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Twenty-sixth Session

VERBATIM RECORD OF THE ELEVEN HUNDRED AND TWENTY-SEVENTH MEETING

Held at Headquarters, New York,
on Friday, 24 June 1960, at 2.30 p.m.

President:

Mr. VITELLI

(Italy)

1. Examination of annual reports of Administering Authorities on the administration of Trust Territories: Report of the Drafting Committee on New Guinea [3d] (continued)
2. Administrative unions affecting Trust Territories: reports of the Standing Committee on administrative unions relating to New Guinea and to the Cameroons under United Kingdom administration [6]

Note: The Official Record of this meeting, i.e. the summary record, will appear in provisional mimeographed form under the symbol T/SR.1127 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

AGENDA ITEM 3d

EXAMINATION OF ANNUAL REPORTS OF ADMINISTERING AUTHORITIES ON THE ADMINISTRATION OF TRUST TERRITORIES: REPORT OF THE DRAFTING COMMITTEE ON NEW GUINEA (T/L.987)

The PRESIDENT: In accordance with our usual practice, we shall now take up consideration of the draft conclusions and recommendations set out in the annex of the report of the Drafting Committee on New Guinea, dealing with them paragraph by paragraph. We shall therefore begin with paragraph 1 of the annex to document T/L.987, which is before the members.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We should like first to make a few comments about the report as a whole, so that it will not be necessary to come back to separate paragraphs afterwards. To begin with, we wish to say that the representatives of India and the Soviet Union, and also in particular the Chairman of the Drafting Committee, did as much as possible to include in the text of the report of the Drafting Committee the most constructive proposals possible. On some questions, particularly on the question of defining the time-limits for the establishment, in the near future, of conditions favourable for the accession of the Territory to self-government and independence, it was not possible to reach agreement in the Committee. There are, therefore, different proposals in the report in this regard. Of course, we intend to support fully those proposals which were made in the Committee by the representatives of non-administering members of the Trusteeship Council.

In addition, the representative of the Soviet Union made certain proposals in the Committee concerning administrative unions. We do not intend to insist that the proposals be put to a vote during the discussion of the report of the Drafting Committee; we think rather that they should be taken into account in the discussion of the report of the Standing Committee on Administrative Unions.

A second proposal made by the delegation of the Soviet Union was in reference to the necessity for abolishing capital punishment for indigenous inhabitants of the Trust Territory of New Guinea. We continue to support this proposal because we believe it to be a correct proposal, and we should like to hear the opinions of the other members of the Trusteeship Council on this question.

The Drafting Committee presents a certain number of conclusions and recommendations for the consideration of the Trusteeship Council. Certain of these recommendations and conclusions are, in our opinion, constructive in character; others appear to us inadequate, but since they contain elements which we consider positive and which we support, we favour them. The delegation of the Soviet Union will adopt a position with regard to each of these conclusions and recommendations in accordance with the principles we have just outlined. In voting on certain of these recommendations, we shall abstain; on others we shall ask for separate votes so that we may express our attitude on these paragraphs with precision.

Mr. ASHA (United Arab Republic): I do not know whether it is your intention, Mr. President, to invite the Special Representative to take a place at the Council table, but I have a question to put to him. I could put the question to the representative of Australia. I was very impressed by the statement which has just been made by the Soviet representative regarding his first proposal, and I am delighted to see that he is not going to insist on it being put to the vote. However, my delegation still has some observations concerning paragraph 6 (b), that is to say, with regard to the abolition of capital punishment. We wish to say at this time that we fully support the idea contained in that paragraph, and I should like to know from the Administering Authority whether it is its intention to study that problem and to see that capital punishment is abolished as soon as practicable.

Mr. HOOD (Australia): While according due respect to the inquiry of the representative of the United Arab Republic, I wish first, Mr. President, to revert to a matter of procedure. Are we undertaking at this point the consideration of the annex of the report of the Drafting Committee, or have we already embarked upon a discussion of the introduction to the report. I am quite prepared to make any statement in accordance with what you direct, but I thought that the Council had begun its discussion on paragraph 1 of the annex.

The PRESIDENT: In order to clarify this particular point, may I say that I did take up paragraph 1, but the Soviet representative asked for the floor in order to state his position at the beginning on the report as a whole, so that he would not have to revert to the particular remarks he wished to make during the course of the examination of the various paragraphs. I thought that it was quite proper, so I gave him the floor. Therefore, at this point we are at the very preliminary stage of general observations on the report as a whole. We shall take up paragraph 1 of the annex as soon as this brief discussion is over.

Mr. HOOD (Australia): Thank you, Mr. President, that is in accordance with my understanding of the conduct of business, namely, that we shall first take the proposals contained in the annex and then go back to any specific proposals which may be moved in accordance with the introduction to the report, unless, of course, the Soviet representative wishes to exercise his undoubted right to move a proposal now in the terms of what is stated in paragraph 6 of the introduction. But I do not think that is his intention.

Mr. RASGOTRA (India): I should like to say a few words, if you think it is proper, Mr. President, in the light of what the Australian representative has said, for me to offer some general remarks at this stage. My own opinion is that it would be perfectly proper at this stage for members to make general observations, should they wish to do so, but I shall refrain from doing so if you think I should not at this stage, and revert to the matter at the proper time.

The PRESIDENT: I presume that the representative of India would speak in his capacity as representative of India and not in his capacity as Chairman of the Drafting Committee. Knowing that would facilitate our discussion, he is of course most welcome to do so.

Mr. RASGOTRA (India): Speaking to begin with as Chairman of the Drafting Committee, I want to say how deeply I appreciate the intervention of the Soviet representative and the fact that he does not intend to press to the vote the two proposals which stand in his name in paragraph 6 of the introductory part of the report.

Speaking for my own delegation, we support the ideas that are incorporated in these proposals. They are good proposals, and we tried to reach some agreement on them in the Drafting Committee, but we did not succeed in that, so they were incorporated in the introductory part of the report. I hope, therefore, that further discussion of these proposals will not be necessary, and that would make for an easier passage of the annex. For the same reason, I should like to add, I do not intend to press to a vote the proposal standing in the name of the delegation of India in paragraph 6 (c).

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): With regard to the proposal contained in sub-paragraph 6 (a) , submitted by the Soviet Union, the Bolivian delegation thinks that this proposal has some importance. I also appreciate that, in order to facilitate the work of the Council, the Soviet delegation is not asking for an express vote on this. At the same time, this does not avoid the possibility that some delegations may express their points of view about the validity of this proposal. The problem, in my opinion, could be very simple or it could be very complex, this depending upon the attitude of the Administering Authority and that of the members of the Council. But the term "administrative union" is a very vague and a very complex term. What is excluded and what is included in "administrative union"? This is something we do not know. Legally, the term "administration" is deliberately a complex term which has an importance because of the fact that the authority has a discretion in using the term "administrative union". In my opinion, this view that I have expressed refers to all legal systems, and everyone will agree that the term "administration" is one which includes everything.

Of course, we cannot take an immediate position when we know that the Territory of New Guinea is at a preliminary stage in its development, and therefore at present there is a prior question about the possibility of administration when we do not know what is the position of Papua and when we do not know exactly what the development of New Guinea will be. New Guinea, after so many years, is about to be discovered. We cannot even agree on the possibility of immediate steps in the Territory, and, therefore, I think that in this case the Council is quite right to raise this point. But, at the same time, I appreciate the political views of the Soviet representative in not pressing for a vote. In any case, the subject should be studied at some stage. The delegation of Australia would have every right to ask for an administrative union if there was a clear political development in both territories, but this political development is only just beginning. Therefore, in this case the Council has the duty to supervise far more carefully than in the case of other territories which may enter into administrative unions with territories which have already evolved politically. These preliminary points have to be studied by my delegation in regard to this subject.

The PRESIDENT: Does the representative of Australia wish to make any further comments with regard to the question posed by the representative of the United Arab Republic?

Mr. HOOD (Australia): As I said, my delegation is perfectly willing to take part in a discussion on any given proposal. As I understand the position now, if I can revert to paragraph 6 of the introduction to the report, proposal (a) is not being pressed to the vote and proposal (c) is not being pressed to the vote. I am not entirely sure as regards proposal (b) in the name of the Soviet Union.

