

UNITED NATIONS
TRUSTEESHIP
COUNCIL



GENERAL

T/PV.311

17 July 1940

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DOCUMENTS
INDEX UNIT

MASTER

Seventh session

18 JUL 1950

TRUSTEESHIP COUNCIL
Seventh Session

VERBATIM RECORD OF THE TWENTY-EIGHTH MEETING

Held at Lake Success, New York,
on Monday, 17 July 1950, at 2 p.m.

President: Mr. Max HENRIQUEZ-URLINA

(Dominican Republic)

Note: The Official Record of this meeting, i.e. the summary record, will appear in provisional mimeographed form under the symbol T/SR.311 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

ORDER OF AGENDA ITEMS

The PRESIDENT (Interpretation from French): Today's agenda contains three items -- examination of the report on Togoland under British Administration, examination of petitions, and the consideration of the question of Administrative Unions.

Mr. MUNOZ (Argentina): I regret to have to request that, if possible, the third item on today's agenda should be dealt with first because I should like to be present during the discussion of that matter and other duties in Manhattan necessitate my presence there at 4 o'clock.

The PRESIDENT (Interpretation from French): Representatives have heard the request which has been made by the representative of Argentina. I believe that we can in fact take up that matter first and that there will be no difficulty in changing the order of the agenda items.

Mr. LIU (China): I certainly would not object to the proposal of the representative of Argentina, but a member of my delegation who has served on the Committee on Administrative Unions, and who is also its rapporteur, is not yet here. I understand that he has a statement to make and would ask whether it is possible for that item to be dealt with second.

The PRESIDENT: We could, of course, begin with another item, and indeed I do not think that any of the items should be too complicated. Does the representative of China know when we may expect his colleague?

Mr. LIU (China): I was assured that he would be here, but it may be that his failure to arrive is due to problems of transportation or something of that nature.

The PRESIDENT (Interpretation from French): We can, in any case, begin with the question of Togoland and, perhaps, adopt at least some of the resolution

EXAMINATION OF THE ANNUAL REPORT ON THE ADMINISTRATION OF THE TRUST TERRITORY (TOGOLAND UNDER BRITISH ADMINISTRATION, 1948: REPORT OF THE DRAFTING COMMITTEE (T/L.97)

The PRESIDENT (Interpretation from French): The Council has before it the report of the Drafting Committee on the Annual Report of Togoland under British Administration, 1948. Although the first part is rather lengthy it is more or less a copy of the information provided by the Administering Authority and, therefore, if there are no objections I feel that we can consider it adopted.

The first part of the report was adopted.

The PRESIDENT (Interpretation from French): The second part of the report contains the conclusions and recommendations approved by the Trusteeship Council, and we shall deal with it page by page, as is our custom. Page 42 contains several recommendations, the first relating to general advancement. The Trusteeship Council takes note with appreciation of the evidences of progress.

Mr. FLETCHER-COOKE (United Kingdom): I do not wish to interrupt the President since the particular remarks I wish to make relate to the fourth resolution, but if we are dealing with page 42 as a whole I should like to make some observations on that fourth resolution.

The PRESIDENT (Interpretation from French): The fourth resolution concerns representation on Gold Coast bodies. I call upon the representative of the United Kingdom to make his observations on that subject.

Mr. FLETCHER-COOKE (United Kingdom): I would invite the attention of the members of the Council to the statement on page 11 of document T/L.97 in which, in stating the steps which the Administering Authority has taken in respect to previous resolutions passed by the Trusteeship Council, we explained that the Executive Council in the Gold Coast has never been a body on which regional interests as such were specifically represented, the African members being chosen for their individual worth. We then continued:

"Nor is it in accordance with the constitutional practice of most countries for seats on the principal policy-making body to be allocated on a regional basis."

I am not quite clear as to what is the full purport of this resolution as now drafted, but I understand that it is primarily intended to refer to the Legislative Council and to the various other bodies which were mentioned in the course of our discussion of the Report on Togoland under United Kingdom Trusteeship; and that, when there is a reference in line 6 of this resolution to "all Gold Coast bodies," what is in fact intended is a reference to the bodies previously referred to in the first part of the resolution, namely, "the Gold Coast Legislative Council" and "other bodies affecting both the Gold Coast and the Southern Section of the Trust Territory" -- that is, those other bodies, such as the Cocoa Marketing Board, to which we referred.

If that is indeed the intention of the Committee -- and it would be, of course, perfectly acceptable to my delegation -- I would suggest that, instead of the words "all Gold Coast bodies", we use the words "such legislative and consultative bodies in the Gold Coast," making it clear that we are in fact referring to the bodies referred to in the previous part of the resolution.

If that is the intention, as I think it is, I trust that the Council will see fit to accept that verbal amendment.

The PRESIDENT (Interpretation from French): Members of the Council have heard the amendment suggested by the representative of the United Kingdom. It is really a matter of drafting. However, it also has a certain bearing on the substance of the paragraph. The representative of the United Kingdom suggests that we make this part of the resolution more specific, that we make it clear that we are referring to consultative and legislative bodies.

As there are no objections, the amendment proposed by the representative of the United Kingdom will be considered adopted.

The amendment was adopted.

Mr. SAYRE (United States of America): In the fourth line of the first paragraph of Part II, on page 42 of document T/L.97, it is stated that the Council "confirms the observations and recommendations made at its fourth session ..."

I wonder whether it is necessary, and I even wonder whether it is wise, for us gravely to confirm the observations and recommendations which we have previous made. I take it that always, unless something is said to the contrary, this Council continues and confirms its observations and recommendations from session to session. It would seem to me unwise in one particular report to go out of our way to say that we confirm the observations and recommendations made at previous sessions. If we do it in this report and fail to do it in others, it looks as though in the other cases we were not maintaining and confirming our previous observations and recommendations, an inference which would be very unfortunate.

It would therefore seem to me, as I have said, not only unnecessary, but unwil to retain this language. As I read the whole paragraph, indeed, I wonder why such a paragraph is necessary. The general purport of the paragraph is nothing more than to confirm our previous observations and recommendations. I speak in ignorance of what was in the minds of the Drafting Committee, so that I speak with some hesitation. However, when I read this paragraph, it seemed to me that the paragraph could advantageously be omitted altogether, and I should like to ascertain the thinking of the Council with respect to this matter.

Mr. KHALIDY (Iraq): I do not wish to take one side or the other in this matter, but I would point out that the paragraph is the result of several views which were expressed in the Council, and that the Drafting Committee has tried only to compose those views.

The PRESIDENT (Interpretation from French): I take it that the representative of Iraq wishes the paragraph to be retained. Of course, we might amend it.

Mr. KHALIDY (Iraq): I would leave it to the Council; I have no decided views on the subject. Speaking for the Drafting Committee, however, I merely wish to say that this paragraph is the result of composing not the differences of opinion so much as the several views which were expressed in the Council and which were duly considered by the Drafting Committee. The Drafting Committee no longer exists, and I am no longer the Chairman of it -- but I am the former Chairman of the Committee.

Mr. INGLES (Philippines): I take it that the proposal is to delete the reiteration of the observations and recommendations of the Council made during the examination of the Annual Report last year. While my delegation would have no objection to a separation of the first and second parts of this resolution, my delegation would reiterate the importance of affirming the previous recommendations of the Council so that, if the proposal is merely to provide for a separation, my delegation would have no objection. My delegation, however, would certainly object to a mere deletion of the last part of the resolution.

The PRESIDENT (Interpretation from French): As I understand it, the proposal of the representative of the United States is to delete the last part in particular and, therefore, the first part would similarly be affected.

Mr. SAYRE (United States of America): My proposal is to delete the whole thing. My thought was that it is useless to confirm observations which were previously made. We do that in all reports, but we do not say so expressly. This, so far as I can recall, is the first time it has been expressly said that we maintain, confirm, ^{and} continue observations and recommendations which we have previously made. If we start in on that tack, I suppose we will have to do it in every report. Otherwise, our failure to do so will be an indication that we do not continue and maintain them. It is for that reason that I felt that it is not only unnecessary, but also unwise to begin doing it here. If we do eliminate the last part, there is certainly nothing in the first part of the paragraph to warrant its retention. It was for that reason that I suggested eliminating the whole paragraph.

Mr. INGLES (Philippines): I take it that what has been found objectionable is the use of the word "confirms". However, my delegation would state that we had in view the reiteration. If this word "confirms" could be changed to "reiterates", it would express more clearly the views of my delegation. I would like to state further that, if in effect the observations and recommendations made by the Council at previous sessions had been carried out, there would be no need for reiterating these recommendations. On the other hand, if these recommendations have not yet been carried out, my delegation believes that a reiteration of these recommendations would be in order.

Mr. CRAW (New Zealand): Regardless of what word may or may not be used -- confirms, reiterates, or something else -- I do have substantial objection to the use of the word "observations" here. At that session the Council, as a Council, adopted conclusions and recommendations, but not observations. The observations were those of individual members. With many of those observations I was in violent disagreement, and I would not wish to confirm, to reiterate, or even to recall the observations, regardless of what you do about the conclusions and recommendations.

The PRESIDENT (Interpretation from French): The representative of New Zealand proposes to delete the word "observations", leaving only "recommendations" or "conclusions and recommendations".

Mr. CRAW (New Zealand): I suggest, while we are talking about it, that we change "observations and recommendations" to "conclusions and recommendations". Then, on that basis, we can decide whether we are going to keep it in or not. I have not made any proposal with respect to this, but I understood that the representative of the United States had asked for a separate vote on it.

Mr. KHALIDY (Iraq): To meet both points, we might say, "reiterates the recommendations", without any conclusions, without the confirmation. We might just say, "reiterates the recommendations", and perhaps that would meet both sides.

Mr. SAYRE (United States of America): I would like to ask the representative of the Philippines whether he has in mind the recommendations other than that of corporal punishment. The one on corporal punishment on page 45 of the Report is under specifically mentioned wording. The language here reiterates our previous recommendation with respect to corporal punishment. If that is the only one he has in mind, I think it would be stronger to do it specifically, as it is done specifically on page 45, and to strike it out here in a general clause. If there are other matters which he has in mind, then he may wish to retain the General Advancement paragraph on page 42 of the Report.

I think "reiterates" is a considerable improvement over "confirms". On the other hand, I think it is still subject to the same objection, that is, that if we do not specifically reiterate recommendations year after year, the implication is that we have changed our minds. That seems to me a little unfortunate. I do not feel that the Council does change its mind year after year. Once we make a recommendation, my feeling is that we continue to maintain that recommendation year after year until it is carried out and that we do not have to say specifically each year, "We reiterate our previous recommendations". I do not think it is a point of great moment. I do not think it is a point worth arguing over. If the Council prefers to keep in the phrase, "reiterates the recommendations", I shall not oppose it, although I hope that, if the representative of the Philippines has in mind only the corporal punishment recommendation, he will agree with me that it is wiser to be specific as to that recommendation and to omit this more general language in the opening paragraph.

