at the last

/session

session of the Council. It is true that it is quite impossible for us to carry out the task given to the committee. A committee composed of six representatives can carry out the task of agreeing with the Government of Italy on a draft of an agreement to be submitted to the Trusteeship Council. We should therefore support the first paragraph of the New Zealand resolution.

/humintibricily

Turning briefly to the amendments submitted by the delegation of the Philippines, there seems to be one thought going through the three of those, that of hearing representatives of/local population. Philippines
I think the representative of the / made that clear when he was explaining the last part of his first amendment, that part which says "giving due consideration to the wishes and best interests all parties concerned." If I heard him correctly he indicated that he had in mind there the wishes of the indigenous population, among the other parties concerned.

The second paragraph deals directly with granting a hearing to the local population, and from the statement made by the representative of the Philippines it appears that that was in his mind in the third amendment.

The position of the Australian delegation is the same as that which we have always adopted on this question, that is that it seems undesirable to have representatives of indigenous populations presenting oral petitions to the Trusteeship Council or appearing in person. We think there is a considerable difference between the case which arose in the General Assembly where the opinion of the indigenous population was sought.

Consistent with the previous line which we have taken we will oppose the three amendments of the representative of the Philippines concerning the hearing of the local population.

I must point out that in the view of my delegation this committee will be largely an expert committee, passibly of a legal nature, to draw up the agreement and will be similar in many respects to the Political Committee which has already heard the representatives of the local population.

With regard to the second paragraph of the New Zealand draft, I fail to see what are the difficulties which some people have found therein. It seems simply to instruct the Committee to seek an agreement on the text of the draft agreement, and in doing so to take into account such draft as Italy may care to propose. I think that the committee will do that in any case whatever the wording of the resolution which we adopt. I do not think that the committee would ignore any proposal which the Government of Italy might care to propose.

With regard to the question of the priority of submission of these agreements, it seems to me more practical to get the work under way by accepting what agreement there may be drawn up at the moment, and from what the representative of Italy has stated it appears that considerable work has already been done on this question by his Government.

If it were left entirely to the drafting committee I can envisage a considerable delay after the committee commences its work, before a draft could be prepared.

Therefore I cannot follow some of the points that have been raised in objection to paragraph 2 of the New Zealand draft, which my delegation would support.

The PRESIDENT (Interpretation from French): Are there any other remarks? If not we will pass to the vote.

I will first put to the vote the two first paragraphs of the New Zealand draft resolution, the paragraphs which begin by "Having received", "Noting that"... " " " " " ".".

# A vote was taken by show of hands.

The preamble of the draft resolution submitted by the delegation of New Zealand was adopted by 11 votes to none, with one abstention.

The PRESIDENT (Interpretation from French): We will now pass to paragraph 1 of the operative part.

First we have an amendment submitted by the delegation of the Soviet Union, which proposes to set up a committee composed of all members of the Trusteeship Council.

### A vote was taken by show of hands.

The USSR amendment to paragraph 1 of the operative part of the draft resolution submitted by the delegation of New Zealand was rejected by 7 votes to 3, with one abstention.

The PRESIDENT (Interpretation from French): We will now pass to a vote on the text submitted by the New Zealand delegation which reads as follows:

"To appoint a committee composed of six representatives" the names being left blank for the time being.

# A vote was taken by show of hands.

Paragraph 1 of the operative part of the draft resolution submitted by the delegation of New Zealand was adopted by 8 votes to one, with three abstentions.

The PRESIDENT (Interpretation from French): We will now pass to paragraph 2 of the New Zealand draft resolution.

We had in the first place an amendment submitted by the delegation of the Soviet Union but I think this falls away because it was linked up with the adoption by the Council of paragraph 1.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): That is not quite so. The amendment submitted by the delegation of the Soviet Union remains in force and would ask that it be put to the vote.

The PRESIDENT (Interpretation from French): I have to point out to the representative of the Soviet Union, however, that presuming that this was put to the vote there would be no instructions given to the committee. I am quite prepared to put the amendment of the delegation of the Soviet Union to the vote but I believe that it was based on the fact that the Trusteeship Council would have been constituted as a sub-committee including the twelve delegation, but if there were a sub-committee of six we must give it instructions.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): My amendment refers to paragraph 2. My amendment is that paragraph 2 be deleted; but I am not asking for the deletion of paragraph 3 whereby instructions to the committee would remain in the resolution.