The PRESIDENT: May I ask the representative of the United Arab Republic to restate his position on this particular point for the benefit of the Council.

Mr. ASHA (United Arab Republic): I addressed a question to the representative of Australia on proposal (b). The representative of the Soviet Union did not say whether he was going to press for the vote or not. He wanted to know the reaction of the members of the Council. I said on behalf of my delegation that we are in full accord with the sentiment expressed in that paragraph. But all I wanted to know from the Administering Authority is whether it is the intention of the Administration to study the question of abolishing capital punishment. The answer is either yes or no, and if it is yes, then when will this take place?

Mr. HOOD (Australia): I thank the representative of the United Arab Republic for his clarification. Certainly I will state the position of the Administering Authority in this matter. The Administering Authority has found, as a matter of practice and with a view to the general interests involved in the administration of the Territory, that the retention of what is called capital punishment is in a formal sense desirable. We have found that the retention of this particular legal interdiction does have a deterrent effect. But in fact, as the Special Representative has said more than once in this Council, the actual cases of the application of the penalty have been

(Mr. Hood, Australia)

so rare as to be negligible. In fact, the crime for which this sentence is designed is a rare crime, namely the crime of murder.

There have been, of course, cases -- not too many, but some cases -- of homicide and of killings in the Territory. But I think that a recourse to the records of what has been said on behalf of the Administering Authority in the Council will show that in fact in the vast majority of these cases, there has been a commutation of the death sentence.

The representative of the United Arab Republic asked me a particular question, whether the Administering Authority would consider the desirability of the abolition of capital punishment as a legal sentence in the Territory. The Administering Authority, of course, will consider anything, and this is one of the matters which, naturally, is always under consideration. I can say no more than that.

Mr. ASHA (United Arab Republic): I cannot speak for the representative of the Soviet Union, but on behalf of my delegation I would say that I am satisfied with the statement of the representative of Australia that this matter will be under constant review by the Administration in order to see whether it is desirable in the not too distant future to abolish capital punishment in the Territory.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We would wish to ask you, Mr. President, to present, perhaps as the collective view of the Council as a whole, a proposal to the effect that in the report of the Trusteeship Council the text of the proposals introduced by the representatives of the Soviet Union in paragraphs (a) and (b) of the overall paragraph 6 be suitably reflected and that a brief recapitulation be given of the discussion that took place on that subject. I think that would be a good reflection of the actual situation in the Council. If that were to be done, then we would not insist upon a formal vote on these proposals.

The PRESIDENT: May I draw the attention of the Council to the text of the report: "The Committee agreed, however, to bring them to the attention of the Trusteeship Council". There has been a short debate on these two proposals and the suggestion has now been made -- it does not sound like a formal proposal -- by the representative of the Soviet Union for an adequate reflection of these proposal and related comments to appear in the report of the Trusteeship Council. I should like to have the opinion of the Council on this. Therefore, if there is no objection, it will be so decided.

It was so decided.

The PRESIDENT: tThe Council will now proceed to consider the paragraphs contained in the annex of the report.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): With respect to paragraph 1, we would ask for a separate vote on the first part of the paragraph. We intend to abstain on the first four sentences of the paragraph and to vote in favour of the last part.

The PRESIDENT: The representative of the Soviet Union has requested a separate vote on the first four sentences of paragraph 1, up to the word "accelerated", and another vote on the second part.

The first part of paragraph 1 was adopted by 11 votes to none, with 3 abstentions.

The second part of paragraph 1 was adopted unanimously.

Paragraph 1 as a whole was adopted by 12 votes to none, with 2 abstentions.

The PRESIDENT: Are there any observations on paragraph 2?

U Tin MAUNG (Burma): I think that it was my delegation, in the course of the general debate and also during the questioning period, which insisted that an official name for New Guinea should be adopted by the Council. The reasons for the views of the delegation of Burma are fairly well known to representatives. This question has remained unsolved by the Council for a long time. As a member of the Visiting Mission which went to the Trust Territory of New Guinea in 1959, I observed that the great majority of the people there wished to be called New Guineans. It is up to the Administering Authority whether these indigenous people are allowed to have a free and frank discussion of the name which they wish to adopt. A section of the people there have expressed the opinion that they do not want to be called Papuans. There are many reasons for this. In the other part of New Guinea, particularly in the western part, we do not know what the people are going to be called. But the Trusteeship Council, for its part, ought to give some sort of official name to the indigenous people of the Trust Territory. We do not care what name is given to them, but it is for the Administering Authority to encourage expressions of opinion among the indigenous inhabitants with a view to deciding on the early adoption of an official name for the people of New Guinea.

I am very grateful to the Drafting Committee for having included this recommendation because I remember very clearly that the Burmese delegation was the only one which insisted that the indigenous people of New Guinea should be encouraged to give expressions of opinion as to the name which they would like to be called. That is the reason why my delegation is in full agreement with the recommendation in paragraph 2 and will vote in favour of it.

Paragraph 2 was adopted without objection.

Paragraph 3 was adopted without objection.

Paragraph 4 was adopted without objection.

The PRESIDENT: Are there any observations on paragraph 5?

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation would request a separate vote on the first sentence of paragraph 5 inasmuch as we have serious doubts regarding the statement that the Administering Authority is pursuing a policy of encouraging the development of political awareness among the indigenous inhabitants. We have heard the statement, but we have no proof that such intentions are being implemented. Therefore, we shall abstain on the first sentence and vote in favour of the recommendation contained in the second part of this paragraph.

Mr. HOOD (Australia): In connexion with this matter, I am sorry that the representative of the Soviet Union has seen fit not to accept the assurances of the Administering Authority that the Administering Authority is encouraging, that it is its policy to encourage, the development of political awareness among the indigenous people. I would have thought that in all that has been said in this Council, this fact at least would have been obvious, that, beginning from the local level and developing towards the wider district and, later, the territorial level, this is precisely the policy of the Administration, namely, to develop political awareness. However, the representative of the Soviet Union has asked for a separate vote and he is entitled to ask for it.

The first sentence of paragraph 5 was adopted by 13 votes to none, with 1 abstention.

The second sentence of paragraph 5 was adopted unanimously.

Paragraph 5 was adopted unanimously.

Mr. HOOD (Australia): I would suggest that paragraphs 6 and 7 be taken together. The Administering Authority has no objection to, and indeed will support, the intention of these paragraphs. There does remain a certain drafting inconsistency which I need not go into at this point. It will, of course, be noted later. The Administering Authority will support by its vote these two paragraphs.

Paragraph 6 and 7 were adopted unanimously.

The PRESIDENT: Are there any observations on paragraph 8?

Mr. HOOD (Australia): I do not think that, in all sincerity, the Administering Authority can go along with the statement in the last sentence of paragraph 8 casting doubt upon the appropriateness of granting representation to religious missions as such in the Legislative Council.

In the opinion of the Administering Authority, at the present stage of development in the Territory of New Guinea, this kind of representation is appropriate. It may not be always so; that is agreed. But in our honest opinion, at the present time it is appropriate because of the historical background of this situation, of which members of the Council are well aware. Therefore, I would ask for a separate vote on the final sentence of this paragraph 8 in order that we can record our position.

The PRESIDENT: As I understand the representative of Australia has asked for a separate vote on the last sentence of paragraph 8, I shall put that sentence to the vote.

The last sentence of paragraph 8 was adopted by 6 votes to none, with 8 abstentions.

Paragraph 8 as a whole was adopted unanimously.

Paragraphs 9, 10 and 11 were adopted.

Mr. FOOD (Australia): I wish to raise one point in connexion with the wording of paragraph 12. We note that the final sentence of this paragraph would urge the Administering Authority "to take all possible measures to increase rapidly indigenous representation on these councils". This, of course, is the objective of the Administering Authority, to increase indigenous representation, but we ourselves would hesitate to accept the specific injunction to increase "rapidly", because in any case whatever measures are taken will be as rapid as possible. I do not propose this as a formal amendment. We certainly will support this paragraph, but it might be better worded if it said simply:

"The Council urges the Administering Authority to take measures as rapidly as possible to increase indigenous representation on these councils."

We would prefer that but we do not press it.

The PRESIDENT: I should like to ask the representative of Australia whether his proposal is formal.