Mr. INGLES (Philippines): In connexion with the observations of the representative of the United States, I wish to state that my delegation has in mind not only the recommendation for the abolition of corporal punishment. My delegation would, for example, point to the recommendation made during the fourth session of the Council with respect to budgetary autonomy for the Territory. If I am not mistaken, we find here, for example, no mention of this. There is no mention here of budgetary autonomy in this proposed recommendation. There would be other matters, but I am citing only the question of budgetary autonomy which is not treated in this resolution for this year.

(Interpretation from French):

The PRESIDENT / The Council shall have to arrive at a decision on this point. It is not too important but it must meet the wishes that have been expressed.

There is a radical proposal, if I may so call it, by the representative of the United States to delete the paragraph as a whole. There is a compromise proposal by the representative of Iraq, in accordance with the suggestion made by the representative of New Zealand, not only to omit the word "observations" but to substitute the word "reiterates" for the word "confirms".

Mr. SAYRE (United States of America): I do not wish to press this point as it is not of sufficient importance. Therefore, I suggest that the Council adopt the language, "reiterates the recommendations" as has been suggested.

The PRESIDENT (Interpretation from French): Is there any objection to this change? In that way, the proposal of the United States would be withdrawn and the other one would be adopted.

As there is no objection, the paragraph is adopted as amended.

The paragraph was adopted as amended.

Mr. FLETCHER-COOKE (United Kingdom): I have not participated in the discussion relating to the possible amendment of this particular resolution. However, I must of course ask that I be recorded as reserving the position of my delegation in respect of this blanket reiteration of previous recommendations. By that I mean that, if we were proceeding to a vote, I should have to re-read every one of the previous recommendations and I might possibly find myself in a position of having to vote against some of them. In particular, my delegation has made it clear that it is not possible or practicable or, in our view, even desirable to attempt any form of budgetary autonomy. The representative of the Philippines has raised that particular point. I must, therefore, record this reservation.

With that on record, I am content that there should be no specific vote, as is our usual custom.

The PRESIDENT (Interpretation from French): We have heard the representative of the United Kingdom make a reservation on behalf of his delegation. As he stated, the Council need not pass on to a specific vote. However, he maintains his reservation.

None of the delegations appears to request a vote on this paragraph and there seems to be general agreement with the reservation made by the representative of the United Kingdom.

The Council has dealt with four resolutions. Two resolutions refer to administrative unions, with which we shall deal later; the third refers to the Ewe question, which we can take up separately.

The last resolution, on page 43, embraces "Constitutional Reform", "Southern Togoland Council", "Suffrage", and "Judicial Organization". Are there any remarks on these recommendations as proposed by the Drafting Committee?

Mr. INGLES (Philippines): I should like to inquire about the fourth paragraph which is entitled "Suffrage". It is with respect to representation in Gold Coast bodies.

The PRESIDENT (Interpretation from French): The Council had discussed a portion of this draft recommendation but you may come back to it. It had agreed that it would say, "Representation of Togoland on such legislative and consultative bodies."

Mr. INGLES (Philippines): We have no objection to that amendment but I should like to reiterate an observation we made during the discussion of the Annual Report about the possibility of giving representation to Togoland in the Executive Council. We realize that, in an executive body, representation should not be made on a proportional or regional basis. At the same time, we should like to state that, if there were an independent Executive Council for Togoland, there would of necessity be representation by the Togolandese on the Council. Perhaps the idea of having representation on the Council might be incorporated in this recommendation. I leave the form of words to the Council.

Before my delegation makes a proposal to that effect, we should like to enquire from the representative of the United Kingdom if there could be any objection in principle to having Togolandese represented in the Executive Council

in view of the fact that, if there were a separate Executive Council for Togoland, there would of necessity be representation by Togoland in it.

Mr. FLETCHER-COOKE (United Kingdom): When I signified my desire to speak, I was going to express my gratitude to the representative of the Philippines for agreeing to the form of words which I had proposed; and also to say that although -- and I have referred to this already -- it is stated on page 11 of T/L.97, "The Executive Council never has been a body on which regional interests as such were specifically represented ..." and, moreover, that the Coussey Committee was itself an all-African committee, in a part of the report which had received the approval of His Majesty's Government, it has not envisaged that any number of seats on the Executive Council would be reserved for inhabitants of Togoland or indeed for the inhabitants of any given geographical area. As I say, I was going to indicate that, although that is the present position and policy of the United Kingdom Government, I would most certainly undertake to bring to its notice the expression of opinion which the representative of the Philippines has made on this and, I believe, on previous occasions. However, in view of that statement of policy, I cannot, at this stage, go any further.

Subsequent to my signifying a wish to speak, the representttive of the Philippines suggested a specific inclusion in this resolution through the possibility of including representatives of Togoland among the members of the Executive Council.

Let me say to him, and to the Trusteeship Council first of all, that there is obviously no objection -- and let me say this categorically -- whatsoever to representatives of Togoland, as such, having seats on the Executive Council. The particular point is that, in this policy-making body, it is the practice to choose the most suitable Africans available. and, with the development of the new constitution, the Africans themselves will have a considerable influence in the composition of this particular body. I could not, therefore, give any undertaking whatsoever that they would or would not indicate that there should be one or more representatives of Togoland to represent Togoland. There might in theory be a number of Togoland on this Council, but they would be there because they were the most suitable Africans available.

I should be very glad, therefore, if the representative of the Philippines could see his way, particularly having regard to the present and impending constitutional developments in Togoland, to permitting the matter to rest there for the time being, namely, the recommendation with the amendment which have proposed, and which he and other members of the Trusteeship Council have accepted. Secondly, having regard to the statement of policy on page 11 of this document, the representative of the Philippines might possibly be content with my assurance that I will bring to the notice of my Government the fact that in his view, despite that statement of policy, there should be some special provision for the representation of Togoland on the Executive Council.

I must repeat, however, that I can give no undertaking whatever that this will be possible, because it is the general policy to choose those Africans who are the most suitable.

Mr. INGLES (Philippines): In view of the assurance made by the representative of the United Kingdom, my delegation will not press the point that we raised in connexion with representation in the Executive Council by Togoland. Of course we would reserve our position in this matter until the report on the constitutional reforms have been laid before the Trusteeship Council.

Mr. FLETCHER-COOKE (United Kingdom): I thank the representative of the Philippines for that statement.

The PRESIDENT (Interpretation from French): Having clarified this point we can take it, as there are no objections, that this paragraph is adopted.
It was so decided.

The PRESIDENT (Interpretation from French): We shall now go on to page 43 of document T/L.97, and include the resolutions entitled "Northern Section" in our consideration of the other resolutions which are entitled, in addition, "Constitutional Reform", "Southern Togoland Council", "Suffrage" and "Judicial Organization".

As there are no observations on any of these draft recommendations, they are adopted.

It was so decided.

The PRESIDENT (Interpretation from French): On page 44 the draft recommendations are entitled, under "Economic Advancement" and "Northern Section", "Technical Equipment and Assistance", "Separate Statistics"/"Cocoa Marketing Board". As there are no remarks on these draft recommendations, I take it that they are adopted.

It was so decided.

The PRESIDENT (Interpretation from French): We can now go on to page 45 up to paragraph V "Educational Advancement". We have a last recommendation under "Economic Advancement", entitled "Road Communications". Then, under "Social Advancement", there is "Social Development", "Water Supplies", "Corporal Punishment" and "Health".

Mr. SAYRE (United States of America): I should like to raise a point with regard to the paragraph on "Corporal Punishment", again a point not of too great importance. It would seem to me, however, that the phrasing of this part could be improved. In the first place I wonder whether it would not be advisable to incorporate the statement of policy which the Administering Authority has given and which will be found set forth on page 25 at the end of the top paragraph, where we read the statement on behalf of the Administering Authority that "the policy of the Administering Authority and the Gold Coast Government aims at the gradual reduction of the use of corporal punishment with the object of abolition as soon as may be practicable."

Again I feel that this phrasing is a little unfortunate in that in the second line of the paragraph on "Corporal Punishment" on page 45, I read the words "noting with concern". In view of the statement of its policy, I wonder whether the Trusteeship Council does want to "note with concern" rather than "regret". I have tried my hand at drafting this paragraph in a way which would incorporate the statement of the Administering Authority as to its policy, and which would substitute the word "regretting" for "noting with concern". My suggestion reads as follows:

"The Council, noting the decrease in the imposition of sentences of corporal punishment, and noting the statement of the Administering Authority that its policy 'aims at the gradual reduction of the use of corporal punishment with the object of abolition as soon as may be practicable', regretting that the Administering Authority has not as yet seen its way clear to the complete and immediate elimination of corporal punishment, reiterates its previous recommendation 'that the Administering Authority immediately abolish this practice.'"

I think I might say that my own delegation believes that the former recommendation was a proper one. My Government is in hearty agreement that corporal punishment should be abolished, and should be abolished at the earliest possible moment. The wording which I have proposed, therefore, ends, "reiterates its previous recommendation 'that the Administering Authority immediately abolish this practice.'"

In other words, I think I am merely suggesting a change of language without changing the substance of this paragraph.

Mr. QUESADA (Argentina) (Interpretation from Spanish): I merely wish to add a few words to what has been said by the representative of the United States.

The delegation of Argentina will support the draft suggested by Mr. Sayre. We are in favour of the complete abolition of corporal punishment as an institution of legislation. It has been completely abolished from civilized legal codes; in this way we would comply with the recommendation of the Council and of the General Assembly which have energetically requested the abolition of corporal punishment from Trust Territories.

The PRESIDENT (Interpretation from French): If there are no other remarks or objections to the amendment proposed by the United States delegation, we shall take it that this amendment is adopted.

It was so decided.

The PRESIDENT (Interpretation from French): As regards the other recommendations on the same page: if there are no new remarks on these recommendations, I shall take it that they are also adopted.

It was so decided.

The PRESIDENT (Interpretation from French): At the bottom of page 45 of the Report there are three paragraphs on "Educational Advancement". If there are no remarks on these three paragraphs we can take it that they are adopted.

The paragraphs on Educational Advancement were adopted.

The PRESIDENT (Interpretation from French): We have now finished with Parts I and II of the Report. Part III, with the observations, will be taken up at a later meeting.

ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES (GENERAL ASSEMBLY RESOLUTION 326 (IV) OF 9 DECEMBER 1949): FINAL REPORT OF THE COMMITTEE ON ADMINISTRATIVE UNIONS (T/L.96).

Mr. LIU (China): I tried to reach Mr. Yang during the course of the meeting, but I am sorry to say that I failed to get in touch with him. I am told that he was in the Committee on Petitions this morning, but it may be that he did not see the agenda for today's Council meeting; that may be the reason he is absent.

The statement, however, that Mr. Yang had prepared is ready. If it is the wish of the Council, I can read the statement on his behalf to expedite the matter.

The PRESIDENT (Interpretation from French): Very well. First of all we have the petitions, but that will only take a short time. Therefore, I think it would be desirable for the representative of China to read out the statement of Mr. Yang on Administrative Unions.