The PRESIDENT (Interpretation from French): I will therefore put to the vote the second Soviet Union amendment which is for the deletion of paragraph 2 of the New Zealand resolution.

### A vote was taken by show of hands.

delete
The USSR amendment to/paragraph 2 of the operative part of the draft resolution submitted by the delegation of New Zealand was rejected by 9 votes to one, with 2 abstentions.

The PRESIDENT (Interpretation from French): We will resume with the second paragraph of the New Zealand resolution.

We have an amendment submitted by the delegation of the Philippines, which is to replace paragraph 2 of the operative part of the New Zealand resolution by the text which you have before you, which reads:

"To instruct the committee to draft a Trusteeship Agreement drawn up in accordance with the above-mentioned resolution of the General Assembly giving due consideration to the wishes and best interests of all parties concerned."

A vote was taken by show of hands.

The Philippine amendment to paragraph 2 of the operative part of the draft resolution submitted by the delegation of New Zealand was rejected by 6 votes to 5, with one abstention.

/ The PRESIDENT:

T/P.V.19

The PRESIDENT (Interpretation from French):
We will therefore now put to the vote the paragraph, as it stands,
in the New Zealand resolution -

"To instruct the Committee, taking into account such draft as
Italy may care to propose, to seek agreement on the text of
a draft Trusteeship Agreement, drawn up in accordance with
the above mentioned Pesolution of the General Assembly."

## A vote was taken by show of hands

Paragraph 2 of the operative part of the draft resolution submitted by the delegation of New Zealand was adopted by 7 votes to 4, with 1 ebstention.

The PRESIDENT: (Interpretation from French): We now pass to the second amendment submitted by the delegation of the Philippines, which is to add, between paragraphs 2 and 3 as they stand the following new paragraph -

"The Committee may also allow representatives of local opinion, such as representatives of political parties and other organizations in Somaliland, to exprese their views before the Committee, if they so desire."

A vote was taken by show of hands
The Philippins amendment was adopted by 7 votes to 3, with
2 abstentions.

The PRESIDENT (Interpretation from French): We will now go on to paragraph 3 of the draft resolution of the delegation of New Zealand, but we must first of all vote on an amendment submitted by the delegation of the Philippines which is to insert the words -

"and the observations of the delegations who may have participated in the work of the Committee

between the words "Trusteeship Agreements" and "if possible".

#### A vote was taken by show of hands

The Philippine amendment to paragraph 3 of the operative part of the draft resolution submitted by the delegation of New Zealand was rejected by 6 votes to 5 with 1 abstention.

The PRESIDENT (Interpretation from French): We will proceed to vote on the third paragraph of the draft resolution of New Zealand, without amendments. The paragraph is as follows:

"To instruct the Committee to submit its report, including the draft text of the Trusteeship Agreement, if possible by the beginning of the sixth regular session of the Council."

#### A vote was taken by show of hands

Paragraph 3 of the draft resolution submitted by the delegation of New Zealand was adopted by 8 votes to none with 4 abstentions

The PRESIDENT (Interpretation from French): We shall now proceed to a vote on the draft resolution of New Zealand, as a whole, with the amendment which was adopted.

Mr.SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The draft resolution of New Zealand provides for a Committee of six, with the names to be filled in. It seems to me that before we vote for the resolution as whole we should complete this operation and fill in the names in paragraph one, because it appears to me that depending upon the names to be inserted here, the vote might change one way or the other.

The PRESIDENT (Interpretation from French): I would like to ask the representative of New Zealand if it was his intention to include the names in his text, or whether, on the contrary, he contemplated two separate operations; first of all a vote on his resolution and then a special provision, or a different resolution, which would designate the six representatives provided for in his draft resolution.

Mr.LAKING (New Zealand): It was not my intention to give the names in the text of my draft resolution although the text as reproduced here makes provision for the names to be filled in, which is obviously necessary. But this was not, as far as I am concerned, an integral part of the draft resolution. My intention in the first paragraph was to provide for the appointment of the Committee of six representatives.

Mr.FLETCHER-COOKE: Quite obviously the resolution, without some indication as to how these representatives are to be chosen, is to say the least of it rather unclear and therefore I would be prepared to suggest, to round the matter off, -- and particularly in view of the President's remarks that he had been informed that certain delegations are not anxious to serve -- that the words "to be nominated by the President" should be inserted, which would make the sentence read - "To appoint a Committee composed of six representatives to be nominated by the President."