Mr. HOOD (Australia): No, sir.

The PRESIDENT: Are there any objections to the adoption of this paragraph as it now stands? I see no objections.

Paragraph 12 was adopted.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We would ask that a separate vote be taken on the first part of paragraph 13, on which we intend to abstain, and the concluding part of the paragraph, which we intend to vote in favour of.

The PRESIDENT: I presume the representative of the Soviet Union is suggesting that a separate vote be taken on the first sentence of paragraph 13, ending with the words "stability within the Public Service". Therefore, I shall put to the vote the first sentence of paragraph 13 as indicated.

The first sentence of paragraph 13 was adopted by 13 votes to none, with 1 abstention.

Mr. HOOD (Australia): I wish to say that my delegation will abstain with regard to the second sentence of paragraph 13 because of the use of the word "disappointing". We ourselves are far from satisfied and are indeed very conscious of the lack of success in this regard. But inasmuch as the Administering Authority is doing its very best to re-establish this position and to maintain it at a satisfactory state, we would rather not be a party to endorsement of disappointment on the part of the Council. I think that the Council need not be disappointed. The Council can be unsatisfied perhaps, but not disappointed. We shall abstain on this, and I would ask for a separate vote on the final sentence of paragraph 13.

The second sentence of paragraph 13 was adopted by 12 votes to none, with 1 abstention.

Paragraph 13 as a whole was adopted by 13 votes to none, with 1 abstention.

Paragraph 14 was adopted.

Mr. HOOD (Australia): We have no objections to paragraph 15, essentially. I would simply point out that the Council on a previous occasion has already noted the establishment of the Auxiliary Division, and any impression that might be given by this paragraph 15 that this is a new development would not be the right impression. This is not a new development. However, we have no objection to the inclusion of the paragraph.

Mr. RASGOTRA (India): If it would help matters I think that we might add, after "welcomes", the words "once again", or something to that effect, to remove any ground for suspicion on the lines suggested by the representative of Australia. I think that the Council should take that into account.

The PRESIDENT: The Council has heard the Indian representative's suggestion that the first line of the paragraph should be amended to read: "The Council welcomes once again the establishment", and so on as at present drafted. If I hear no objections I shall take it that it is so decided.

Paragraph 15, as amended, was adopted.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): Paragraph 16, as at present drafted, might give the impression that the Trusteeship Council thinks, as its general conclusion, that progress has been achieved in the economic field and should be noted with satisfaction, which, in our opinion, is not in accordance with the facts or even with the comments appearing in paragraph 18 of this same section where reference is made to "the highly under-developed nature of the Territory's economy". Thus, paragraphs 16 and 18 might appear to any delegation in the General Assembly whose Government was not a member of the Trusteeship Council to be incomprehensible in relation to one another. It is not a question here of Australia's having taken over the administration of the Territory only a year or two ago, so that we could not expect any results in the intervening period. The period in question is far longer, and of course we expected far more significant results. Therefore, if in paragraph 18 we are compelled to note the "highly under-developed nature of the Territory's economy" a great deal of imagination is needed to say in paragraph 16 that the Council "notes with satisfaction the measure of progress achieved in the economic field". For this reason the Soviet delegation intends to vote against paragraph 16, and will of course support paragraph 18 which correctly reflects the situation in the Territory as one of extreme economic backwardness. This will suggest the correct approach in the Trusteeship Council and the correct approach of the Administering Authority in its future policy in the Territory.

Paragraph 16 was adopted by 12 votes to 1, with 1 abstention.

Mr. HOOD (Australia): In connexion with paragraph 17 I should like to ask the Chairman of the Drafting Committee, who has rendered services in these matters, whether he thinks that it is appropriate to state in a formal recommendation, as it were, of the Trusteeship Council that in the case of a Territory such as New Guinea -- which is not, of course, multi-racial in the accepted sense of the term, but none the less has a mixed population -- a plan for the development of the economy should be in the interests of the indigenous population. I should like to ask him whether he considers that this is an adequate description of what is indeed the objective of the Administering Authority and should be the objective of the General Assembly and the United Nations. Are these words adequate? I query the necessity of that particular phrase "in the interests of the indigenous population". Of course, everything is in the interests of the indigenous population, but not exclusively -- and this is especially so in the case of economic development. Other races are represented in the Territory.

Mr. RASGOTRA (India): Of course the members of the Trusteeship Council understand that whatever emerges from a drafting committee evenly divided between administering and non-administering members must be in the nature of a compromise and must attempt to reflect the views of both sides. The expression that appears in paragraph 17 is the result of an attempt at such a compromise. The representative of Australia well knows that my delegation has at no stage, in any context, made any distinctions on matters of race, and in fact is eloquently outspoken -- perhaps too often -- against any treatment of the theme on those lines. The fact of the matter is, as was emphasized in the Drafting Committee by one or two members, that that sector of the economy which is particularly backward or highly under-developed relates to the indigenous inhabitants, and therefore there is particular need to lay emphasis on development with a view to ameliorating particularly the economic condition and status in which the indigenous sector of the population lives. I know that there are some inhabitants of the Territory who are of European extraction. They are comparatively well off, they control -- I use that word for want of a better one --

at the moment a more prosperous and more productive sector of the economy, and it is in view of all those considerations that the Committee, so far as I recall, unanimously decided to use this expression.

I hope that the Australian representative will not think that my delegation, or for that matter any other delegation in the Drafting Committee, supports the view that the European settlers who live in the Territory, whatever their numbers, should be excluded from any development schemes, or that things should be so contrived that they would become poor while the indigenous economy expanded. That is not the idea at all. The idea was to lay a certain emphasis on that sector of the economy and that aspect of development which is likely to yield special benefits to the indigenous sector of the population. I hope that the thought will not be misunderstood.

Mr. CASTON (United Kingdom): My delegation's approach to the discussion of a report of the Drafting Committee of which it was a member is, of course, dictated primarily by the fact that we do feel to a considerable degree committed to the words which, as the Indian representative has said, have emerged as a compromise from the Drafting Committee. It is for that reason that I will say straight away that, whether or not any change is made in the wording of this paragraph, my delegation will vote for it as being the recommendation of the Drafting Committee, just as we have voted for some other paragraphs about the wording of which we may have had some reservations. But that does not mean that it is not possible, perhaps, to improve by agreement the wording of a paragraph, and I would suggest to the Council, if this could obtain general acceptance, that if we substituted for the words "indigenous population" in the antepenultimate line of paragraph 17 the word "inhabitants" the implication which the Australian representative has seen, and which I am sure the Drafting Committee is anxious not to give, as the Indian representative has just said, would be avoided. At the same time, the point that I am sure the Drafting Committee did intend to make, which is that special attention must be paid to the needs of the indigenous sector of the population, still remains since this paragraph does, after all, finish up with the words "in order to ... raise appreciably the level of living of the indigenous population." Therefore, I wonder if the Indian representative and other members of the Council would agree to this change.

Mr. OBEREMKO (Union of Soviet Socialist Republic) (interpretation from Russian): I do not believe that members of the Trusteeship Council have any doubt that both the Administering Authority and the Trusteeship Council should have in mind in the first place the interests of the indigenous population. Therefore, we believe that the present formulation of paragraph 17, to which the representative of the United Kingdom agreed in the Drafting Committee, reflects the ideas expressed by the representatives in the Drafting Committee. Therefore, it would perhaps not be worth while to introduce any amendments at this time. The idea is very clear: we are talking about the indigenous population, about whom we should be concerned. This is not a section of the population but the indigenous population of the Trust Territory. We shall therefore vote for the present formulation of paragraph 17, as recommended by the Drafting Committee. I hope that the other members of the Drafting Committee will not change their position now at the last moment.

Mr. HOOD (Australia): I would have thought that it would be perfectly reasonable to take account of all points of view by the use of a word without implications, namely "inhabitants" as was suggested by the representative of the United Kingdom. I do not wish to give any false impression about this. The term "Europeans" was used. Certainly there are people of European origin in the Territory. There are also people of Chinese origin and people of Malayan origin. They live in the Territory and many of them have been there for a very long time. It is the responsibility of the Administering Authority to take into account the legitimate interests of these people as well as those of the indigenous people. I can see no possible objection to taking account of that consideration in the formulation of this paragraph, especially, as has been pointed out, the final phrase indicates that the interests of the indigenous population, as indeed is laid down by the Charter, are paramount. They are paramount, but not exclusive.