Mr. LIU (China): The following is Mr. Yang's statement:

"The Report of the Committee on Administrative Unions which I have the honour, as Rapporteur of the Committee, to present to the Council is now before the members at this conference table. It is rather a comprehensive document, consisting of ninety-five pages, let alone a long list of documents and working papers on the subject. The report, as you will see, contains eight chapters and an appendix. Surely, the Council will have no difficulty in noticing that the most important part of the Report is its first chapter together with, of course, the appendix. This chapter is, in a sense, a conclusion of the Report. And I beg to draw the attention of the Council to paragraph 16 which alone accounts for the importance I attach to this chapter.

"Paragraph 16, or rather the appendix, embodies recommendations and observations the Committee made after a careful study on the problem in the light of the General Assembly Resolution 326 (IV) and particularly in line with the points specifically laid down in paragraph 1 of the operative part of the Resolution.

"It is to be recalled that while document T/338 was only 'a technical and factual study of the problem of Administrative Unions', the Committee, by the Council Resolution 129 (VI) of 31 March, 1950, was requested inter alia, 'to complete the documentation...and submit a report...containing observations on the various aspects of the problem...'. This is why the Committee decided to call this Report the final Report on Administrative Unions.

"The Council will note that the Committee examined each trust territory in the light of the General Assembly resolution and its conclusions have been embodied in the rather lengthy resolution appended to this report. The Committee came, however, to a number of additional conclusions. These are to be found in the body of the report. I should like to draw the Council's attention for example to paragraph 8 on page 53 where the Committee states with respect to Ruanda-Urundi that 'The Administering Authority should consider the desirability of reviewing the legal form of the administrative arrangements between Ruanda-Urundi and the Belgian Congo with a view to bringing it more fully into accord with the existing practices.'

"Reference should also be made to paragraph 4 on page 69 where the Committee expresses the opinion that in view of the specific status of Tanganyika as a Trust Territory, special provision should be made whereby the Tanganyika Legislative Assembly could inform the East Africa Central Legislative Assembly of its views on any bill introduced in that Assembly. With regard to Tanganyika the Committee also expressed the view -- paragraph 2, page 70 -- that it would appear advisable that members of all non-technical bodies established under the East Africa Inter-Territorial Organization should be elected rather than nominated.

"I should also like to refer to page 73 where the Committee deals with the East Africa Industrial Council. It is stated that:

'The Committee on Administrative Unions noted that licensing on an inter-territorial basis could create certain problems, such as the domination of the scheme by a particular group or territory, which might hinder the economic advancement of Tanganyika Territory.

'It further noted that although equal territorial representation on the East African Industrial Council is maintained, industrial incentive may be stronger in Kenya where the major part of secondary industry is already located, where Europeans are more numerous and where their influence is greater and where the industrial development has been stronger and more rapid.

'The Committee is of the opinion that the protection of industries from competition by licensing is an aspect deserving careful and detailed examination. The reasons stated by the special representative, which are the criteria by which applications for licenses are judged, confer broad powers on the Industrial Council. In those instances where competition is ruled out, the maintenance of fair pricing from the standpoint of the consumer seems to require the formulation of explicit policies and measures for the prevention of abuses. Accordingly, the Committee feels that the Administering Authority should keep very careful watch in respect to this matter, especially in the granting of licenses, in order that the economic development of Tanganyika is not hindered.'

"The Committee started its work on 5 June 1950. Since then, it held fifteen meetings. The last one was held on 11 July 1950 when the Committee found time to give finishing touches to the present Report.

"During this period of five weeks, from 5 June to 11 July, the Committee re-examined and evaluated the documents listed in paragraph 17 of this Report, using its previous Report (T/338) as a basis for study.

"With the kind assistance and co-operation of representatives and special representatives of the Administering Authorities concerned, the Committee was able to embark upon new studies of Ruanda-Urundi and British Togoland, besides re-examining the Chapters in the previous Report on Tanganyika, New Guinea and the British Cameroons. The result of these re-examinations and new studies was the five chapters in the present Report, from Chapter 4 to Chapter 8.

"The substance in Chapters 2 and 3 of the present Report is almost exactly the same as that in Chapters 2 and 3 of the Committee's previous Report, except, however, that in Chapter 3 of the present Report, three new paragraphs were added, namely, paragraphs 6, 7 and 8.

"The Committee did not re-examine the question of the administrative relationship of the Cameroons and Togoland under French Administration with the French Union, referred to it by the Council Resolution 82 (IV) of 10 March 1949. In connexion with this question, the Committee refers to Chapter 7 of its previous Report.

"In view of the fact that paragraph 2 of the operative part of the General Assembly Resolution 326 (IV) provided that 'the Council continue likewise to observe the development of such unions and to report to the General Assembly at its regular sessions', the Committee unanimously endorsed a joint resolution, sponsored by the delegations of Argentina, the Philippines and the United States of America, to the effect that when it is adopted -- and the Committee strongly expresses its hope that the Council adopt it -- the Council will undertake

'to establish a Standing Committee on Administrative Unions which shall regularly examine the operation of Administrative Unions and report to the Council at each session on any union in which a Trust Territory under review participates.'

"Regarding the interpretation of paragraph 1 of the operative part of the General Assembly Resolution 326 (IV), there existed among members of the

Committee some shades of differences. However, the Committee does not pretend to have reached exactly the same conclusions. And in connexion with the discussion of the right of Visiting Missions to have free access to the establishments, institutions, common organs and services and amalgamated services of Administrative Unions in so far as they relate to the administration of Trust Territories, three delegations, namely, the delegations of Argentina, China, and the Philippines held the view that, in the operation of the Charter's provision regarding United Nations' supervision over the administration of Trust Territories, Visiting Missions must of necessity have free access to such establishments.

"The Report as a whole is, in a way, an outcome of happy compromises reached in a congenial atmosphere in which the Administering Authorities concerned and the Committee went half-way to meet each other, the former trying to help the latter to discharge effectively its duties and the latter endeavouring to understand the real position of the former and their difficulties with respect to the question of Administrative Unions.

"Before concluding, I would like to take this opportunity to pay tribute to the representatives and Special Representatives of Belgium, Australia and the United Kingdom for their patience, co-operation and assistance. I would also like to express deep appreciation to the Secretariat for the remarkable service they rendered to the Committee.

"My appreciation will also go to Mr. Laurentie, Chairman of the Committee. His knowledge and experience on the question of Administrative Unions, together with his sense of humour, proved to be of great value to the work of the Committee. Finally, while it was a privilege for me to work together with my colleagues in the Committee this year as well as last year, I would not hesitate to say, as the Rapporteur of the Committee, that the participation in the Committee of the delegations of Argentina and the Philippines this year is most helpful and, as a consequence, the work of the Committee in 1950 contrasts favourably with the work of the Committee in 1949. I must leave it to the Report which I am now presenting to the Council, to speak for itself."

This is the end of Mr. Yang's statement.

Mr. SAYRE (United States of America): As I look over this Report, document T/L.96, it seems to me that the Council owes a very real appreciation to the Committee on Administrative Unions which prepared this 95-page Report.

That Committee met morning after morning. It held fifteen meetings in which it wrestled with a very complex subject. With respect to the document which we have before us, I have been impressed by the care with which the Committee has gone into the various matters and problems dealt with, and by the soundness of the views which the Committee has reached.

It is not usual for me to suggest words of appreciation for a committee. I consider that the committees of this Trusteeship Council take the work in their stride and that it is part of their work to do a first-rate job. But here we have an outstanding report. Particularly, I think words of commendation are due to the Secretariat who served that Committee, and I have in mind especially Mr. Wierschhoff. Much of this reflects study and care. He has served the Committee well and, in so doing, has served the Council well.

As I study this Report, I think it is evident that it is a balanced document. It is not a one-sided statement. It states neither the views of a majority nor of a minority; it is a blending, a fusion of many different views; it is looking at these problems from different viewpoints. And it seems to me that in the blending and the fusion of these different viewpoints, the Committee has reached conclusions which are sound and which will stand careful examination.

The five points contained in the General Assembly resolution are well-studied and well-buttressed in the conclusions reached by the Committee and in the recommendations which the Committee suggests. Particularly sound, I think, is the recommendation for a Standing Committee, which will continue the work of study and observance of the affairs being carried on in the Trust Territories. As I see this problem it is not a problem on which a final conclusion will be reached, which will be unchanging.

The real problem is one which rests on administration, as well as on the terms of legal instruments. It depends on administration and on activities carried on from day to day and week to week. It seems to me that if we are going to fulfil the desires of the General Assembly as contained in its resolution, we must not only have a comprehensive, thorough and painstaking study, such as we see before us, but we must also regard it as a constant task, remaining always alert to the changing aspects of the problem from day to day. This can be done only through a standing committee, and in the recommendations contained in the annex to this report it will be noted that one of the outstanding recommendations is the setting up of a standing committee.

My concluding word expresses the hope that the Council will adopt unanimously the recommendations suggested by the Committee on Administrative Unions and that, at the same time, the Council, realizing that the power of much of its work depends upon the faithful daily performance of their duties by its committees, will be aware of a real sense of obligation to this committee, its Chairman, its Secretary, its Rapporteur and its members.

Mr. AQUINO (Philippines): Whenever I scan a voluminous report I am reminded of a story that had to do with a civilian during the last war. His wife was called to duty at a place away from home, and when she came home she asked him what he had been doing in her absence. Assuming the most pious look that any man in the circumstances could possibly assume, he said: "I behaved very well. I read all the time at night -- that is, when I was not asleep." His wife said: "Then you must have read a lot." "Yes, I read a lot, and not only that; I read long and well." The next day the bill collector for the electric company gave the lie to his pious assurances, since the electric light bill was only eighty cents.

We do not wish to find ourselves in the same predicament as that civilian. Therefore, instead of saying that we worked long and painstakingly on this report, we shall, like other members of the Committee, submit the report to the Council for all it is worth on its face value; that is, let the report speak for itself.

We wish, however, to join other delegations in the glowing tribute they have paid to the Chairman of the Committee and to the members of the Secretariat who assisted the Committee. No words of commendation are glowing enough for the

splendid performance of the Chairman and the members of the Secretariat assigned to the Committee on Administrative Unions. The performance of the whole membership is evident from the work it has produced. There are many things with which representatives on the Council and others will disagree in this report, but there are many more things with which they can in conscience agree. That, to my mind, is the best tribute that anyone can pay to the work of the Committee.

With a view to placing the work of the Committee in the proper perspective, my delegation wishes to state its views on salient parts and aspects of the report and recommendations presented to the Council by the Committee.

My delegation has participated in the work of the Committee during the present session. Within the Committee we have sought to achieve agreement, in the sincere hope that the Administering Authorities would collaborate to the fullest extent in the work of the Committee. Despite the fact that my delegation has been obliged, in the same way as the delegations of China and Argentina have been obliged, to agree to compromise in respect of various questions on which our views and theirs were more critical than those of the Administering Authorities, We sincerely feel that the Committee has, in the circumstances, submitted a report which clarifies the position in respect of the Trust Territories concerned and which contains a series of observations applying to each Territory that may serve as a basis for the examination of the operation of administrative unions in future years.

