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TRUSTEESHIP
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TRUSTEESHIP COUNCIL

Sixth Session

VERBATIM RECORD OF THE TWENTY-FIRST MEETING

Palais des Nations, Geneva,

Saturday, 11 February, 1950, at 10.30 a.m.

PRESIDENT: Mr. Roger GARREAU France

Note: The Official Record of this meeting, i.e. the summary record, will appear in provisional mimeographed form under the symbol T/SR.223 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

The PRESIDENT (Interpretation from French): I declare open the two hundred and twenty-third meeting of the Trusteeship Council.

QUESTION OF AN INTERNATIONAL REGIME FOR THE JERUSALEM AREA AND PROTECTION OF THE HOLY PLACES (GENERAL ASSEMBLY RESOLUTION 303 (IV) of 9 DECEMBER 1949). (T/423, T/426, T/427, T/431, T/450, T/457, T/457/Add.1 and Add.2, T/L.15).

The PRESIDENT (Interpretation from French): We decided to resume the discussion this morning to examine and dispose of the two draft resolutions submitted by the delegations of France and the Dominican Republic. The French resolution was submitted first. I would, therefore, ask the Council if it is ready to vote on this resolution. I think that most delegations expressed their views on this text yesterday, and I think we were more or less in agreement on the terms of the resolution, which was amended in several respects.

Mr. J. MALI (Iraq): If we are going to proceed to a vote, I wish to explain my vote. My delegation is not against the invitation of any quarter or any person to express views before this Council. However, my delegation shall ^{abstain} in the vote on this resolution for reasons which have already been expressed. However, I shall put them briefly once more.

We believe that this resolution does not recognize the principle of the universality of the City of Jerusalem. We believe that not only the occupying States but many other quarters have a right to a say in the statute. We believe that this resolution, which was explained to me as one moving along democratic lines, is quite undemocratic. It does not take account of the views of the inhabitants and the various sections of the population in the area of Jerusalem. I refer especially to the Arab refugees; I refer especially to the various religious denominations living in Jerusalem and interested therein. All these quarters should be given precedence over the occupying States.

While my abstention does not mean that I am against the invitation of any one, as I said, I sincerely hope that this invitation will not mean that certain quarters intend to lead toward the weakening and watering down of the Resolution of the General Assembly, doing so through the window after having failed to do it through the main door. I hope that the tragedy which befell Palestine

through partition will not befall Jerusalem.

My delegation will abstain in the vote on this resolution.

The PRESIDENT (Interpretation from French): As there are no further speakers, we shall proceed to the vote.

The Resolution was adopted by 9 votes to none, with 2 abstentions.

Mr. LIU (China): I wish to explain my vote. In principal, we are not against the invitation to all parties concerned to participate in the discussion of the Council in regard to problems which concern them. But, as a general invitation has already been issued, my delegation believes that a special invitation is not necessary. As we did not wish to object to the invitation of the States concerned, we abstained.

The PRESIDENT (Interpretation from French): I would remind the Council again of the procedure adopted. The general invitation, which was sent out in accordance with the desire expressed just now by the representative of Iraq, was to the effect that all groups, associations and governments concerned might ask to be heard by the Council. For example, refugees may ask to be heard if they have established associations or groups. The Council can, at any time in the course of its discussion upon the draft statute of 1948, decide to address a special invitation to this or that group, association or church to submit clarifications on matters which the Council wishes to have further clarified. I have pointed out that the Governments invited to expound their views before the Council as parties directly concerned in the problem of Jerusalem would take part in the work of the Council as advisory members, or in a consultative capacity, without the right to vote. The case of these Governments is, therefore, different from the position of organizations or associations which have asked to be heard or which have been heard by the Council. They come here to state their views and then withdraw from the Council table. The position of the Governments is different. The general invitation formulated the other day takes no account of that distinction. I wanted to remind the Council of that point of procedure.