I think that, with the matter having gone this far, my delegation would prefer that we simply have a separate vote, if we come to that point, on the words "in the interests of the indigenous population", and we can express our position adequately in that way. But I do hope that in general my colleagues in the Council will appreciate the point that I have made. We do not wish to be put

(Mr. Hood, Australia)

on record, nor should the Council wish to be put on record, as concerning itself in the case of a Territory such as New Guinea exclusively with the interests of the indigenous population. Other people do live in the Territory and will continue to do so for a long time to come.

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): I am in favour of the draft as submitted by the Drafting Committee. I should like to explain why I favour the use of the term "indigenous population" in this paragraph. If the Territory had achieved a certain level of development, we could take into account the views of the representative of Australia. But in the first stages of the development of the Territory, the fundamental interest of the Trusteeship Council is to protect the indigenous population, and this is so for a very obvious reason. If there was even a small part of the indigenous population in the Administration of the Territory, then the Administering Authority could work together with them, but at this stage that possibility does not exist. Therefore we must give special preference to protecting the indigenous population, without ignoring the need in the future of a policy to protect other peoples living in the Territory. For that reason my delegation will insist on the original draft, and will vote for it.

Mr. RASGOTRA (India): Of course if the representative of Bolivia insists, as he said, on the original draft, and the representative of the Soviet Union also insists on that draft, then I as Chairman of the Drafting Committee stand committed to every word that has emerged as a result of the give and take discussion and compromise in the Drafting Committee. But this is an economic matter relating to economic development and I think attempts should be made by the Council to see the point made by the representative of Australia. I would suggest, on the understanding that this will be pressed to a vote only if other members agree -- if they do not agree, of course, it does not stand -- inserting the expression "with special emphasis on" before the words "the interests of the indigenous population" so that the phrase would read:

"... recommends to the Administering Authority that it formulate a comprehensive plan for the integrated development of the economy with special emphasis on the interests of the indigenous population..."

(Mr. Rasgotra, India)

The idea in this paragraph is to emphasize the need for special attention to the indigenous sectors of the economy. I think that can be brought out clearly and without excluding other elements of the population who have made New Guinea their home, whether they are of Chinese extraction or European extraction or Malayan or Indian. There may be half a dozen Indians there, I do not know.

I am making this suggestion because I do not think there was any question at any time in the mind of any member of the Drafting Committee that the interests of the others ought to be excluded. On the other hand, it is also clear that you cannot exclude those people because they form an integral part of the population. Their economic activity is an integral part of the overall economic activity of the Territory, and any suggestion to the effect that their interests should be excluded or that they should be excluded would only have devastating consequences on the economy of the Territory.

(Mr. Rasgotra, India)

It is with all this in mind that I am suggesting this particular formulation, because this will still bring out the need for laying special emphasis on the needs of the indigenous inhabitants rather than of others, and it will go well with what is stated in the first two lines of the paragraph.

If there is no objection to this, I think the Council could well adopt this, and it will meet the point of view of everybody concerned. At least, that is my opinion. I should like to hear the views of others on this matter.

Mr. HOOD (Australia): I thank the representative of India, who has made quite helpful suggestions. This will be acceptable to my delegation.

Mr. CASTON (United Kingdom): Ditto.

The PRESIDENT: I gather that everyone agrees on this, and we can therefore consider the addition suggested by the representative of India as incorporated in this paragraph, which will then read, in part:

"... development of the economy, with special emphasis on the interests of the indigenous population ...".

Paragraph 17, as amended, and paragraph 18 were adopted.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): My delegation intends to abstain in the vote on paragraph 19, as well as in the votes on paragraphs 21 and 22. With respect to the paragraphs that appear under the heading "Land", we should like to be given the floor when those paragraphs are discussed.

Mr. HOOD (Australia): I do not wish to detain the Council, but I will say a few words to define our position on paragraphs 19 and 20. We do have here a fairly complicated situation. The Drafting Committee has exerted every effort with the intention of compressing within two paragraphs the elements of what is not merely a chronic, but indeed an actually current, situation which, as is known, is causing the Administering Authority some difficulties at the present time. I refer to the introduction of the income tax in the Territory. I am

(Mr. Hood. Australia)

sorry to say that, taking paragraphs 19 and 20 together, we find that there is a logical inconsistency between the two, taken as a statement of opinion. In the first place, a reference is made to the continuing imposition of personal taxation -- the so-called per capita tax -- as if it were a steady and continuous policy of the Administering Authority to maintain it. This is not the policy of the Administering Authority. To our own knowledge, the imposition of this tax is not a satisfactory form of fiscal revenue. It has many inequities. It has served its purpose and perhaps, for some time to come, will serve a purpose. It has a rough and ready justice about it. At the same time, it is known to the members of the Council -- this has been very carefully explained, I think, by the representatives of the Administering Authority in the Council on more than one occasion-- that the policy of the Administration is to introduce income tax, which would be applicable to all persons in the Territory -- naturally, with a certain level of exemption, thereby enabling what might be called the lower wage-earning brackets of employed persons to avoid direct tax altogether. This would appear to us, and I hope it would appear to the Council, as an equitable and reasonable and indeed up-to-date method of bringing about the necessary imposition of taxation in the Territory.

We should therefore like to see some attempt at reconciliation between these two paragraphs. I am not prepared to suggest a form of words at the present moment. Of course, this was before the Drafting Committee and was doubtless fully considered in the drafting of these two paragraphs. I raise these considerations at the moment simply with a view to eliciting, if I may, the views of the Chairman of the Drafting Committee in this respect.

Mr. RASGOTRA (India): If I understood the representative of Australia correctly, I think the question, so far as he is concerned, is about this personal taxation. First of all, I do not see how there is any lapse of logic in these paragraphs. These two paragraphs do not have to be read together as one paragraph. It is quite obvious that the Committee intended them as two separate paragraphs. It is true that income tax is mentioned in paragraph 19 and then again in paragraph 20 -- but for different reasons. One of the reasons adduced here for the introduction of income tax was that the earnings from the imposition of income tax will fully, or to some degree, offset the losses resulting from the abolition of

(Mr. Rasgotra, India)

export duties. It is in that context that the idea of this income tax was introduced in paragraph 19.

With regard to personal tax, this Council recommended some years ago that taxation should be introduced, and I believe even today it recommended rightly. Tax should be introduced, and inhabitants of all categories must bear some burden for development, for the Territory's expenditure, for contributions to the Territory's revenues, and so on and so forth.

Subsequently, this Council, with respect to other Territories -- and other organs of the United Nations with regard to the Territories coming under their purview -- took the view, and a very clear view, that the system of personal taxation, whereby you tax persons or heads, as they do in some Territories, is outmoded, and that Territories which are heading forward toward independence in circumstances of democratic evolution should take to more modern and more up-to-date methods of taxation.

The representative of Australia mentioned what he called the rough and ready justice of imposing personal taxation.

(Mr. Rasgotra, India)

The Drafting Committee, if I recall, went into this matter at some length, and it emerged from our discussions with the Special Representative that, so far as this income tax is concerned, there is an exemption of, I believe, a figure varying from £800 to £900 per annum. The head of a family has an exemption on an income of £300 or £350 -- I do not recall the exact figure. If he is married and has two children, he gets a further exemption; and then his wife gets an exemption of £200. In the case of a family of four or five people, the exemption is as large as £800 or £900, as I have indicated.

Speaking personally and on behalf of my delegation, my view of this matter is that before taxing heads or persons, ways of lowering the exemption limits must be examined first. That is more important. Where a New Guinean, or any other person settled in the Territory, becomes subject to a personal tax, I think the first thing is to examine his income to determine whether it is of a kind or size that should be subjected to taxation. If that is not the case, in our view there should be no taxation. That is the considered view of the Indian delegation, and we would therefore support the draft proposal as it stands.