The PRESIDENT: (Interpretation: from French): I would thank the representative of the United Kingdom for his confidence in me, but I would rather that the choice be made by the Council itself in view of the fact that there are only six members in this Committee which I think would be on an equal basis, that is, three members among the Administering Authorities and three among the non-administering powers.

I would therefore request that the Council referred to the advice of the President only if there is really no hope of a solution. I would prefer the Council to choose. I would like to hear proposals from any member of the Council on this subject.

Mr.SOLDATOV (Union of Soviet Socialist Republics): (Interpretation from Russian): It seems to me that a number of names have been submitted already for the consideration of the Council. If other names are to be submitted I think they should be put before the Coundil. If a vote is needed we would then have a vote and if not, then I think we could just approve the list as it stands

Mr TETCHER-COOKE (United Kingdom): If my memory serves me correctly, four representatives, non-administering members, have indicated a wish or readiness to serve on this Committee. Only one Administering Authority, that is the United Kingdom, has indicated that it would wish to serve. If there are four suggestions for the non-administering powers I suggest we proceed to a ballot to decide the three places, unless a formal proposal is forthcoming.

As regards the Administering Authorities, I am prepared to suggest formally, subject, of course, to reactions from the delegations mentioned, that the United States, France and the United Kingdom should be the three Administering Authorities on the Committee.

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The PRESIDENT (Interpretation from French): I was going to suggest the same thing to the Council. I was going to recell that Ireq, the Philippines, the Soviet Union and the Dominican Republic have expressed the wish to be nominated as members of this Committee. On the other hand, the United Kingdom, among the Administering Authorities, had formulated the same request.

/The representative of the United Kingdom

6.55

The representative of the United Kingdom suggests that the three members of the Administering Powers be France, the United Kingdom and the United States. I may state that France, for its part, would like to withdraw in favour of Belgium, New Zealand or Australia. But in any case, if Australia, New Zealand or Belgium do not wish to take France's or the United States' place, I think the choice will be very easy for the Council and we might adopt the three representatives recommended by the representative of the United Kingdom, that is, the United States, France and the United Kingdom.

The choice of the other three members from emong the non-administering powers remains. I repeat, there are Iraq, the Philippines, the Soviet Union and the Dominican Republic. In this case it would be appropriate to proceed to a vote. I would suggest to the Council that it should vote by secret ballot, indicating the six names on the ballot paper, three of Administering Powers and three of non-administering powers.

Before proceeding to this vote, I would like to recall once again the names of the powers who might take part in the committee's work. Among the Administering Powers, the representative of the United Kingdom has suggested the United States, the United Kingdom and France. On the other hand, among the non-administering powers, four have declared that they would like to take part in the work of the committee; they are Iraq, the Philippines, the Soviet Union and the Dominican Republic.

Each of you will receive a ballot paper. Will you be good enough to indicate six names on your paper.

Mr. FLETCHER-COOKE (United Kingdom): Is my understanding correct that on one ballot paper we are to put three Administering and three non-administering Powers' names?

The PRESIDENT (Interpretation from French): Yes that is correct, three Administering Powers and three non-administering Powers.

# A vote was taken by secret ballot.

Number of votes obtained:
United Kingdom
United States11
France11
Philippines
Iraq11
Dominican Republic 8
Soviet Union

The United Kingdom, the United States of America, France, the Philippines, Iraq and the Dominican Republic were elected member of the committee.

The PRESIDENT:

The PRESIDENT (Interpretation from French): These six names will now be added to the paragraph of the operative part of the New Zealand proposal.

We now proceed to the vote on the draft resolution of New Zealand as a whole, with the addition of the six names which I have just indicated, it being understood that it includes the amendment we adopted a little while ago. I will therefore put to the vote the resolution as the amendment and a whole, that is, the New Zealand draft resolution with/the addition of the six names of members of the committee.

A vote was taken by show of honds.

The New Zealand draft resolution, as amended, was adopted by 9 votes to one, with 2 abstentions.

Mr. FIETCHER-COOKE:

Mr. FLETCHER-COOKE (United Kingdom): I wish to explain my vote. I think in view of what I have said it is quite clear that if the additional paragraph had not been included, I should have voted for the resolution, but as it was I abstained because of the Philippine amendment which was adopted.