The Council will note that the draft resolution contained in the annex to the report provides for the establishment by the Council of a standing committee on administrative unions which shall regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory under review participates. My delegation considers this to be possibly the most significant provision of the draft resolution since, as we stated before the Fourth Committee of the General Assembly in 1949, the problem of administrative unions is of a permanent character. The fact that at a given time an administrative union is not contrary to the terms of the Charter or of a Trusteeship Agreement is no guarantee that it will ^{not} always be so. Thus, it would be the role of the standing committee to subject its administrative union to a careful and separate scrutiny. The standing committee would submit to the Council a report which, among other things, would contain an

explicit evaluation of its administrative union in terms of the provisions of the Charter, the Trusteeship Agreement, and other criteria arising from the findings of the Committee and of the decisions and resolutions adopted by the Council. We might also mention here that specific attention should be devoted to the effect of its administrative union on the balanced economic development of the Trust Territory concerned. This aspect would require a careful and skillful analysis of information relating to trade, industry, transportation and public finance.

In respect of the safeguards enumerated under paragraph 7 of the draft resolution, my delegation anticipates the fullest collaboration on the part of the Administering Authorities in the provision of clear and precise separate financial, statistical and other data relating to Trust Territories participating in administrative unions. We would, in particular, urge the Government of the United Kingdom to extend its present commendable efforts in this direction in its annual reports on the Cameroons and Togoland.

We wish to lay the greatest stress on the principle that the Administering Authority shall facilitate the access of visiting missions to such information on an administrative union as may be necessary to enable the mission to report fully on the Trust Territory concerned. On this safeguard there cannot be any compromise, and we wish to draw the Council's attention to the reservation issued jointly by the delegations of Argentina, China and the Philippines in paragraph 13 on page 5 of the Report in which the three delegations stated the opinion that, in the operation of the Charter's provisions regarding United Nations supervision over the administration of Trust Territories, visiting missions must of necessity have free access to the establishments, institutions, common organs and services and amalgamated services of administrative unions in so far as they relate to the administration of Trust Territories. Aside from our conviction that such access cannot legally be challenged, it is also our opinion that the Council cannot undertake the supervision of the administration of Trust Territories participating in administrative unions in an honest and objective manner unless such access is granted.

The draft resolution requests the Administering Authorities concerned to continue to maintain the boundaries, the separate status and the identity of Trust Territories participating in administrative unions. We would wish to add that every effort should be made to acquaint the inhabitants of the Trust Territories concerned with their status and the aims and purposes of the trusteeship system. We feel that an informed citizenry within the Territory provides the best possible assurance that the administrative union will operate in the best interests of the people.

The principle of consultation with the population is contained in the draft resolution. We would ask the Administering Authorities concerned to ascertain the wishes of the population at every opportunity and, if the response is one of apathy or ignorance, the greatest effort should be made to develop

an informed citizenry and to encourage leadership among the indigenous inhabitant.

My delegation expressed certain doubts before the Fourth Committee in 1949 regarding the exact nature of the relationship between Ruanda-Urundi and the Belgian Congo. At that time, we stated that the Vice-Governor-General of Ruanda-Urundi was subordinate to the Governor-General of the Belgian Congo, and that there was nothing in the structure of the administrative union to prevent the Governor-General of the Belgian Congo from legislating in all fields touching upon the affairs not only of the Congo but of Ruanda-Urundi as well. The Vice-Governor-General being an official of the Administering Authority, it was only natural that he should yield ultimately to the superior interests of the larger unit. We concluded at that time that there had been virtually no change in the fundamental nature of the political or administrative union between the Belgian Congo and Ruanda-Urundi, and that it was due entirely to the good faith of the Administering Authority that such a union had not gravely compromised the practical development of the Trust Territory. We pointed out that the danger did exist, however, and that legal provision should be made to avoid practices which would result in placing the Vice-Governor-General of Ruanda-Urundi under the absolute authority of the Governor General of the Belgian Congo.

We are glad to note the statements of the representative of Belgium to the Committee concerning this question, statements which have to a considerable extent clarified the practical aspects of the situation. We would wish, however, to stress the conclusion reached by the Committee that the Administering Authority should consider the desirability of reviewing the legal form of the administrative arrangements between Ruanda-Urundi and the Belgian Congo with a view to bringing it more fully into accord with the existing practices.

Regarding New Guinea, my delegation sees no reason for modifying the views expressed in the Fourth Committee last year. For this reason, we would regard as of the utmost importance the opinion of the Committee that the Trusteeship Council must continue to examine the operation of the union in order to ensure its operation in the interests of the inhabitants.

Regarding the Cameroons under British administration, the Committee felt that the existing arrangements were not disadvantageous to the Territory, but that they nevertheless deserved the constant attention of the Council.

My delegation concurs in this observation, with the definite understanding that the administrative union of the Cameroons and Nigeria shall be under painstaking

and constant supervision and review by the Council. Our fear in the past had been that, in consequence of this relationship the Cameroons would continue in practice to be administered as a peripheral area of Nigeria. The Administering Authority has, however, emphasized the benefits accruing to the Trust Territory from this union with Nigeria. We would nevertheless wish to point out that the treatment in practice of the Trust Territory as a peripheral appendage of Nigeria, sharing the services which are already spread thinly over the adjoining portion of Nigeria, would seem to be a salient consequence of this union.

Concerning the position of Tanganyika in the East Africa Inter-Territorial Organization, my delegation would wish to reiterate the views it expressed before the Fourth Committee of the General Assembly in 1949. We pointed out at that time that the legal aspect of the East Africa Inter-Territorial Organization, as well as its probable and potential effect on the distinct status and the independent development of Tanganyika, should be studied and reviewed. Our Committee has recommended the continual examination of this question by the Council. The Committee has also suggested a number of safeguards relating to the status of rights of the Governor of Tanganyika in the High Commissions. My delegation attaches particular importance to the possible impact on the political and social development of Tanganyika which might result from its association with Kenya and Uganda. The influence of Kenya settlers on race relations and on the administration of Kenya was among the main reasons for opposition to administrative union as expressed to the visiting mission by articulate sections of the African and Asian inhabitants of Tanganyika. We trust that the Administering Authority will be able to withstand the pressure which must inevitably result from the association of these Territories. By continually reviewing this aspect of the question, the Council should be able to support and appreciate the efforts of the Administering Authority in this respect.

In this connexion, we wish to stress paragraph 2 on page 87 of the Report, which reads:

"In view of the fact that the various proposals concerning the administrative arrangements affecting the Territory are under consideration, the Committee on Administrative Unions is of the opinion that further examination of the administrative union of the Gold Coast and Togoland under British administration could not usefully be undertaken at this time."

It is essential that the Committee underscore that this conclusion, in so far as the Administering Authorities and the non-Administering Authorities are concerned, does not preclude examination of that question when and if it is proper and propitious to do so. In the statements of the representative of the United Kingdom reproduced in this report with respect to the legal position of his Government on the ^{inter-}territorial organization, we wish to reiterate the position taken on various occasions by my delegation on the same legal position. The statement made by the representative of the United Kingdom is patent. It was stated as the official statement of his Government in the Fourth Committee of the General Assembly.

We, of course, cling to the view that individual opinions which were not advanced by the Committee should be viewed as such in any attempt to interpret the view to which such opinion or view refers. I refer particularly to these statements reproduced on pages 13 and 14 of the Report. We wish to underscore the fact that this opinion eloquently and forcefully stated did not in the final reckoning meet with the approval of the Committee. In conclusion, my delegation would wish to emphasize the problems faced with respect to the economic aspects of the inter-territorial organization. We maintain that a Territory the size of Tanganyika must maintain a certain economic growth and balance concurrently with its political and social development. The ^{inter-}territorial organization must in no way be permitted to impede this development. Thus, as pointed out by the Committee, careful watch should be kept in respect to industrial licensing, the effects of railway amalgamation, and customs policy. We are confident that with this, and other observations, the Report of the Committee and the draft resolution before us can be viewed in the proper perspective.

Mr. FLETCHER-COOKE (United Kingdom): I think that, quite apart from its contents which are substantial, this document represents a great achievement on the part of the Committee ^{and} -- I am sure they will be the first to agree -- on the part of the secretariat of the Committee. To have marshalled all the various observations which have been made during the long period during which administrative unions have been under discussion in one organ of the United Nations or another and to have kept some sort of order as between many documents sent in and the various statements made, seems to me to be an achievement of some importance. I think that anybody, in particular this Council and subsequently the General Assembly

when they are faced with this document, will at least have a better idea than they had previously as to what an administrative union is and the various things that can be said about it and have been said about it, both for and against it. In short, I think that the Committee -- and in particular their Secretary -- are to be congratulated on producing a document which, as far as administrative union are concerned, goes a very long way to placing on record and clarifying the many and various factors involved in this difficult question. I have noticed two typing errors. I expect there are many others. I wish to take the liberty of referring to them on page 65. In the third line under sub-paragraph (a) of paragraph 3, instead of the word "Then", it should be "Thus". It should read, "Thus it is His Majesty's Government ...".

In sub-paragraph (c) a little lower down, in the third line, the word "recognize" should be "recognizes".

I have no doubt that there are a number of other typing errors which other people will observe, but I think, bearing in mind the very short time the Committee has had to their deadline to produce this report and even the shorter time the Secretariat has had to get it copied and mimeographed, they are to be congratulated in laying before the Council a document which appears to me to contain very few errors.

Turning now for a moment to the question of substance, there are, of course, many statements in this document to which my delegation could not wholeheartedly subscribe. There are, however, many statements in this document forming part of statements which I or other representatives of the United Kingdom have made to which we know other delegations cannot wholeheartedly subscribe. The representative of the Philippines has drawn our attention in his observations to the legal interpretation which his delegation and other delegations place upon this vexed question of the right of Visiting Missions. I must say at once that, although I cannot accept that legal interpretation, he has made it equally clear that he would find difficulty -- and so I believe would other delegations -- in accepting the interpretation of the legal position which my delegation and my Government put upon it. However, both these points of view are quite properly and quite fairly recorded in this document, and there we must agree, for the time being, to disagree. I was fortunate enough to appear before the Committee on at least three occasions, and I was very gratified to find the atmosphere of co-operation, the desire to see the point of view of the Administering Authorities, which I think -- and I hope they observe -- was reflected by a desire on the part

of the Administering Authorities to be of as great as possible assistance to the Committee in their work. We feel, therefore, that the Committee has by its labours -- which in fact have extended over a period which is much longer than the period since the last General Assembly, because so much of their work was done before the last General Assembly considered this -- on the basis of what amounts to two years' work produced a report which we hope this time will give the General Assembly, and in particular the Fourth Committee, all the information and all the observations and conclusions which they are expecting. I repeat that there are some things in this report which my delegation would find it difficult to agree to, but we realize, as the representative of China has said on behalf of his colleague, the Rapporteur, that the report as a whole is to be taken as the outcome of a happy compromise. From that point of view my delegation will support and vote in favour of the covering resolution.