The Administering Authority itself has undertaken a tax reform which I believe will be a continuing process. It has just been introduced; its results will be assessed probably next year or the year after, possibly this year. The view that the Committee is putting forth here is that it should consider the elimination of the personal tax. This tax has to go. The representative of Australia said himself that it will have to go. They have introduced it. First of all, I think they should lower the limits of exemption, thereby enabling the Territory to derive greater financial benefit from it. Then they will have to consider to what areas of the population this income tax is to apply, and to what degree. If after that they feel there is further need to raise revenues, then they will have to talk about sources. There are so many sources to tap. Taxing persons is not the only way of raising revenues. There are backward countries, equally backward in some cases, where this mode of taxation does not exist, and yet their governments do raise revenues.

(Mr. Rasgotra, India)

This is the substance of the recommendation, that this is an outmoded form of taxation; and now that a more modern system of taxation has been introduced, we think this latter should be extended and the existing system of personal taxation eliminated.

Miss TENZER (Belgium) (interpretation from French): Although a member of the Drafting Committee, I feel, nevertheless, free to speak on the subject of this paragraph, since, after long discussion in the Drafting Committee, so far as I myself am concerned I had made some reservations as to the text which is now presented to us. I do not wish to go back to the proposals which at that time I had made in the Drafting Committee and which I think would be rather unacceptable to some others of my colleagues in that Committee; but, if I understand correctly the representative of Australia, what he is concerned with at the present time is not so much this condemnation, so to speak, of the system of personal taxation as it appears in the document before us, as it is the apparent contradiction between certain parts of paragraph 19 and one part of paragraph 20.

We noted with satisfaction -- and I think on this point we were unanimous -- that in paragraph 19 that the Administering Authority has introduced in the Territory a system of taxation which, though not yet general, is based upon the income of the inhabitants.

The manner in which the last sentence of paragraph 20 is drafted might make it appear that we did not take sufficient note of this new reform. We speak, indeed, of the adoption of more modern forms of taxation without actually relating them to what we stated in paragraph 19 to the effect that such a type of taxation indeed already had been introduced.

In order to try to achieve unanimity on this point, I should like to propose -- and I do not believe it will involve any change of substance -- the following modification in the French text. The last part of the French text recommends that the Administering Authority should actively consider the elimination of the personal tax and the application of the present, more modern form of taxation based on the incomes of the inhabitants. The English text, on the other hand, recommends "the extension of modern forms of taxation related to the incomes of inhabitants." In place of the words "l'application" in the French text, we suggest the substitution of the words "l'extension".

(Miss Tenzer, Belgium)

I should like first to inquire of my colleague from Australia if this slight modification in the text would meet the substance of the objections he has raised.

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): I have listened very carefully to the words of the representative of India and to the explanations just given by our colleague Miss Tenzer. The problem for me is rather complex because I do not know what the policy of the Administering Authority is this year in the Territory. During the question period, Mr. Jones several times told us that this problem is, in whole or in part, sub judice, that is to say that certain members of this Council had strongly criticized the situation and as a result of this criticism the very question of the existence of the Council was brought before the Supreme Court of Australia. If there were difficulties in the drafting of paragraphs 19 and 20, I should like to ask of the representative of India, the Chairman of the Drafting Committee, if this question was brought up in the discussions in the Drafting Committee.

Naturally, the powers of this Council, in my opinion, do not cease to exist in the presence of a legal problem of administration. What is noteworthy is that in this paragraph the problem is not referred to even indirectly.

Mr. HOOD (Australia): I wish to say that I am grateful to the representative of Belgium for introducing a clarification into this paragraph which does eliminate the difficulty which we felt. That difficulty was that, on the one hand, the Council in one paragraph would be asked to note the introduction of income tax, and, in the following paragraph, would be asked in effect to recommend that this kind of taxation should be introduced. That was the basic inconsistency to which I wished to draw attention, but I think that the clarification which has now been suggested would be quite satisfactory to us if we stated, instead of "the extension of the present forms of taxation related to the incomes of inhabitants", "the extension of the newly introduced forms of taxation". That would remove the particular difficulty to which I referred.

I would not like what I have said to be understood as meaning that the Administering Authority believes that the early elimination of personal taxation is practicable. In fact, the circumstances are such in the Territory that many thousands of the indigenous people who are at the present time paying the personal tax would not be capable of preparing income tax returns, which is a complicated matter, or, indeed, of assessing in any real sense what their incomes are. This is not yet a society of that kind, a society in which every individual has the means of determining his precise income year by year. For that reason, it is plainly impracticable to eliminate personal taxation. It is our considered judgement, and a judgement which I think could well be respected, that it would not be possible in any administrative sense whatsoever to bring all these people in these Territories into the form of income taxation.

That is all I have to say. I would simply repeat that the amendment suggested by the Belgian representative to the two paragraphs is pretty well acceptable to the Administering Authority.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We would request that all delegations wishing to submit amendments to the report of the Drafting Committee submit them in written form. We note that the delegation of Australia does not agree with the drafting of a number of paragraphs, so perhaps we should discuss other points on the agenda, and then

(Mr. Oberemko, USSR)

the delegations could submit written amendments. The representative of Belgium submitted an oral amendment, but as we heard it from the Russian interpretation there was no difference between that amendment and the Australian version. Perhaps it was difficult to note this difference in the interpretation, but if there was any difference, we could not see it. We cannot discuss these amendments unless they are submitted in written form. We should like to know exactly what we are being asked to amend, particularly if the amendments are proposed by members of the Drafting Committee. Therefore, we propose that either we should hear the opinions or that all amendments should be presented in written form so that we could be clear about their substance.

The PRESIDENT: The interesting feature about this short debate is that after taking up paragraph 19 for consideration, we are all speaking about paragraph 20.

Miss TENZER (Belgium) (interpretation from French): Probably there were some difficulties with regard to the interpretation of my amendment, or perhaps I expressed myself badly, but I am rather astonished that the Soviet representative should ask that my amendment be submitted in written form. In my amendment, I proposed the addition of two words to the last sentence of paragraph 20. I proposed that after the words "extension of" we should add the words "the present more", so that it would read "extension of the present more modern forms". The change suggested by the representative of Australia seems to be better. While preserving the idea, he proposed that we should say "extension of the newly-introduced modern forms of taxation". I cannot see any difficulty about accepting this change, since it is not a substantive change.

Mr. RASGOTRA (India): I hope that a great debate will not develop on this minor point. I think there has been a misunderstanding here. The representative of Belgium, as I heard her from the interpretation, repeatedly referred to the paragraph as stating "extension of more modern forms of taxation". In the text as it stands, the word "more" does not exist. What we are stating in this paragraph is that this personal tax should be eliminated and that modern forms of taxation should be extended to take its place. We have not implied,

(Mr. Rasgotra, India)

even by suggestion, that the income tax system that has been introduced is not modern. In fact, I am quite prepared to state categorically that it is a modern form of taxation, but if we emphasize, as the Australian representative would have us emphasize, the extension of the newly introduced or present, more modern form of taxation, then we would exclude many things. For example, one need not keep in view all the time the newly-introduced income tax. There are other forms of taxation, such as excise tax, import tax, export tax, and all kinds of taxes. It may well be that a number of these taxes, either those that have been introduced or new but modern forms of taxation may be needed to collect the revenues which would be lost from the elimination or the abolition of personal taxes. Therefore, I am quite clear in my own mind that the illogicality which the representative of Australia has attributed to the text is certainly not there, and, in my opinion, it does not cast any reflection on the new form of income tax that has been introduced. From the textual point of view, the text is perfectly valid and perfectly sound. My delegation, therefore, will support the text as it stands,

With regard to the point raised by the representative of Bolivia, we have considered the legal difficulties which have arisen in connexion with the Legislative Council, but the point here has nothing to do with that. The point is that it is a good thing that income tax has been introduced. The circumstances in which it has been introduced, or the circumstances which led to the questioning of the validity of the body which adopted that form of taxation is a different matter altogether.