The PRESIDENT (Interpretation from French): It would be appropriate before we conclude the meeting to discuss the date on which the sub-committee might begin its work. The Trusteeship Council has concluded its agenda for the time being, but the Council will remain in special session in fact until the beginning of its regular session, because it is possible that the sub-committee may have to refer to the Council itself. Therefore the Esssion remains open. For the time being, however, I do not see any need to convene again in plenary council.

On the other hand, the sub-committee might perhaps -- and that is the question which I am now going to put to the members of the Council -- begin its work next week for a short period. But I think that this proposal will meet with difficulties of a practical nature. It is already 9 December; a great number of delegations have already taken measures for vacation, and I think the Italian delegation is not perhaps prepared to take part in the work. I think the Italian delegation is awaiting its experts. I shall ask the representative of Italy to give us clarification.

Mr. MASCIA (Italy) (Interpretation from Fronch): We were waiting for the Trusteeship Council to decide on the date of the beginning of the work on the sub-committee. A date decided for next week would place us in a very difficult situation. We are rather far from New York. We do not live in Philadelphia and we cannot come up here any day.

The question/as to whether the members of smaller delegations and experts are prepared and whether there are vacancies on the trans-Atlantic planes. I shall telegraph my Government and find out. If, moreover, as the President ease, it is only a question of a few meetings during the month of December, I would take the liberty of pointing out that it entails the undertaking of a very important trip for two, or three or five meetings. Ten might be acceptable, but nevertheless it would really be a considerable expenditure if the sub-committee had afterwards to adjourn and meet later in Geneva.

This morning I heard a proposal from the representative of the United Kingdom by which the sub-committee would only begin its work in the first

days of January in Geneva. In view of the fact that so far the Council has provided to meet in Geneva also on 24 January, I do not know whether this proposal would be accepted. Naturally, my Government would be in favour of such a proposal. It would avoid considerable expenditure for us and/considerable amount of travel and precipitous changes of location. I think that it would be more appropriate to start our work in the same city, and not to interrupt it half-way through. But I simply say this for the information of the Council.

Mr. FLETCHER-COOKE (United Kingdom): I wonder whether it would be possible for the President to ascertain from the other members of the committee what is the earliest date from which it would be difficult or inconvenient for one or more of them to participate in the prospective programme of the committee. That is to say, if every member of the committee is disposed to work from, shall we say, Monday, 12 December until 24 Docember, then there is obviously a possibility of covering a great deal of ground during that period. But if there are members who have made arrangements which will nocessitate their departure from New York at an earlier date, then it will be most helpful, I think, in making our plans if we should know that in advance. I myself actually at the moment om planning to leave New York on 17 December, but I am quite prepared to remain here provided other members of the committee are disposed to work at least up to Christmas and immediately thereafter. But I do not wish to remain here if in fact the committee, for reasons of its own. will be unable to do any work.

The PRESIDENT (Interpretation from French): Perhaps it might be possible to ask the committee to meet at least next week -- that is, from 12 to 17 December inclusive. I should like to ask individually each delegation which will belong to the committee whether it would be in a position to begin work next week.

Mr. BAKR (Iraq): I think, as fer as I am concerned, that I am available for this Council, but I do not know about the permanent representative of my country, the head of my delegation. Perhaps he will be able to attend the meetings of this Council. In that case, I shall refrain from the work of this Council. I have to consult with him on this subject.

Mr. LAURENTIE (France) (Interpretation from French): With regarto the French delegation, there would probably be certain difficulties, but no absolute impossibility. But really it may be asked whether the work would be usefully undertaken next week if the Italian delegation is not in a position to be present at the very beginning of the work. There is a question of method which erises there more than a question of persons.

Mr. HENRIQUES-URENA (Dominican Republic) (Interpretation from French): The delogation of the Dominican Republic will be at the President's disposal at any date. We may work next week or even later.

The PRESIDENT (Interpretation from French): The representative the representative of the United Kingdom has already pointed out his position; would je like to state more clearly whether he can work next week?

Mr. YEOMANS (United States): We will be able to work next week. We do not have the same problem as those other delegations.

Mr. FIETCHER-COOKE (United Kingdom): I have already indicated that I am prepared to work next week, the week after, and the week after that, but I should like to know whether it is humanly possible for the Italian representatives to be here before or about the date that we shall be, for the time being, adjourning our labours, which will be about Friday or Saturday of next week. In which case, during that week, sterting on Monday, 12 December, we shall not have had the benefit of the Italian experts who are, I understand, coming from Rome.