Mr. LAURENTIE (France) (Interpretation from French): I have but little to add to what the preceding speakers have said, particularly to the statements of Mr. Yang and Mr. Aquino. The only useful contribution which I might make would be to point to the morals which might be drawn from the work of this Committee. For the first time, I believe, a United Nations Committee, in connexion with this idea of Administrative Unions, has been given the obligation of passing judgment of a practical character on the functioning of the administrative system of unions.

Our Committee has actually passed judgment. It has done so without attaching itself to the theoretical concept of Administrative Unions but by examining the different systems which function throughout the world; and, by studying the geographical, moral, political and economic conditions in which the various populations of the territories concerned live. The conclusions which reflect that study are certainly quite just. But these conclusions, and this is the second point which I want to emphasize, can only be viewed as provisional.

What was the main question which was asked of us? It was to determine whether the functioning of Administrative Unions was jeopardizing the freedom of appreciation of the populations concerned, both in the present and in the future. With regard to the present liberty of the population, their present interest, our Committee has answered that it could not see any danger involved.

With regard to the right of self-determination by the population of the territories falling within the scope of an Administrative Union, it was indeed impossible for the Committee to answer the question. It was impossible for it to say, twenty years from now, ^{that} the functioning of an administrative union would result in shortcomings or drawbacks to the inhabitants of a territory; and that they will have full freedom to express themselves with regard to their political future. Of course, any such contention would be preposterous. This is why our Committee decided to propose to the Council that the study be constantly pursued, as the speakers who preceded me pointed out, and that a Committee be set up to that effect which would be, as it were, always seized with this question, which is always an actual question.

This action was prompted by common sense. There was no other solution. This is why I believe that the work performed by the Committee should be worthy of praise.

As far as the French delegation is concerned, we associate ourselves fully with the findings of the report itself, and we support fully the draft resolution which was submitted to the Council by the Committee.

Mr. KHALIDY (Iraq): I have very little to say and my remarks will be brief. They will be in the nature of a clarification and a reservation.

I have read the report but I cannot say that I have studied it because it only came out a few days ago. There was no time to do anything more than a cursory reading. In that sense, I can only reserve the right of my Government in regard to this report because it is barely in its hands. It has not communicated its views on this subject to me.

In that case, I shall vote for the resolution because I do not want to impede the work of the Council, but I shall reserve the right of my Government to take whatever view and position in regard to this question and the report, whether the matter is discussed in the Council or in the General Assembly. I make this reservation because neither my Government nor I have had the proper time to study the report.

Before concluding, I might add that no one should expect that a report of this volume or substance could be studied thoroughly and passed on in only four or five days. The report bears the date of 11 July. I had occasion to mention earlier in this Council that we ought to have the report as soon as possible in order to be able to study it. I believe it amounts to approximately 95 pages.

I hope the Council will clearly see my position. I am not casting any reflection on anyone. It is clear that the subject is deep and calls for deliberation and documentation. However, I cannot say that neither my Government nor I are in a position to pass judgment on it. In voting for the resolution I reserve the full rights of my Government vis-a-vis this subject, in whatever form it may be.

Mr. MUNOZ (Argentina): My first reaction with regard to the last intervention of the representative of Iraq is to ask whether the Council can properly approve this document if one or more delegations have not had time to study it. I wonder if other members of the Council could express their opinion in this connexion. Perhaps a few more days could be given to those delegations who wish to study the document and present their views properly in the Council.

Almost every aspect of the question has been covered by previous speakers. I especially want to point out that my delegation entirely agrees with the observations made by the representative of China, who was Rapporteur of the Committee. It also agrees with the position of the representative of the Philippines.

As stated by the representatives of the United States and of France, the report is a balanced one. It is an effort to achieve conciliation in a very difficult matter.

It is in that light of conciliation and co-operation that the Argentine delegation has subscribed to it and to the joint resolution which is now before the Council.

Finally, I should like to say that my delegation attaches great importance to the standing committee which is foreseen in the last paragraph of the draft resolution proposed to the Council by the Committee. This matter requires permanent scrutiny. This is one of the ways ⁱⁿ which the non-Administering Authorities have seen their way clear to accept many other parts of the report and of the draft resolution itself.

There are some corrections which I should like to make. One is on page 8 paragraph (e). The second sentence of paragraph (e) should read "Notes the assurance..." instead of "The Committee notes the assurance...".

Another minor correction should be made in point (ii), on page 91 in the text of the draft resolution after "Regarding New Guinea," where, instead of "CONSIDERING" it should read "IT CONSIDERS".

Mr. STIRLING (Australia): Like the representative of the United Kingdom I also wish to reserve the position of my Government with regard to certain points which arise in the Report, particularly some points in the section on New Guinea. There are various statements to which my delegation could not wholly subscribe, but I am glad to be able to support, and to vote in favour of the adoption of the report.

I hope that by the vote about to be taken, the Trusteeship Council will express its appreciation for the good and painstaking work performed by the Committee in its very long deliberations, and also the work of the Secretariat and of the Chairman of the Committee, Mr. Laurentie.

Mr. STEYAERT (Belgium) (Interpretation from French): The Belgian delegation is glad to be able to vote in favour of the resolution which the Committee on Administrative Unions has submitted to the Trusteeship Council at the end of the excellent Report which it has offered to us. We shall vote in favour of this resolution in the spirit of compromise to which several representatives have already referred.

Miss BERNARDINO (Dominican Republic) (Interpretation from Spanish): Our delegation wishes to associate itself with the statements made by delegations which have spoken in favour of the very interesting Report concerning the Administrative Unions. Our delegation would like to refer, in particular, to the very remarkable and valuable co-operation of the Chairman of the Committee, Mr. Laurentie, and to the Rapporteur, the representative of China and to the Secretariat in General, who have at all times made every possible effort in order to meet the wishes of the Committee, even if that meant real sacrifice on their part.

Mr. CRAW (New Zealand): I seem to be the only one who has not expressed his views. I shall make it unanimous.

Mr. LIU (China): I wish to say that my delegation, as it did in the Committee, will support the resolution unanimously adopted by the Committee on Administrative Unions attached to the Report. It is a result, we agree, of compromise between various points of view, and I think it is a very happy compromise.

I share the views of the representative of the Philippines that the establishment of the Standing Committee is not inconsistent with the stand that we have already taken, that this question of Administrative Unions, which requires long study, is a continual problem. We have expressed that view before, I believe, in the Fourth Committee of the General Assembly during its last session, and we still maintain that view.

We shall, therefore, subscribe to the main provision of this resolution, that is, the establishment of the Standing Committee on this question.

My delegation has had occasion to express its views on the whole question on previous occasions and I shall not endeavour to review these views at this stage. Of course we shall reserve our right to express again and reiterate these views when various aspects of the problem come up during future discussions, whether in Committee or in the Trusteeship Council.

There is one point which was referred to by the representative of the Philippines, however, which I should like also to emphasize, and that is the point in regard to the access to be given by the Administering Authorities to the Visiting Missions to establishments in connexion with the necessary information that should be supplied to the Visiting Missions. While we are in agreement with the formula contained in the present draft resolution, we wish to stress that we regard that point as a very important one, and that we shall insist that the recommendation contained in the resolution, that is, one of the safeguards suggested in the resolution regarding the operation of Administrative Unions, not be subjected to an interpretation inconsistent with the provisions of the Charter. My delegation feels that it is necessary to insist again on this point at this stage.

Outside of that, my delegation has no other view to express for the time being, except to repeat that we shall vote for the resolution proposed by the Committee.

The PRESIDENT (Interpretation from French): We have a resolution which is annexed to the Report and which is the result of a compromise. In general everybody seems to be in favour of this resolution, with some reservations which have been expressed by certain delegations and which will be recorded in the verbatim record.

We shall now have to vote on the Report and on the annex. If there is no objection, however, ^{to have a vote} we can consider that it is adopted. I do not think there is any need/by a show of hands. We take note of the Report and we adopt the resolutions contained in the annex.

It was so decided.

Mr. MUNOZ (Argentina): Do I understand correctly that once the resolution is approved the Report will go to the General Assembly as an annex to that resolution?

The PRESIDENT (Interpretation from French): The representative of Argentina wishes to know whether the Report itself will be submitted to the General Assembly. The Secretary informs me that it will go with the resolution annexed to it.

Mr. MUNOZ (Argentina): I understand that the resolution itself will be an annex to the Report. I have seen the draft report of the Council to the General Assembly, and as regards Administrative Unions it says that that will constitute an addendum to the Report. However, my question is this: Will the Report of the Committee to the Council be an annex to the resolution itself, or will it not go to the Assembly at all?

The PRESIDENT (Interpretation from French): It seems to me that the Report of the Committee will be summarized in the Report of the Council. You will take note of the entire Report in the Council's Report.

Mr. SAYRE (United States of America): I wonder if that question is not answered by paragraph 4 of the resolution which you see set forth on page 88. Paragraph 4 provides in the resolution that the Trusteeship Council:

"Transmits the attached Report to the General Assembly in conformity with Resolution 326 (IV);"

It seems to me that that is entirely proper. That part of our Report to the General Assembly should be the Report of this Committee. I think it is important that this complete Report go to the General Assembly attached as a report to our resolution, and that is so provided here.

The PRESIDENT (Interpretation from French): As the representative of the United States has said, it is provided for in the text.

Mr. HOO (Assistant Secretary-General) in Charge of Trusteeship/^{Affairs}
Information from Non-Self-Governing Territories): This question of Administrative Union is a separate item on the agenda of the General Assembly, so the Trusteeship Council will of course transmit this Report to the General Assembly. On the question as to where it will be printed, of course it will be printed together with the Report of the Council to go to the General Assembly and with the annexes of the Report of the Council to go to the General Assembly. But there is no question that this report as it is will be transmitted to the Assembly.

Mr. KHALIDY (Iraq): My question was answered by Dr. Hoo. We should like this Report to go to the General Assembly.

The PRESIDENT (Interpretation from French): Particularly since this is a separate and distinct item on the agenda for the General Assembly; the Report as a whole will then go to the Assembly.

Mr. FLETCHER-COOKE (United Kingdom): I just heard the Assistant Secretary-General, Mr. Hoo, say that this item is a separate item on the agenda of the Assembly, and I am, of course, aware that it was so treated last year. But I cannot understand why this particular item, any more than any other item on which the General Assembly sees fit to pass resolutions, should in fact be treated as a separate item. It is all part of the work of the Trusteeship Council, and the General Assembly has in fact passed resolutions on a variety of subjects, some of which had previously been treated in this Council and some of which, as we well know, had never been considered in this Council. However, I do not understand why we do not confine ourselves, in preparing the agenda to the Assembly, to the Report of the Trusteeship Council. I agree, of course, that there is a completely separate set of considerations when we are dealing with the question of Jerusalem where we were acting under a specific resolution and not within the ordinary Trusteeship System. But I should have thought that the other matters would have formed one item on the agenda, namely, the Report of the Trusteeship Council.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship/^{Affairs} and Information from Non-Self-Governing Territories): It has been the practice heretofore that whenever the Assembly adopts a resolution asking for specific action on the part of any of the organs of the United Nations, then this resolution is made the subject of a special item; but although listed as a special item on the agenda of the General Assembly, of course the Assembly can decide that this item is to be discussed together with other items.