(Mr. Rasgotra, India)

That question will be settled. If this tax then falls in the light of the decision of the Supreme Court, new forms or a new law will be adopted. That is a different matter. So we are not concerning ourselves with that aspect of the matter in this context. I hope that will suffice. That question does not arise and should not be discussed in this connexion. But as for the rest, I really see no need for an amendment or a change or an addition, because it is not necessarily the income tax that has been introduced to which we are referring. There may have to be other forms of taxation. We are not sure whether they exist; if they do not exist, they may have to be introduced. I mentioned two or three, and there are other categories of taxation. The conflict is not there, the insinuation is not there, and I hope therefore that the Council will be able to adopt this text as it stands, without unnecessarily having a long debate on the matter.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): The most logical thing that the Trusteeship Council could do now is to accept the proposal of the representative of India and to vote on those paragraphs in the form in which they were agreed to in the Drafting Committee. I should like merely to point out to the representative of Belgium that if something has already been introduced or submitted, then it is illogical to propose its reintroduction. The proposal of the representative of India indicated quite clearly that he intended something more extensive, something broader, than what is now being introduced in the Trust Territory. He intends something which has not yet been introduced. That is the whole point of the recommendation. That is why we will support and endorse the wording of paragraphs 19 and 20 as agreed to in the Drafting Committee.

The PRESIDENT: I suggest that we revert now to paragraph 19. As the Council is aware, a vote has been requested on paragraph 19.

Paragraph 19 was adopted unanimously.

The PRESIDENT: As regards paragraph 20, I think that the members are well aware of the situation. I would sum it up, and I hope I am correct, by

(The President)

saying that a proposal has been made to add the words "the present more" between the words "extension of" and "modern forms".

Miss TENZER (Belgium) (interpretation from French): I made the suggestion in the hope that it would achieve unanimity in the Council. Since, as a result of certain statements we have heard, this hope has not been realized, I shall withdraw my amendment and simply ask for a second vote on the second sentence of paragraph 20.

The PRESIDENT: A proposal has been made to have a separate vote on the second sentence of paragraph 20, beginning with the words "it considers that" and ending with the words "the incomes of the inhabitants". We shall vote first on the second sentence of paragraph 20, and then on the paragraph as a whole.

The second sentence of paragraph 20 was adopted by 10 votes to none, with 4 abstentions.

Paragraph 20 as a whole was adopted by 13 votes to none, with 1 abstention.

Mr. HOOD (Australia): My delegation abstained in the vote on the paragraph as a whole purely for the reasons which I indicated earlier. We do not think that this is a completely fair presentation of the present position. We have no objection to the intention behind this recommendation. We would have preferred a different wording. Not having secured that, although we have clarification, we felt bound to abstain on the paragraph as a whole.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): The only thing we are asking for is a vote on paragraphs 21 and 22, on which we intend to abstain.

Paragraphs 21 and 22 were adopted by 12 votes to none, with 1 abstention.

Paragraphs 23, 24 and 25 were adopted without objection.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We would request a vote on paragraphs 26 and 29. We intend to abstain in the vote on these paragraphs on the basis of our principal position, which is that we are always against and always will be against the alienation of any type of land belonging to indigenous inhabitants. Therefore, we see no justification for welcoming the statement of the Administering Authority on the principles of its policy in the land question. I think that the Trusteeship Council should not restrict itself merely to recommending to the Administering Authority that it should be especially prudent in acquiring and leasing lands to non-indigenous inhabitants. We think that the Trusteeship Council ought to recommend that the Administering Authority should not alienate any land at all belonging to the indigenous population, in favour of foreigners. We shall abstain in the voting on these two paragraphs.

As regards paragraph 30, referring to the land question, we would like to propose that the Trusteeship Council should exclude the last sentence.

We think this sentence has absolutely no sense and anyone reading paragraph 30 will wonder what was the intention of the Trusteeship Council in including that sentence. Perhaps it would not be necessary to take a vote if the President would read out the last part of paragraph 30, when its complete incomprehensibility would become evident.

Mr. SALAMANCA (Bolivia)(interpretation from Spanish): My remarks relate not only to paragraph 26, but to this section as a whole. The Bolivian delegation will abstain on the voting on all these paragraphs for completely different reasons from those just advanced by the representative of the Soviet Union. In the discussion on this subject the views of the Bolivian delegation have been clearly expressed. Paragraph 26 states "The Council welcomes the outline of principles of the Administering Authority's policy..." There are eight principles, which have never been clearly explained. In the first place, I believe that there should be a law in the Territory to cover the whole of this field. I am against the possibility that, in the absence of a law relating to land tenure in the Territory, the law of another country might be imposed. For this reason the Bolivian delegation will abstain in the voting on the whole of this section.

Mr. RASGOIRA (India), Chairman of the Drafting Committee: I feel called upon to defend this section. The Drafting Committee gave a great deal of thought to it and considered very carefully all the suggestions and recommendations made by various members in the course of the general debate on this aspect of the matter. I shall not at the moment speak about the last sentence of paragraph 30; I shall deal with that later, but with regard to paragraph 26 I think it is a factual statement. The Special Representative's opening statement had three long pages devoted to this matter. The Administering Authority has defined certain principles; those principles seem, on the surface, to be good principles, and I think it is only proper that the Council should encourage the Administering Authority to formulate more detailed proposals, or laws if you like to call them so, which will in due course be implemented. This is exactly what the Drafting Committee's proposals said. The paragraph states

that the Council "Welcomes the outline of principles of the Administering Authority's policy concerning the reform of indigenous land tenure." We have been saying for a long time now that indigenous land tenure ought to be reformed. The Administering Authority has taken a step forward and has defined certain principles, these principles seemed good to most of the members who spoke on the matter and so we say that we welcome the statement of principles and look forward to receiving information on the more detailed proposals which the Administering Authority intends to prepare. Obviously, on the basis of those principles the Administering Authority will have to define its policy. It will have to devise certain laws and formulate more detailed proposals which will have to be implemented, and the time will come for the Council to consider those more detailed proposals. In the light of this, and in the light of what is actually stated in paragraph 27 -- that the Land Development Board which advises the Administration on land matters, should have adequate indigenous representation upon it -- I do not see how the representative of Bolivia can abstain. I hope it will be possible for all Council members to vote for all these proposals.

Mr. SALAMANCA (Bolivia)(interpretation from Spanish): In reply to the representative of India, I understand he is satisfied that progress, however limited, has been achieved in this field. The delegation of Bolivia, however, does not limit itself to this beginning; we would like to have more. The point of view of the representative of India is that I cannot abstain from voting on paragraph 27 because the paragraph calls for participation by indigenous inhabitants in the work of the Land Board, but what I think is that the Administering Authority should have a law on this subject. After forty years we are only beginning to see the first basis of such a law in the principles enunciated. This is a question of the point of view; I understand the point of view of the representative of India but the position maintained by my delegation is equally clear. If there were a perfectly clear and formally established law which would guarantee and define the rights of the indigenous population including the rights in regard to land tenure, there would be no problem. I admire the intelligence and the astuteness of Mr. Rasgotra, which run through all his statements, and I admire the accuracy of his thought, but he will have to recognize that my point of view also is valid. He is prepared to accept a little

something, but what is at issue here is a very important problem and an Administering Authority, when it has not the same law as in the metropolitan country, has excessive rights within the Territory. There is no law, and yet there should be a law to define the legal position of the Administering Authority with respect to the whole problem of land tenure. What is amazing is that after forty years this is still in its embryonic state. My position therefore is based on legal standards and it is a constructive position; I shall not vote against the text, I shall simply abstain.

The PRESIDENT: I should perhaps try to clarify one point. By stating that he would abstain on this entire section, the representative of Bolivia obviously implied that the Council would have to take a vote on each one of these paragraphs, and we shall therefore proceed accordingly.

Paragraph 26 was adopted by 13 votes to none, with 1 abstention.

Paragraph 27 was adopted by 13 votes to none, with 1 abstention.

Mr. HOOD (Australia): With regard to paragraph 28, if representatives will consult the text and turn to the fifth sentence, they will note that the Council should consider that it would be unrealistic to estimate the present or future land needs of the Territory's inhabitants on the basis of subsistence agriculture alone. I simply point out in this connexion that I assume there is no implication whatsoever in this that the Administering Authority sustains any such estimate. This, of course, is exactly what the Administering Authority does not sustain. Our estimate, of course, is formulated on an entirely different basis, as is pointed out later in that sentence where it says that the policy of the Administering Authority is to encourage cash-crop agriculture. This is entirely different from subsistence.