In those circumstances, would it not perhaps be better if we fixed a firm date for the work of the committee to start in Geneva in on, say, 2 Venuary?

/Nr. INCLES

Bridge Control of the

Mr. INGLES (Philippines): The Philippine delegation will participat in the work of the committee at any time that the committee should see fit to meet here in New York.

The PRESIDENT (Interpretation from French): The result of this consultation appears to be that in principle the six members of the committee might be in a position to start their work next week, but there remains this obstacle pointed out by the representative of Italy, which is that the Italian experts are not yet here and they would have to come here, probably for a very short while since the committee will have to continue its work later in Geneva. But we must provide for an interruption for vacation after a long Assembly.

I wonder whether it is appropriate to convene the committee for only a few days here and whether it would not be preferable to decide a date at the very beginning of January, as pointed out by Mr. Fletcher Cooke. I think that 2 January might perhaps be a little early. It might be the #5th or the 9th because/must have time to get to Geneva. That is also something which must be taken into account. Therefore I think that the most appropriate date in January would be Monday, 9 January, in order to allow the members who take part in this work to go to Geneva and not to be deprived of their rest with their families during Christmae and the New Year.

Mr. FIETCHER COOKE (United Kingdon): I was going to make a similar remark. I think that in view of the uncertainty of the arrival of the Italian experts before the committee might possibly have dispersed for the Christmas holidays, it would be better to do as the Precident suggests. I would like, therefore, to formally suggest to my colleagues on the committee that with their approval and with the Council's approval we should meet in January in Geneva to start our work and to work right through until the Council convenes on 24 January.

The PRESIDENT (Interpretation from French): I should like first of all to ask the Secretariat about this. There may be technical difficulties Could the Secretariat give the committee the necessary staff on 9 January at Geneval Mr. Bunche is the position to do so.

Mr. INCLES (thilippines): I do not know whether I have understood the tresident correctly, but is itti his proposal that we do not meet here in New York at all during December, but should start on 9 January in Geneva? If that is so, it is at variance with the agreement among the six members of the committee to meet here in New York beginning next week. Pending the arrival of the Italian experts, the committee would not be precluded from conducting preparatory work. I am sure this preparatory work does not depend on the arrival of the representatives of the Italian Government. They will be heard by the committee.

Mr. FLETCHER-COOKE (United Kingdom): The last remark of the representative of the Philippine is indicative of the whole attitude which has been adopted by some delegations towards the Italian Government in this matter. His last words were: "They will be heard in this matter."

As the President himself pointed out a little earlier in our discussions, they are a party to this Agreement which must be negotiated between the United Nations on the one hand and the Italian Government on the other. They are not to be present as are other numbers of the United Nations, in a consultative capacity. They are not even there in the same sense as any individual member here, because we are representing the United Nations through our membership on the Trusteeship Council. The Italian Government is a party to the agreement, and in my view should cortainly be there from the moment the committee starts its work.

Mr. INGIES (Philippines): The representative of the United Kingdon has miginterpreted my remarks. I cm referring to the Italian experts. In the view of my delegation, there is a certain preparatory work of the committee which med not await the participation of representatives who are not members of the committee. There is the problem of organization, for example, in which representatives who are not members of the committee will have no reason to take part. And in so far as the interests of the Italian Government are concerned, I am sure the committee is so constituted that is has nothing but feelings of friendship for the Italian Government.

The PRESIDENT (Interpretation from French): I shall call once again on the representative of the Italian Government to ask Mr. Mascia if, pending the arrival of the experts, we could decide that the committee shall meet next week -- butonly next week -- in order to start the clearing work suggeste by the representative of the Philippines. Mr. Mascia might perhaps take part in the preliminary work.

Mr. MASCIA (Italy) (Interpretation from French): This depends on the committee and whether it wishes to have its preliminary meetings of a private character. No one can prevent this. Of course I would be very disappointed if the negotiations do not begin as soon as possible, but of course it will be understood that there are physical difficulties which are opposed to the possibility of a complete Italian delegation being present Monday at Lake Success. It is already midnight in Rome, and even sending a telegram this morning would not give us enough time as it would not arrive until Saturday morning. However speedily we make arrangements it would require at least/ one day to obtain tickets for these experts and the closest date for their arrival would be Tuesday.