May I call your attention to the resolution adopted by the General Assembly on 15 November 1949 concerning "Administrative Unions affecting Trust Territories. It is a long resolution and the last paragraph states:

"The General Assembly...recommends that the Trusteeship Council complete its investigation, in accordance with the terms of General Assembly resolution 224 (III) and of the present resolution, and present a special report to the next regular session of the General Assembly on the results of its investigation and the action taken by it".

Mr. FLETCHER-COOKE (United Kingdom): Could the Assistant Secretary-General, if he can, refresh my memory as to how many other separate items there will be because, if my memory serves me correctly, we have been asked for several special reports in resolutions. Is each one going to form a separate item on the agenda of the Assembly?

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Affairs Information from Non-Self-Governing Territories): We have Jerusalem, South West Africa and Somaliland.

Mr. FLETCHER-COOKE (United Kingdom): I am referring to resolutions which are specifically within the normal work of the Trusteeship Council. For example we have had one asking for special sections on implementation; we have had one or two other resolutions which have asked for special action or reports. Are they all going to be separate items on the agenda of the Assembly?

The PRESIDENT (Interpretation from French): The representative of the United Kingdom wishes to know whether all these other matters will constitute special items on the agenda for the General Assembly.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): The other resolutions concerning Trust Territories do not require a special report as does this one.

The PRESIDENT: Because the text of the resolution mentioned that.

Mr. MUNOZ (Argentina): I was going to say that I do not think the Council can decide here a question on which the General Assembly must decide, whether the agenda of the General Assembly will contain one or more items or whether the item on Administrative Unions will be a separate item or not. However, I think that for practical purposes we could present a separate report with the assurance that this does not imply any opinion by the Council regarding the agenda of the General Assembly. Otherwise, I think that we would embark on a very fruitless discussion.

because

The PRESIDENT: Especially/ the text says that we are to present a special report to the next session of the General Assembly.

Mr. AQUINO (Philippines): I do not wish there to be any mistake either in thinking or in performance with respect to the ^{interpretation of this provision of the} draft resolution that we are considering. Allowing for red tape and all the other unavoidable evils that go with it, this report of the Committee on Administrative Unions is to go to the General Assembly as it is. It shall go as such and not as an abridged edition. This is inescapable. It is so stated in the General Assembly resolution, and it is so stated in this resolution before us.

Mr. LAURENTIE (France) (Interpretation from French): I confess that I am somewhat astonished by this discussion because everything is quite simple in this case. I believe that in our report to the General Assembly we should have a paragraph in which we would indicate that we have discussed the question of administrative unions and have arrived at the following resolution. Then we could refer to the report of the Committee which appears in the annex.

Mr. HOO (Assistant Secretary-General) (Interpretation from French): That is just what we intend to do.

The PRESIDENT (Interpretation from French): Mr. Laurentie has very clearly explained the situation. As there are no objections, we shall follow the usual procedure.

We can consider the resolution as adopted, and that the Trusteeship Council has taken note of the report. It will be transmitted, together with the resolution, to the General Assembly.

I shall now suspend the meeting for twenty minutes, after which the Council will consider the question of petitions.

The meeting was suspended at 4.12 p.m. and resumed at 4.35 p.m.

The PRESIDENT (Interpretation from French): The resolution which we have just adopted included the appointment of a Standing Committee on Administrative Unions. At our meeting tomorrow or the next day we shall decide on the number of members of which such Committee will be composed.

EXAMINATION OF PETITIONS: FOURTH, FIFTH AND SIXTH REPORTS OF THE AD HOC
COMMITTEE ON PETITIONS

The PRESIDENT (Interpretation from French): We shall consider first the report contained in document (T/L.101).

This report contains 23 draft resolutions. I should like to know whether any of the representatives wishes to comment on this set of petitions and draft resolutions. Since there are no observations, the report, including the 23 draft resolutions, may be considered adopted.

The report and draft resolutions were adopted.

The PRESIDENT (Interpretation from French): We now come to the fifth report of the Ad Hoc Committee on Petitions, document T/L.103. That report contains nine resolutions, each resolution covering a group of petitions.

As I hear no comment, I take it that this report, and the resolutions contained therein, are adopted.

The report and resolutions were adopted.

The PRESIDENT (Interpretation from French): Finally, we come to the sixth report of the Committee, containing ten resolutions.

As there is no comment by any member of the Council, the report and the ten resolutions will be considered adopted.

The report and resolutions were adopted.

Mr. FLETCHER-COOKE (United Kingdom): Now that we have approved the three reports which were before us from the Ad Hoc Committee on Petitions, I wish to invite the attention of the Council to another matter relating to a Togoland petition, namely, T/PET.6/185. This is a petition which relates to Togoland under United Kingdom Trusteeship, and it would be very convenient if the Council and the Committee could see their way to deal with it at this session. Our Special Representative is still with us, and we do not wish to have to bring him again for our session next winter. If the matter is not disposed of at this session, it might mean a delay until next summer. Moreover, the subject matter, which covers a number of general questions which have already been dealt with during this session, is such that I think it can be conveniently considered.

On the other hand, there is an addition to the petition, T/PET.6/185/Add.1, which refers to the possible appearance before the Council of an attorney and counsellor-at-law with a New York address, who is apparently instructed by the petitioner to make oral presentation before the Council.

Without expressing any opinion at this stage on the propriety or otherwise of hearing apparently not the petitioner, but a lawyer instructed by him, I should like to ask whether we might in fact agree that this matter should be put on the agenda; and, if it is, whether we could give some consideration, firstly, to the question of whether this lawyer should be permitted to appear, and, however the Council should decide on that question, whether we might then ask the Committee to deal with this petition at the present session.

The PRESIDENT (Interpretation from French): Thus, we have two questions. The first petition would merely be referred to the Committee, which would decide its fate in the course of its next meeting. As to the other petition, in which a hearing is requested, it is up to the Council to decide what should be done. This petition is an addendum to the former petition.

Mr. FLETCHER-COOKE (United Kingdom): If there is going to be some discussion about the petition, with a view to deciding whether it should go on the agenda, I should like to make some observations.

It will be recalled that recently the Council did agree that any of these petitions from Togoland with which the Administering Authority and the Committee on Petitions were prepared to deal at this session should, with ^{the} blanket approval given by the Council, be put on the agenda and so dealt with. I understand that a number of petitions are being, or will be, so dealt with. The only reason why it is necessary to raise the question of this particular petition in the Council is, of course, that there is an application for an oral hearing.

I should like to make two observations on this application for oral hearing. Firstly, as regards the substance of the petition, I can see nothing in it which is not already covered by various other petitions that are already before the Committee on Petitions. Indeed, the subject matter has been exhaustively considered both in the Council and in the Committee on Petitions, and I cannot, prima facie, see any reason why there should be an exceptional procedure necessary, namely, that the petitioners or their representatives should appear before the Council. Having regard to the subject matter of the petition, I am very doubtful whether they could indeed add anything to the knowledge of the Council in this matter.

Secondly, this is not, in point of fact, a request from the petitioners to be heard, but a suggestion that they should be represented here at the Council by an attorney acting on their behalf. In the past, the Council has taken the view -- quite properly, I think -- that, where petitioners ask to be heard, the Council should first of all come to a conclusion on the substance -- whether the matter is of such a character that the Council might gain something from hearing the petitioners -- and we have, of course, agreed to hear certain petitioners, including a number at this session.

In this particular case, however, we have an application for a hearing by an attorney on behalf of the petitioner. I think I am right in saying -- I may be

wrong, but I think I am right -- that the Council has not so far granted approval for petitioners to be represented before the Council by an attorney. I think there would be justification for a certain hesitation before the Council did create such a precedent. We do not wish to set this up as the meeting place of attorneys. From time to time, we quite obviously have good reason to hear the petitioners themselves, the people who have written these petitions and who are directly concerned. Therefore, prima facie, I should have thought that the Council might have felt that this was not a case in which an exception should be made in favour of an oral hearing.

I put those points of view forward because we are anxious, in the interests of the petitioners and of the Special Representative, who is still here, and indeed of the Council, to dispose of this petition at this session if we can. If other delegations feel strongly either that the substance merits a hearing or that there are no objections to hearing an attorney on behalf of the petitioners, I should be glad to hear their observations. I have merely given the Council my prima facie reactions on those two points.

Mr. AQUINO (Philippines): As regards the matter of procedure worked out by the representative of the United Kingdom, we, for our part, can say offhand that we would have no objection to the consideration of these petitions during this session. As regards the matter of substance, more particularly with regard to whether or not the individual purporting to be the lawyer and counsellor for the petitioners should be allowed to appear before the Council and/or before its competent committee, we would ask the Council to defer action thereon until after we have given the matter more thorough study. We cannot now formulate any position on this application for oral argument. If it does not meet with the objection of any member of the Council, we would, therefore, reiterate our request that we postpone action on this matter. We believe that there is ample precedent for the consideration of this request for deferment of action.

Mr. FLETCHER-COCKE (United Kingdom): I am not quite clear as to what the representative of the Philippines means by deferment of action. Does he mean from this session to the next session?

Mr. AQUINO (Philippines): No, I mean from this meeting to another meeting.

Mr. FLETCHER-COCKE (United Kingdom): I would like to make another suggestion which might possibly appeal to him, namely, that if the Council agrees that it should be put on the agenda, we can ask the Petitions Committee at its next session, which I understand is tomorrow, to look into this petition and, in the same way as it did with the ^{previous} request for an oral hearing, to submit a recommendation to the Council. If the Committee decides that on the basis of the substance of the petition and of the discussion which they have had in the Petitions Committee that ^{no} useful purpose could be served by this attorney appearing, then they can so recommend to the Council. If, on the other hand, they feel that there are special reasons why he should appear, they can equally well put up a recommendation. Since that would in fact mean a deferment from this meeting, perhaps it would meet the wishes of the representative of the Philippines, and it will be perfectly acceptable to me.

Mr. LAURENTIE (France) (Interpretation from French): I believe that, with regard to the question of a lawyer who might be heard by the Council, this is a point which is settled by our rules of procedure. I am referring to Rule 80, paragraph 2. This Rule settles this matter in the negative; we cannot hear a lawyer. Paragraph 2 of Rule 80 states that, when a petitioner requests to submit an oral statement or an oral petition, "the President of the Council shall be authorized between sessions of the Council, through the Secretary-General, to inform any petitioner under this Rule that the Council will grant them a hearing at such time and place as the President may name." In other words, the Council will hear the petitioner himself and not the petitioner through some third party. I remember very well when this Rule of procedure was discussed by a special drafting committee which sat during the course of our first session. The question was raised, and it was quite clear to everybody that a hearing before the Council should permit the Council to determine precisely the motives which have prompted the petitioner or petitioners. It is quite obvious that a possible part to be played by a lawyer in this procedure would dispute the appraisal that the Council would make of the motives and feelings of the petitioner or petitioners. This is why it was specifically or by implication indicated that it would be the petitioners themselves, or at least a representative chosen by the petitioners from among themselves, who would be heard by the Council, and not a lawyer.