I do not press the point any further and I do not even ask for a separate vote on this sentence, but this perhaps is one instance in which the Drafting Committee has, possibly unwittingly, attributed to somebody unstated an estimation which is not attributable. It is not our estimation, in other words.

Paragraph 28 was adopted by 13 votes to none, with 1 abstention.

Paragraph 29 was adopted by 12 votes to none, with 2 abstentions.

The PRESIDENT: There is a proposal from the representative of the Soviet Union to delete the last sentence of paragraph 30.

Mr. RASGOTRA (India): I am sorry that the representative of the Soviet Union should have suggested or proposed that this sentence be deleted. I should like to see it in and my delegation will, naturally, vote for it for that reason, and also for the reason that the Committee has put forth this proposition to the Council.

This paragraph deals with the grant of concessions and the leasing of land, which is dealt with in the preceding paragraph also, and there was a feeling -- it was expressed by my delegation, for example -- that ninety-nine year leases are too long and that the period of the leases might be appropriately shortened, or, at any rate, that the Administering Authority should consider a proposal to that effect. That is what was incorporated here and what this sentence says in effect

(Mr. Rasgotra, India)

is that the world is changing at a very rapid rate, meaning thereby that circumstances in every Territory change; they change for the better in the sense that all these Territories are moving forward towards independence which, even in the case of New Guinea -- on the basis of some facts which have recently become known -- may not be too far away. Therefore, today, to grant concessions for periods of ninety-nine years, or one hundred and one years, or longer, seems somewhat unrealistic. When concessions are granted it should be kept in view that ten years or five years from now, or even earlier or a little later, this Territory is going to be independent and care should be taken that, upon independence, it is not faced with certain concessions which have become perpetual concessions.

This sentence was taken -- it was lifted bodily -- without change from the statement made by the representative of the United States. It reflects a very healthy sentiment and we felt, in the Committee, that it should be incorporated. This is a matter which the Administering Authority, in the dispensation of land, ought to keep in view: the changing circumstances which give rise to new conditions, new demands, new needs. That is what is meant, and I therefore hope that the Council will be able to adopt this.

Mr. CASTON (United Kingdom): By proposing the deletion of this sentence, the representative of the Soviet Union has put my delegation in a rather difficult position. As I recall the discussion in the Drafting Committee -- and I hope that he will not mind my reminding him of this -- the Soviet representative made this proposal. He was supported by the United Kingdom representative, and, I believe, also by the representative of Belgium. However, after some discussion, the proposal was not pressed in the Drafting Committee. In the light of this situation, I think that now that the representative of the Soviet Union has raised this matter again in the Council, he has left me with no alternative but to support his proposal, and I hope that the representative of India will forgive me, in the circumstances, for doing so.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): In order that there should be no doubt as to our position, we wish to say that we are completely in agreement with what has been said by the representative of India and if, after this unclear sentence, there were a reference to that paragraph, which should have explained these words in the spirit in which the representative of India has explained them, we would have been agreeable to such a solution of the problem. We would also have been agreeable to including in paragraph 30 those words and texts which have now been stated by the representative of India. They are quite clear and are an accurate reflection of the position of the Indian delegation, and our position is in no sense different from that of India in this matter but we consider that it would be incorrect for a good thought to be included in recommendations of the Trusteeship Council in a distorted form and one which deprives a very good thought of any sense.

Therefore, in our records, in a very clear and specific form, we might have a statement of the position of India, and we would have placed in the records our full support of that position. But by all means let us get rid of this distorted version which would simply make the General Assembly laugh. In any event, as it stands now, it would not be understood.

I hope that the representative of India will agree that no harm would be done if these two odd lines were removed for the sake of clarity, and the records would show his exact wording which, incidentally, we share completely.

If there are any proposals regarding the fact that a more clear-cut wording should be included, then we would support such proposals.

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): I was going to abstain in connexion with this section, but I shall make a suggestion to the Administering Authority which could perhaps reconcile the two views. Instead of this paragraph we should ask the Administering Authority to formulate a general draft law with regard to land tenure in the Territory. Naturally, this draft would have to be reported to the Trusteeship Council, and in this case there would be no problem such as the one which we are now encountering and which is difficult not only because the Council would have to make very complex recommendations but also because we do not know what exactly the land tenure policy is. It has not been clearly and precisely defined. As I say, this is a suggestion, and I should like to know whether the Australian delegation is prepared to consider it. I think that fundamentally it coincides with the intentions of the Administering Authority, which in principle is beginning to realize the need to define clearly its attitude towards this matter.

Mr. HOOD (Australia): If the representative of Bolivia wishes me to say anything in this respect it will be simply this -- if I understood him correctly. In the first place, of course, the whole report of the Trusteeship Council and eventually the recommendations of the General Assembly will, presumably, reflect the fact that the world is changing. That is what we are here for. We ourselves see no particular reason for the inclusion of that reflection at this particular point. It applies to everything contained in the report possibly. At the same time, we do not object to it. If I understood the suggestion -- which is a rather new one -- from the Bolivian representative it is that the Administering Authority, which has had no part in drafting this particular report, should, I think he said, submit a new draft law concerning land tenure to the Trusteeship Council. It has never been the practice for any Administering Authority to submit draft laws to the Council. Certainly the Administering Authority in every case will endeavour to explain its policies to the Trusteeship Council, but I do not think that we could agree to the submission of draft legislation to the Council, if that indeed was the suggestion. It would not be a proper execution of the Trusteeship Agreement. Perhaps I misunderstood the suggestion?

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): Possibly my suggestion has not been understood. Naturally, I did not really suggest that the Administering Authority should present to this Council or to the General Assembly a draft law. What I wish is that this draft should in fact exist in the present possibilities of the Territory. There should be a law, or at least a draft law, and moreover, in this particular regard, my idea is simply a legal one, and I agree with the representative of Australia that this is an exclusive function of the Administering Authority. In other words, to be more explicit, there is a law on land tenure and ownership in Australia: the same should exist in the Trust Territory. There should be a law for all the people under trusteeship in New Guinea. This draft law should provide for participation of the people, or it should not so provide -- that is, naturally, a question which could be discussed. What I want is a law. There is the beginning of a possibility that there may be a law some day, but after listening to the words of the Australian representative I shall not insist that this alternative should be considered by the Council. At any rate, I have clarified my point of view.

Mr. RASGOTRA (India): As I have said, my delegation stands by all that the Drafting Committee has brought to the Council by way of compromise and by way of its own discussions in trying to find agreed views. In this particular case it so happens that the Soviet representative has raised the matter and has suggested the deletion of the last sentence of the paragraph. I understand that the representative of the United Kingdom and the representative of Belgium would go along with that suggestion. In the circumstances, I do not wish to stand up in defence of this particular sentence at this stage. My own views have been explained, and they will no doubt be reflected in the record. In order to avoid the possibility of a night meeting if we can, I think we might drop this sentence and go ahead.

Mr. RIFAI (United Arab Republic): I too would not wish to prolong the meeting, but I feel that possibly an amendment or some kind of new phrasing of this paragraph might be acceptable to all of us here. I, also, was not very happy about the inclusion of this sentence in the paragraph, and I was wondering what it meant until I heard the Indian representative. I now know what his

(Mr. Rifai, United Arab Republic)

intentions and the intentions of the Drafting Committee were. However, my delegation does not like the expression "in perpetuity" because it does not seem to us to accord with the thoughts expressed in the previous sentence. For this reason I should like to make a simple suggestion for the consideration of my colleagues. If they agree with it I think that it will reflect the essence of the thoughts that were expressed by India as to the basis on which the last sentence was included. I would like to suggest that after the words

"for which it usually grants agricultural leases and the Administering Authority should further ensure that the leases thus granted",

we should insert,

"do not go beyond the approximate date envisaged for the attainment by the Trust Territory of the objectives of the Trusteeship System".

I am just putting this forward, as I say, as a suggestion. I think that it is in accord with what we all have in mind and that it represents the idea which was expressed by the Indian representative. I think it conveys what the Indian representative had in mind when he said that the paragraph should reflect the fact that the world is changing at a rapid rate. I hope that my suggestion may meet with the agreement of my colleagues, and that possibly we shall be able to end this debate.