All I can say is that I am, of course, at your disposal and at the disposal of the committee. But unfortunately I am not an expert in trustcesh: questions; I am simply a representative and an observer who must deal with all the questions of humanity. But of course I am entirely at the disposal of the sub-committee for anything it might require.

I should like, however, to state in advance that it would not be a negotiation because I am not entrusted by my Government to undertake such a negotiation and I have not the necessary qualifications to do so. I could of course present this case to Rome this very evening and refer my Government' reply to this Council. I am very sorry to be unable to say anything more at the present stage.

The PRESIDENT (Interpretation from French): The indications which have just been given by Mr. Mascia are very reasonable. Of course the Italian Government does not know at what date and what time the committee would be in a position to meet and it is true that already the Italian delegation had requested to know whether it was necessary experts immediately and I had replied that I was not in a position to indicate any date because I did not know myself what the decisions of the Council gould be.

The practical question 7:00

The practical question which arises is whether there is any real usefulness in starting preliminary work during one single week, because in practice, as from the 16. December — the end of next week, we cannot count on delegations any more as they all have a right to some well-earned rest. Although the question is of an urgent nature, the urgency is not such that we should absolutely and necessarily begin work for 3, 4 or 5 days in December.

For my part -- perhaps I am too much of an optimist -- I consider that if the committee met in Geneva from 9 January -- more than two weeks before the opening of our regular sossion -- in eighteen days it might really complete its work. Even if it had not completely finished by 24 January, it could continue to work during the subsequent days in the morning, while the Trusteeship Council would meet in the afternoon. I am convinced that, in any case, the committee would finish its work by the end of January, having met in Geneva since the 9th.

I think, therefore, that there is really not such a case of urgency that the committee would have to begin next Monday or some time next week just to work for four or five days when the Italian delegation is not yet prepared, and we should reasonably give it time to get organized.

At any rate, that is my own opinion, but of course I am at the disposal of the Council for any decision it may wish to take.

We do have the formal proposal of the United Kingdom to convene the committee in Geneva on 9 January -- or even to 5 January, though for the reasons which I stated a short time ago, the 9th would be preferable eince we must leave a week after the New Year for delegations to get to Geneva. Monday, 9 January, appears to me the ideal date. However, that is simply a suggestion.

Are there any objections to this? I should like to hear the opinions of my colleagues.

NopMr. INGLES (Philippines): I am not making an objection, but simply stating that I am not in a position to declare the views of my delegation on this particular matter in view of the absence of instructions.

The PRESIDENT (Interpretation from French): If we do not decide on a date this evening, we shall have to convene the Council again next week, and this would really seem to be absurd. There is no reason to convene a new meeting just to settle this point.

/Mr. NORIEGA

Mr. NORIFGA (Mexico) (Interpretation from Spanish): I hope that the Commcil will hot have to meet again. I believe that, since the committee has been set up, the committee can decide for itself what it has to do and on what date it shall start work. We do not need to meet again; the committee has full consciousness of its responsibilities and can decide when it should start work.

The PRESIDENT (Interpretation from French): That is another solution, but the committee has not yet met or designated its Chairman.

Mr. FLETCHER-CCOKE (United Kingdom): The remarks which have been made by the representative of the Philippines as to the need for at least one moeting at which we shall not discuss matters of substance, but shall elect officers and possibly discuss one or two other matters of a primarily domestic nature, load me to propose that we proceed as follows: That we agree to have one meeting next week at which we should elect our officers; that that meeting should, in no circumstances be later than Thursday of next week -- let us say Monday, Tuesday, Wednesday or Thursday -- and that at that meeting -- by which time the representative of the Philippines will no doubt have received an answer from his Government-- it should be decided that we do meet in Geneva from 9 January.

That would enable us -- if we, as it were, do approve that proposal in committee -- to inform the Italian observer that he will be able to arrange for his experts to be present on 9 January without bringing them all over here for what might only be a day or two.

I therefore suggest, if the President and the Council agree, that we proceed in this way and, if possible, fix the time of our organizational meeting now.

The PRESIDENT (Interpretation from French): I would suggest that the committee meet on Tuesday morning of next week in the room which will be indicated by the Secretariat.

The six members of the committee will therefore be good enough to convened on Tuesday morning at 11 a.m.

The meeting is adjourned.

The meeting rose at 6.16 p.m.