Mr. J.M.LI (Iraq): I find one word in the Resolution just adopted which is contrary to the literal statement of the General Assembly. It is not the "revision" of the draft statute for Jerusalem, it is the "completion" of the draft statute. I am referring to the last line of the Resolution. I hope that, in using the word "revision", there is no intention to stray from the intent, letter and spirit of the Resolution of the General Assembly.

The PRESIDENT (Interpretation from French): We shall proceed to deal with the draft resolution submitted by the representative of the Dominican Republic.

Mr. HENRIQUEZ-UREN. (Dominican Republic) (Interpretation from Spanish): Yesterday, in referring to the desirability of increasing universality in our invitations, the representative of Iraq mentioned, among the names of States, organizations and institutions, the name of the Holy See. I drew attention to the fact that the suggestion of the representative of Iraq raised a question of drafting and, for that reason, should not be included in a general invitation to the other States. There are other reasons, which I shall not analyze, why we should deal separately with an invitation or suggestion to the Holy See. The representative of Iraq might have drafted this motion, but he was kind enough to ask me for help; he asked me to draft the resolution as it was I who had made the suggestion. I had no objection to that, but I wish to say, that, although we were originally satisfied with the draft resolution, I have now reflected further in regard to its form. I wonder whether it is desirable, at this stage of our discussion, to send this invitation. I wonder that for various reasons, and among those reasons is the point of further perfecting the text. I should like to say that I wish to withdraw the resolution proposed by the Dominican Republic.

Mr. HOOD (Australia): In view of the statement of the representative of the Dominican Republic, what I had to say is really beside the point. I was about to suggest, as one who is no more familiar with the diplomatic methods of the Vatican than anyone else, that we might perhaps be treading on

rather delicate ground and that, if it was desired that the proposal should be held before the Council, it might be advisable to have some private approach, possibly through the President, to the Vatican to ascertain whether such an invitation would be acceptable before any formal action is taken. However, if the proposal is now withdrawn, as I understand it is, the question lapses.

Mr. JAMALI (Iraq): I do not wish to question the wisdom of the representative of the Dominican Republic, but I wish to state that my delegation reserves the right at any future date to present proposals to invite the Holy See or ^{the} other Arab States which I mentioned, as well as other religious quarters.

The PRESIDENT (Interpretation from French): As there are no further comments on this proposal, which no longer exists because it has been withdrawn by the mover, we may consider the question of the invitation to the Holy See as being postponed.

Mr. MUNOZ (Argentina): The President said that the question of inviting the Holy See has been postponed. I wonder if we could be more precise and say that the question was postponed not only because of the withdrawal of the motion but, ^{because} as the representative of Australia has said, there has been no intimation, either direct or indirect, from that source to the effect that an invitation would be welcome. I wonder if, in view of past experience in the Council and in view of the fact that the resolution has been withdrawn, we could adopt the suggestion made by the representative of Australia that the President could informally approach that source and ascertain whether an invitation would be welcome. If there were no reaction, no report to the Council would be necessary and the matter could rest there.

The PRESIDENT (Interpretation from French): The representatives of Australia and Argentina have made a suggestion to the effect that the President of the Council should be asked to approach unofficially the Holy See with a view to ascertaining whether an invitation might be addressed to the Holy See with the certainty that the Holy See would accept. We do not know what sort of welcome an invitation of this kind would receive at the Holy See. Without first sounding out the Holy See, we might expose ourselves to the risk of a refusal based upon reasons that the Holy See alone would appreciate. If, therefore, the subject is to come up again, it would be well for the Council to know beforehand whether an invitation to the Holy See would be accepted. Would the Council agree that the President should proceed with this unofficial step.