Mr. AQUINO (Philippines): I am in accord with the alternative proposal submitted by the representative of the United Kingdom. We feel that the Council should have no difficulty in accepting his proposal.

The PRESIDENT (Interpretation from French): The proposal of the representative of the United Kingdom is to refer the petition to the Petitions Committee and to defer the question of the oral hearing.

Mr. FLETCHER-COCKE (United Kingdom): My suggestion was that we should refer it to the Petitions Committee, which I understand is meeting tomorrow, and that the Petitions Committee should then submit to us its recommendations. At an early part of this session we had a similar case in respect to a petition from a French territory, and the Petitions Committee studied it and made a recommendation to the Council accordingly. That is what I had in mind.

I trust that the Committee will take into account the observations which the representative of France made, which I think are very pertinent.

The PRESIDENT (Interpretation from French): If there are no objections to referring this petition and its addendum to the Petitions Committee, I will have this Committee consider this matter. It is going to hold a meeting tomorrow. Perhaps it will be the last one. I hope so. This matter is therefore so decided, that is, the petition and its addendum is referred to the Petitions Committee.

We do not have sufficient documents to work upon tomorrow. We still have to take up the third part of the report on Togoland under British Administration; this has not yet been printed. We also have to take up the two reports, one on Togoland under French Administration and the other on Nauru. These two reports might be ready by the day after tomorrow. Perhaps the Secretary of the Council could enlighten us on this matter.

Mr. ALEKSANDER (Secretary): The report on Togoland might be ready tomorrow afternoon. As for the report on Nauru, the Drafting Committee will meet tomorrow and possibly will finish this report.

The PRESIDENT (Interpretation from French): We do not have as yet the last report on petitions since the Petitions Committee is going to hold a meeting tomorrow. The only thing left would be the report to the General Assembly, which report is in the process of being prepared; only one part of it is ready. This might be taken up at the last meeting. The only item which we might take up tomorrow -- it is hardly worth while meeting just to take up this item -- would be the question of visiting the territories. How shall we answer the note of the Secretary-General? We have exchanged some views in the course of our last session.

I believe that we should meet again on Wednesday. Tomorrow the Committee on Petitions will meet in the morning in Room No. 1. The Drafting Committee on Nauru will meet at eleven o'clock. These two Committees, if they wish, may continue to work in the afternoon. It is up to them to settle their programme of work. The Council will resume its work on Wednesday at 2 o'clock.

Mr. KHALIDY (Iraq): Could the Secretariat inform us as to the outstanding items which are to be disposed of at this session?

The PRESIDENT (Interpretation from French): I have just told you.

Mr. KHALIDY (Iraq): Are there any items other than those which you have mentioned? If my memory serves me rightly, there were one or two other small questions still outstanding for this session.

Mr. ALEKSANDER (Secretary): In addition to the items which were mentioned by the President, as far as I recall, there is one item, a resolution on the Visiting Mission, and another item on the future session.

Mr. KHALIDY (Iraq): I think there is another item. The Secretariat was to prepare a resolution on the printing of the Report of the West African Mission.

The PRESIDENT (Interpretation from French): We have disposed of this item since I have already stated twice that it will be taken up together with the Reports and the special petitions. We had to take note of the Report. Is that what you had in mind?

Mr. KHALIDY (Iraq): I think there is a misunderstanding. Some days ago, the Council wished to decide upon the printing of the Report of the Visiting Mission to West Africa. Then, there were other points which were brought up by the representative of the United States. Finally, we said that we would ask the Secretariat to prepare a resolution and present it to the Council. That was more than a week ago but it has never been presented.

The PRESIDENT: I remember now. Yes, a draft resolution was to be prepared by the Secretariat.

Mr. ALEKSANDER (Secretary): We had this draft resolution ready but the Secretariat does not propose resolutions. It just drafts it and it is proposed by a member of the Council. It has drafted it and shown it to several delegations.

Mr. KHALIDY (Iraq): I do not wish to get into a discussion on procedure. However, the Secretariat was asked to prepare such a paper and I, for one, have never seen it.

The PRESIDENT: I remember that we spoke about it. It was a material question of reduction and a favour was asked of the Secretariat in that it help in the preparation of one or two paragraphs concerning the printing of the Report in two languages. It was the only point that we discussed after that, the printing of the papers in both working languages.

Mr. KHALIDY (Iraq): I hate to enlarge on this subject because we have had an appreciable debate on it. But may I refresh the memory of the Council. I think it was I who brought up a question on the printing of the Report. Then, I believe it was Mr. Sayre who proposed that a word of thanks be included. I am speaking from memory. Then other members expressed their opinion. Finally, it was decided that the Secretariat would draft a paper in the form of a resolution. There was no question of a favour from the Secretariat. It was charged with the drafting of a paper containing a resolution which the Council would consider as to in what manner and when the Report would be printed. It would include the points which I think Mr. Sayre proposed. In addition, if my memory does not fail me, the representative of the United Kingdom said a word about it.

This paper has never been presented. I only bring this up because I do not desire that a situation should arise where papers, in the last one or two days, would fall upon the Council like rain. The Council should like to consider such papers. It has already had a report on the Administrative Union which I, for one, could not thoroughly study.

If such a paper could be produced in one or two days, and it is a small paper, why the delay of one week? I am surprised.

The PRESIDENT (Interpretation from French): The Secretariat can certainly prepare this document very quickly. We spoke about it a few days ago. Can the Secretary tell us when the paper will be ready?

Mr. ALEKSANDER (Secretary): At any time. I misunderstood. I thought that the Secretariat would draft the paper. Then, there would be sponsors of it. Maybe I was wrong but I understood that certain delegations were ready to sponsor such a resolution. That was the reason for the delay. Of course, we can put the paper out tomorrow and it will be circulated to the members of the Council.

The PRESIDENT: Do prepare the paper. At least two delegations spoke on the matter. They were the delegations of Iraq and the United States. Either one of them or any other delegation can sponsor the resolution. That is nothing.

Mr. SAYRE (United States of America): I have not seen any paper either so that I would be glad, together with the representative of Iraq, to see it.

Incidentally, as he has brought up the subject of other matters, I recall that there was the question of the verbatim reports on which we asked the Secretariat, or I think specifically Mr. Bunche, to look into and to report on the situation. I hope that that will also be disposed of before the session comes to an end.

The PRESIDENT: Mr. Aleksander knows of the matter and I am sure he will check on it.

There is a question as to where the next session will be. We are awaiting information from the Secretariat on that.

Mr. KHALIDY (Iraq): If you have disposed of this point, may I again touch on the point you have just mentioned, the question of the next session. I shall not comment on the substance. However, we are only a few days away from the end of this session. When does the Secretariat expect us to contact our Governments and get their decision as to the next session? If the Secretariat is going to present this information, which had been asked for by the delegation of the Argentine nearly three weeks or a month ago, two or three days before the end of the session, how can we get the opinions of our Governments on it? Surely something like that ought to have been thought of by the Secretariat. The Argentine delegation very correctly asked for this information simply because it wanted the members of the Council to have time to communicate the idea to their Governments.

The PRESIDENT (Interpretation from French): I shall call upon the Assistant Secretary-General. However, if the delegations so wish, we can work until 29 July. Personally, I was always in favour of this solution.

Affairs

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): If the Council wishes, I can give it the information about which Mr. Khalidy just spoke. Then, we could consider this matter of the next session today, if you want to.

The PRESIDENT: The Assistant Secretary-General can give us the information now.

Information from Non-Self-Governing Territories):
Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and/

The members of the Trusteeship Council are possibly already aware that there are some uncertainties with regard to the availability of adequate accommodations for meetings of the organs of the United Nations in the New York area in 1951, and particularly during the first half of that year.

These uncertainties are due entirely to the understandable inability to state precise dates for the completion of construction work at the permanent site, and the contemplated evacuation of the temporary headquarters at Lake Success early next year. We are not able just now to state definitely whether it will be possible to accommodate the Trusteeship Council in the New York area between January and August of 1951. I am assured, however, that the position will be much clearer by next Fall in the course of the General Assembly's fifth session.

I realize, of course, that by Rule 6 of the Trusteeship Council's rules of procedure the meetings of the Trusteeship Council are to be held at the seat of the United Nations unless the Trusteeship Council decides otherwise.

I may add also that, in the budget estimates for 1951, provision is made for one session of the Trusteeship Council in 1951 to be held in Geneva should the Trusteeship Council decide to do so. In the light of all the circumstances the Trusteeship Council might find it desirable to defer, for the time being, any final decision as to the place at which it will convene its eighth session. The question as to where the Council may be able to meet for its ninth or Summer-1951 session is also involved. The Trusteeship Council might convene briefly in a special session during the General Assembly session next Fall to consider this question on the basis of specific information which will then be available as regards availability of accommodations in the New York area in the first half of 1951.

The PRESIDENT (Interpretation from French): We might decide this question whenever the Trusteeship Council would like.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): If the Trusteeship Council was to meet in New York for the Winter-1951 session, the Secretariat cannot promise accommodations because, as I just said, we are not sure whether there will be Council rooms available by that time. If, however, the Trusteeship Council wants to decide right away that it wants to meet in Geneva at the beginning of 1951, then, of course, the Trusteeship Council could take that decision now since there is an appropriation for that purpose in the budget estimates. At any rate, it is perhaps better to defer the question until the General Assembly session because we shall know by that time whether there will be Council rooms available in New York in January-February 1951.

Mr. SAYRE (United States of America): I simply want to say a word in support of the idea which has been expressed by the Assistant Secretary-General. By next Autumn we shall be far better ^{informed with regard to} what the building situation will be and also with regard to several other matters. As the Assistant Secretary-General has suggested, it does not seem necessary to reach a decision here and now as to where we shall meet next Winter. I should think that decision could be made much more wisely in the Autumn in the manner he has suggested.

Mr. CRAW (New Zealand): I think I can associate myself with the remarks of the representative of the United States. There was one point, however, in the statement of the Assistant Secretary-General which puzzled me. He said there was an appropriation for a meeting overseas next year. Might I ask who authorized that appropriation? I do not recall the Fifth Committee having taken such action.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): This is not an appropriation of the Trusteeship Council, but the Secretary-General has suggested in the budget estimates an additional credit allowing the Trusteeship Council to meet in Geneva next year if it wishes.

Mr. CRAW (New Zealand): That appropriation still has to be passed by the Fifth Committee.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): That appropriation has nothing to do with the Trusteeship Council.