Mr. RYCKMANS (Belgium) (Interpretation from French): I wonder whether it would be expedient for the Council as such to invite its President to undertake such a step. Unless I am mistaken, the Holy See is represented by several States members of the Trusteeship Council. The Holy See has expressed itself several times upon the Jerusalem question. The Holy See has been made cognisant through the press of the fact that if it desires to make a statement to the Trusteeship Council, the Council would always be prepared to hear it. If the Holy See desired to express its views to the Council tomorrow or to any member of the Council and suggest that an invitation would be welcome, it could do so through ordinary diplomatic channels. I wonder whether that being so it would not be better for us to leave the initiative to the Holy See and for us not to ask our President to take any steps.

Mr. MUNOZ (Argentina): My suggestion was the result of the declaration made by the representative of Iraq to the effect that he reserved his position to present a draft resolution inviting the Holy See. I think the representative of Belgium is quite right, and I wonder if we could conciliate our points of view by expressing clearly in the record of this meeting that the Council has not taken any action on the Dominican Republic's draft resolution because of the fact that there has been no desire expressed by the Vatican to receive an invitation to the Council and that we are leaving the initiative to the Vatican ^{make a} to/request, either directly or indirectly, as was suggested by the representative of Belgium with whom I am entirely in agreement, and that if the desire were expressed, the Council would be happy to send an invitation to the Vatican.

Mr. HOOD (Australia): I agree with what has just been said.

The PRESIDENT (Interpretation from French): I think the Council will agree with the proposal just made by the representative of the Argentine Republic, which I think will satisfy the wishes of all members; in this way the question can be disposed of. The observation just made by the representative of the Argentine Republic will be included in the record of this meeting, and the Holy See will therefore know exactly what the position is. If no other members of the Council wish to make any comments, the question will be regarded as closed.

The Council's agenda for this morning has been completed. The agenda was modified in order to complete the discussion on the two draft resolutions submitted yesterday.

I do not think it would be wise at the present time to undertake examination of the Statute prepared by the Trusteeship Council in the Spring of 1948. Consequently, the Council will resume the discussion on the Statute for Jerusalem on Tuesday next.

Mr. JAMALI (Iraq): May I ask if there are any reasons for alternating the discussion on the question of Jerusalem? Why cannot we start on Monday and work on the question of Jerusalem until it is finished?

Mr. RYCKMANS (Belgium) (Interpretation from French): I wish to call the attention of the Council to the fact that the Governor of Ruanda-Urundi and the special representative are due to arrive in Geneva to-day. As I told the Council, the Governor is coming here to get in touch with the Council. The special representative, like the Governor, is indispensable on the spot and the Governor has asked me to request the Council to make his stay here as short as possible; he would like to be able to fly back on Monday week. That may not be possible, but I would like to ask the Council, insofar as its programme permits, to expedite the hearing of the Governor of Ruanda-Urundi and the special representative. I should like to know what are the President's intentions in regard to the distribution of subjects for next week.

The PRESIDENT (Interpretation from French): The Council has already agreed that we should deal alternately with the Statute for Jerusalem and the other items normally on the agenda of the Council, that is to say, the examination of the reports. The question of Jerusalem was discussed yesterday, so that, in accordance with the decision already taken by the Council, on Monday one of the other items on the agenda can be dealt with. I have already advised the Council that the report on Ruanda-Urundi will be discussed on Monday, 13 February. That is why I propose that the Council should come back to the question of Jerusalem on Tuesday.

The question of Jerusalem will therefore be discussed on Tuesday, Thursday and, if necessary, Saturday. The report on the territory of Ruandi Urundi will be discussed on Monday, Wednesday and Friday.

Mr. JAMALI (Iraq): I hope that this will be the last time the subjects are alternated and that we can continue the discussion on Jerusalem until it is finished, after we have discussed Ruanda-Urundi. Some delegations have representatives here solely for the discussions on Jerusalem and they wish to go home as soon as possible. I hope that the Council will sympathize with those representatives, as it has done with the special representatives of Tanganyika and Ruanda-Urundi. The General Assembly particularly asked the Council to expedite the issue in respect of Jerusalem.