Mr. KHALIDY (Iraq): Could such an appropriation, having to do primarily with the meeting of the Trusteeship Council outside of New York, be asked for without the decision of the Trusteeship Council? The Trusteeship Council has never decided to meet outside of New York. To my delegation, at least, it is an important question whether we meet outside New York, from the financial point of view. We are in no position to incur expenses in the present international situation. I am expressing a general thought, but I should like some clarification from the Assistant Secretary-General whether an appropriation could off-handly be included in the budget without a decision in principle by the Trusteeship Council as to whether or not it wants to meet abroad.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): As the representatives know, the Trusteeship Council met in Geneva this year. Many members of the Trusteeship Council expressed the view that it might meet in Geneva again next year, irrespective of the question as to whether or not meeting rooms would be available in New York. In addition to that, the Secretariat thought that the Trusteeship Council would perhaps have to meet in Geneva because there would be no place to meet in New York and, for that reason, the credit had been added.

The PRESIDENT (Interpretation from French): It is a preliminary draft, as it were.

Mr. QUESADA (Argentina): It seems that we must await a definite answer. I wonder if it would be possible to have a copy of the statement of the Assistant Secretary-General in this regard, apart from the verbatim record of his remarks. We could send copies of his statement to our Governments.

The PRESIDENT (Interpretation from French): This statement of Mr. Hoo could be circulated tomorrow and we could thus have the actual text before us.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): I can have the statement reproduced immediately.

Mr. KHALIDY (Iraq): I am disturbed by the idea that an allocation has been made for a possible session of the Trusteeship Council abroad next year. The Trusteeship Council has never decided anything of the sort, and the Assistant Secretary-General says that the Secretariat understood that certain members would like to meet abroad. I am not aware of any debates on the subject or a decision in the Trusteeship Council to that effect.

It is true that when the skiing season was at its height in Geneva many members, or perhaps their families, wanted to repeat that pleasant experience. No debates had taken place, however; this financial commitment is a big one and I should not like to be associated with it. I should like the situation to be clarified. In view of the present international situation, my delegation has a decided view on the financial implications of such a decision. I should like the President please to clarify the situation. My Government cannot be associated with the present allocation for a meeting abroad of the Trusteeship Council before the Trusteeship Council takes a definite decision.

Mr. HOO (Assistant Secretary-General in Charge of Trusteeship and Information from Non-Self-Governing Territories): The allocation of the credit for a meeting of the Trusteeship Council in Geneva does not mean that the Trusteeship Council has to meet in Geneva because the credit is there. If the Trusteeship Council does not meet in Geneva the credit will be saved, of course.

Secondly, it is usual for the Secretary-General to draw up and present certain budget estimates. These estimates are sometimes reduced or increased. In this case, the Secretary-General, in view of the fact that we may not have accommodations available in New York for the meeting of the Trusteeship Council next year, has added this credit in his budget estimates; he has done the same thing for the Economic and Social Council. These budget estimates, of course, will come before the General Assembly, and whatever objection may be raised by the

delegations in the Fifth Committee to the adding of this credit may be raised at that time.

Mr. CRAW (New Zealand): I quite appreciate the point made by the Assistant Secretary-General, but I hope that, in any papers which are forwarded to the General Assembly, and when the estimates are forwarded to member Governments also, it will be made quite clear that the Trusteeship Council has not requested this appropriation. That is not the business of the Trusteeship Council at all; it is entirely the responsibility of the Secretary-General who can, of course, include suggestions for all sorts of other things if he wants to

Mr. HOO (Assistant Secretary-General in charge of Trusteeship and Information from Non-Self-Governing Territories): It has been made clear in the budget text.

Mr. KHALIDY (Iraq): How could an allocation of such dimensions be made even by the Secretary-General without the Council deciding a priori to meet abroad? I should like Dr. Hoo to tell me whether such an allocation was made before the Council decided to meet in Geneva the last time. No allocation was made before the Council took a definite decision.

If this allocation goes to the Fifth Committee, an erroneous situation is very likely to arise; it is going to be in the name of the Council. Most delegations will think it has come from the Council. Why should it be put in, in the first place, in order that a certain delegation should pose before the Fifth Committee and say, "No, it was not made in the name of the Council. Only the Secretariat took the responsibility." Why on earth should that procedure be followed? Couldn't the Secretariat wait for a decision from the Council? What is the hurry?

We cannot associate ourselves with a haphazard procedure such as that. The Council a priori must decide whether it wants to meet abroad. If it does, it is the business of the Council, and then the duty of the Secretariat is to provide the allocation and ask the Fifth Committee for it. But such a decision has not been obtained, and the Council is being hurried into an erroneous situation which is not of its own making.

Mr. HOO (Assistant Secretary-General in charge of Trusteeship and Information from Non-Self-Governing Territories): In documents where this additional credit for meeting in Geneva is provided for, nothing is said there about a decision of the Council. The Secretary-General does not present this allocation as having been made after a request by the Council, so I do not think there will be any misunderstanding on this account. It is said in that document that all the necessary explanations will be given for this credit.

May I add that it is for the Secretary-General to suggest any allocation, and he puts it in his budget estimate. It is not necessary every time for an organ to decide for a credit so that the credit should be added to the budget. If the Secretary-General considers that this credit might be used or might be

necessary, he can suggest this credit without that organ having requested him to do so. Take, for instance, certain commissions which are to be established. Before the establishment of these commissions, the Secretary-General can very well put a credit for that commission. It does not mean that the commission has to vote first the credit for its own establishment.

The PRESIDENT (Interpretation from French): The information given by the Secretariat will be circulated so that all representatives might have it before them.

I should like to ask a clarification of the Assistant Secretary-General: Is there any possibility of meeting in New York in January? There may be fewer rooms available, but we might co-ordinate our work with the other Councils.

Mr. HOO (Assistant Secretary-General in charge of Trusteeship and Information from Non-Self-Governing Territories): We will know better this Fall what the situation is. If we do not have rooms at Lake Success, then for the time being we only have two meeting rooms in Flushing. Therefore, if there are only two meeting rooms in Flushing, both the Security Council and the Economic and Social Council will meet during the winter in New York as will the Interim Committee also; but there are only two rooms available.

In that case, I do not think that the Trusteeship Council could meet simultaneously with those three other organs. However, if we could keep Lake Success for instance, or if other council rooms are made available in New York then of course we could meet in New York and this, as I said, we will know this Fall better than we know today.

The PRESIDENT (Interpretation from French): Does the Economic and Social Council have an established priority?

Mr. HOO (Assistant Secretary-General in charge of Trusteeship and Information from Non-Self-Governing Territories): Yes, for the coming winter.

Mr. KHALIDY (Iraq): Since the subject is being discussed, I should like to make a few observations without committing my Government in any way because I do not know what their views will ultimately be. However, some remarks may not perhaps be out of place in the present situation.

I do hope that when the Secretariat gives us the final information they will take into consideration the desirability of economy which is now pressing itself upon everybody, and perhaps less consideration will be given to a "pleasure cruise" to a pleasure resort in the present situation. That is one point.

The second point is: Why should the Economic and Social Council have a priority over the Trusteeship Council in the matter of a meeting place if the Trusteeship Council meets before the Economic and Social Council? Once or twice we have had the unpleasant experience of being driven out of this room because the Economic and Social Council wanted it, and in that case we had started our session first. It was a very unusual procedure. I do not know why the Council should submit itself to this indignity repeatedly.

The third point is: If we cannot meet here and we cannot meet in Flushing, is there not a human possibility of meeting in the New York area in order to achieve the economy that everybody seems to talk about now? I hope the Secretariat will help us put it into application.

Mr. SAYRE (United States of America): I am somewhat disturbed by the assertion which I just heard that the Economic and Social Council has an established priority over this Council. If I understood correctly, the question was asked of the Assistant Secretary-General and he had said "Yes". That certainly was not true two or three years ago. I remember that when I served as President of this Council I discussed the matter with the Secretary-General, Mr. Lie, and with others. It was very clear then that this Council was on an absolutely equal footing with the Economic and Social Council. The question arose several times with regard to the use of this room. When we were using the room, the Economic and Social Council usually waited until we were through with it and vice versa. Once or twice we made an arrangement with them whereby we would alternate in our sittings here on certain days a week, but this Council throughout has been considered as being on an equal basis with the Economic and Social Council, so far as I have been aware. I know that was true, as I say, when I served as President of this Council three years ago. I would be very much disturbed if any different custom or practice or ruling has been made, and I should like to ask the Assistant Secretary-General whether that is no longer true.

Mr. HCO (Assistant Secretary-General) May I first reply to the representative of Iraq. I can assure him that the Secretariat is doing everything in its power to save money. It is for that reason that we have suggested that the decision as to the meeting place should be taken this fall and not now, because then we would know better whether it is possible to meet in New York.

With regard to the question asked by the representative of the United States, I can also assure him that we have never agreed that any priority be given to the Economic and Social Council. What I said now was that the Economic and Social Council has taken a decision to meet in New York next winter, but that does not mean that they would be given a priority. I merely stated a fact, namely that they have taken a decision. The question which arises now is whether the fact that they have taken a decision before the Trusteeship Council has taken its decision would imply some priority. That is another question. But we never recognize any priority with respect to the Economic and Social Council or any other organ.

Mr. SAYRE (United States of America): I am delighted to hear that reply and I take it that there is no established priority with respect to one Council over the other. It seems to me that we are on an equal footing and on an equal basis. I can quite see that if, let us say, the Economic and Social Council should decide to meet in New York before we reach that decision, then they would have a priority over such rooms as there might be. That is one thing, but I take it that we are on a basis of absolute equality with the Economic and Social Council in arrangements and in general questions which arise. I am delighted, however, to hear the reply which Mr. Hoo has just given.

The PRESIDENT (Interpretation from French): Then the question of our next session may be settled in the course of our last meeting. We might, with the information at our disposal, think it over before taking our final stand.

Mr. QUESADA (Argentina): I should like to say one word on the question of economy. It seems that a session of the Trusteeship Council is less expensive than the Economic and Social Council. That is a matter which I would like Dr. Hoo to state in the report as clearly as possible. I know that my Government would hesitate very much to move because they are anxious to effect savings not only in connexion with the whole of the Secretariat but also with regard to the delegations. It is therefore a great expense to move our delegation. Therefore, I should like this to be very well clarified.

Mr. HOO (Assistant Secretary-General): With respect to the budget of the United Nations and the Secretariat, of course it costs much more to have the Economic and Social Council meet in Geneva than to have the Trusteeship Council meet in Geneva, because the Secretariat of the Economic and Social Council is much larger than the Secretariat of the Trusteeship Council. With respect to the expense of the delegations, that is another question, but it is not a question with which we have to concern ourselves here. However, as for the Secretariat, it is much cheaper for the Trusteeship Council to meet in Geneva than for the Economic and Social Council. I think it is about half the expense.

The PRESIDENT (Interpretation from French): The Trusteeship Council will meet on Wednesday, 19 July, at 2 p.m.

The meeting rose at 5.35 p.m.