Sir Alan BURNS (United Kingdom): I am most reluctant to enter into rivalry with my colleague from Belgium, but Mr. Lamb, the special representative for Tanganyika, has been here for some time and his feelings must also be considered.

The PRESIDENT (Interpretation from French): The Council has already taken a number of decisions on the question of the agenda, and I reminded members just now that it had been agreed to deal alternately with the question of Jerusalem and the reports. The dates for the submission of written questions have already been fixed. It was agreed, in particular, that the representatives of Ruand-Urundi should come as early as possible and that the Council should begin examination of the report on Ruanda-Urundi on Monday, 13 February.

The dates for consideration of the other reports have also been fixed and I believe that the French Delegation has, in view of the decision taken by the Council, asked the special representatives of the Cameroons and Togoland to come here on the dates agreed by the Council. The same applies to the special representatives of the Cameroons and Togoland under British administration. There may be a week's interval between the arrival of the special representatives and other work and the Council may be able to devote a number of meetings to the question of Jerusalem.

Mr. RYCKMANS (Belgium)(Interpretation from French): If I am correctly informed of the situation, the presence of Mr. Lamb, the special representative for Tanganyika, is still necessary, because the sub-committee working on the report on Tanganyika may need his assistance and also he may wish to make supplementary replies when it is known which ^{of their} observations members of the Council wish to have included in the Council's report to the General Assembly. After that, Mr. Lamb can return home. If members of the Council will examine the document submitted yesterday by the Secretariat and will indicate which of their observations they wish to be included in the report to the General Assembly, Mr. Lamb will be in a position to know how much time he needs and to arrange his return.

The PRESIDENT (Interpretation from French): The Council must, of course, try to finish its work on the Tanganyika report as soon as possible, so as not to prolong unduly the stay of the special representative. I therefore suggest that the sub-committee which is preparing the report on Tanganyika - and which should have met this morning - should meet on Monday next at 10.30 a.m. The Council could then meet in plenary session on Monday afternoon at 2.30 to consider the report on Tanganyika and on Tuesday to continue discussion on the question of Jerusalem. It seems to me there is no need to specify the programme for the remainder of the week at this time. When the sub-committee has finished its work on the Tanganyika report, the Council will need to meet once during the course of the week in order to complete its report on the territory of Tanganyika.

Sir Alan BURNS (United Kingdom): It is unfortunate that we were not able to deal with Tanganyika this morning, but I make no complaint about that.

There is one point to which I should like to invite the Council's attention. At a later stage during this Session, the Council will have to consider reports on the Cameroons and Togoland, both French and British, and at the same time the report of the visiting mission. I think the time has come when the Council should decide, at least provisionally, on certain dates by which we should know that the special representatives should arrive. I do not know what is in the minds of members of the Council as to the dates, but these special representatives will have to be warned. It seems to me that the Secretariat should prepare a timetable for our guidance as to when the special representatives should be brought to Geneva.

The PRESIDENT (Interpretation from French): The Secretariat will be asked to prepare a timetable.

Sir Alan BURNS (United Kingdom): It was decided at the beginning of the Session that a period of six weeks should elapse between the time when the reports were available to the Administering Authorities and the time when the report of the visiting mission was to be considered by the Council.

The PRESIDENT (Interpretation from French): The request which has just been made will certainly be kept in mind by the Council and I will ask the Secretariat to prepare the timetable so that due warning can be given by the interested authorities to their special representatives and allowance can be made for the period of six weeks.

Mr. SAYRE (United States): It is now only 11.20. I do not urge it but I ask why the Council cannot proceed with the question of Tanganyika this morning. We still have an hour and a half and I think that might well be sufficient for the Committee to do its work and thus save considerable time.

The PRESIDENT (Interpretation from French): It does seem that the report on Tanganyika could be considered this morning. I therefore suggest that the Council should now adjourn and meet again immediately in committee.

The meeting rose at 11.20 a.m.