Mr. CASTON (United Kingdom): I was very pleased to hear the suggestion made by the Indian representative that we might, in the circumstances, drop this sentence altogether. With reference to the suggestion made by the representative of the United Arab Republic, which I know was intended to help us to get on with our business, I must ask him if he would consider not pressing his suggestion because I think that if we were to begin now to argue about a wording on those lines which would satisfy us all we would be here until very late tonight. I hope, therefore, that we can leave this matter as it is -- in other words, omit the last sentence and leave the rest of the paragraph as it is at the moment.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): As far as the Soviet delegation is concerned, we should like to support fully the proposal made just now by the representative of the United Arab Republic. We think that if we were to sit this evening and work out a good recommendation it would be a good idea. However, the proposal made now by the representative of the United Arab Republic is fully in accord with what was said here by the Indian representative, and we think that the Trusteeship Council could adopt this formula.

The PRESIDENT: We have agreed to delete the last sentence of paragraph 30. May I now ask the representative of the United Arab Republic whether his proposal was a formal one.

Mr. RIFAI (United Arab Republic): It was not a formal proposal. I merely made a suggestion. I am very grateful to the representative of the Soviet Union for his support. I think that my suggestion should have met also with the agreement of the representative of India, since it is a reflection of his views.

The PRESIDENT: In the circumstances, the Council will now vote on paragraph 30 as amended, that is to say excluding the last sentence.

Paragraph 30 as amended was adopted unanimously.

Paragraph 31 was adopted.

Mr. HOOD (Australia): With respect to paragraph 32, I would simply point out that the division recommended in the paragraph, I am advised, already exists, but of course we have no objection to the adoption of the paragraph.

Mr. RASGOTRA (India): So far as the Council knows and so far as the Drafting Committee was informed, no such division exists in the Territory's Government at present, though in the Administrator's Division there is an officer dealing with these matters. But that is quite a different thing and the thought in this paragraph concerns the establishment of a proper department of government to deal with the establishment of industries on a planned basis.

Mr. HOOD (Australia): That is the position. I just did not want the impression left that nothing had been done in this respect.

Paragraph 32 was adopted.

Paragraph 33 was adopted.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): In connexion with paragraph 34, in our view this paragraph contains contradictory items of information. On the one hand, note is taken of the statement of the Administering Authority that the development of a sugar industry is not justified. On the other hand, there is a recommendation that sugar production for domestic consumption should be undertaken. Then, from the third side, there is the phrase "as soon as it is economically feasible".

On the one hand, we begin with a negation which is stated by the Administering Authority, then there is something positive introduced and ultimately, at the end, there is a negation of the same recommendation.

We consider that the development of the sugar industry is economically justified. All the necessary conditions of climate and soil are favourable, as well as various economic conditions. The paragraph notes that the Territory imports about half a million dollars worth of sugar and sugar products annually. Therefore there is an economic demand which can be met through the development of the sugar industry.

Since this recommendation is worded in such an unclear manner which does not oblige the Administering Authority to do anything, we consider that in the circumstances it would be appropriate for us to abstain in the vote on paragraph 34.

Paragraph 34 was adopted by 10 votes to none, with 1 abstention.

Paragraph 35 was adopted.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): In order to accelerate the consideration of the chapter on social advancement, I should like to request in advance that the President put to the vote paragraphs 37 and 38.

Mr. HOOD (Australia): With respect to paragraph 36, I wonder whether the inclusion of the final sentence, which enjoins the Administering Authority to consider the proposal to reserve a number of seats for women members on these councils, was indeed fully considered in the Drafting Committee. The way we see it, this is in a sense a retrograde step in the development of the participation of women in the legislative procedures of the Territory. We would think at this

stage that it was not necessary to stipulate the reservation of a certain number of seats for women. The whole object eventually of the Administering Authority in this respect is of course to bring about the full participation of women in electoral and legislative processes and bodies. We have no special objection to a mention of this aspect, but we wonder whether the Drafting Committee as a whole fully considered that this might be regarded in certain sections of opinion as a kind of holding stipulation, namely that so long as a certain number of seats are reserved the situation is to be regarded as satisfactory. This is not our point of view. Our view would be that in the long run -- and we hope it will not be too long -- the participation of women should be on an absolutely equal basis, as it is in other countries, with that of male members of the electorate.

Mr. RASGOTRA (India): What the representative of Australia says is in principle correct, and we agree with the thought. But the factual position in the Territory is that, despite the fact that there is a great deal of enthusiasm for Local Government Councils, there is not yet a woman member of a Council. It seems entirely appropriate to us that women should have some participation in the Council and, in the initial stages, if that participation is not forthcoming voluntarily, it should be compulsorily invoked through the reservation of seats for women. When you reserve seats, those seats have to be filled. That will provoke some kind of interest, if interest is lacking at the moment on the part of women in seeking places on the Councils, and it will impose some kind of obligation on male members of the Territory's population in the event that they in any way resist the representation of women on the Councils. That is the thought underlying this proposal.

It will be realized, of course, that there is no element of permanence in these matters. Today there is the need for reserving seats. When women start asserting their rights and fighting for these seats on a basis of equality with men, that need will disappear, and with it the reserving of seats will disappear.

Paragraph 36 was adopted.

Paragraph 37 was adopted by 11 votes to none, with 2 abstentions.

Paragraph 38 was adopted by 12 votes to none, with 1 abstention.

Paragraph 39 was adopted.

Mr. HOOD (Australia): As regards paragraph 40, I should like to comment on the words "which are at present low", those words appearing at the end of the paragraph as a characterization of the minimum wage rates. Those words appear as a statement of fact, but I would think that obviously that is a statement of opinion. At least, account should be taken of comparative standards. It is a matter of opinion whether these wage rates are low or are not low. Considering all the components of the remuneration of workers -- rations, accommodations, health services, and so on -- it may indeed be thought by some that even the minimum rates are not low. I do not know what to propose, except

(Mr. Hood, Australia)

perhaps to invite the views of other members on the necessity of including these words, which, as I say, appear in their present form as a statement of fact. I do not know what criteria the Council would wish to use in an affirmation that wage rates are low in any given case. Low by what standards? We do not think they are low.

The PRESIDENT: Does the representative of Australia have any proposal in mind that he would like to make to the Council?

Mr. HOOD (Australia): No, I have not.

Paragraph 40 was adopted by 13 votes to none, with 1 abstention.

Paragraphs 41 to 46, inclusive, were adopted.

Mr. HOOD (Australia): In connexion with paragraph 47, there is one point which I think was discussed in the Drafting Committee. Paragraph 47 contains a recommendation that missions might be persuaded to pool their efforts and resources and to reorganize their educational activities in order to make their work more fruitful. The Administering Authority has explained that for many practical reasons, which I do not need to go into now but which I think have been brought to the notice of members of the Council, this is not a really feasible suggestion. Indeed, it is quite unfeasible. Of course, the Council might, in its wisdom, consider that such endeavours should be made. But I would not wish to leave the Council under any illusion that this kind of co-ordination among the missions is possible and that it is within the power of the Administration to secure it.

Paragraph 47 was adopted by 12 votes to none, with 1 abstention.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): As regards paragraph 48, when it speaks of the high standards of instruction and the adequacy of facilities in Administration schools, it is apparently referring to the very low level of education existing in the religious

(Mr. Oberemko, USSR)

mission schools. If the statement were formulated in that way, we would have no objection. As it stands at present, however, we cannot agree with the first sentence of paragraph 48, and therefore we shall abstain on it. We shall vote for the remainder of the paragraph.

While I have the floor, I should like to make a comment in regard to paragraph 49. It is not only a question of encouraging local initiative; it is mainly a question of the Administering Authority's giving financial and other material assistance in the creation and development of educational resources. With that reservation, we are prepared to support paragraph 49.

The PRESIDENT: I shall now put to the vote the first sentence of paragraph 48, beginning with the words "the Council takes satisfaction" and ending with the words "on secular lines".

The first sentence of paragraph 48 was adopted by 13 votes to none, with one abstention.

The remaining part of paragraph 48 was adopted unanimously.

Paragraph 48 as a whole was adopted unanimously.

Paragraph 49 was adopted unanimously.

Paragraph 50 was adopted.

Paragraph 51 was adopted.

Mr. HOOD (Australia): The Council, of course, is entitled to its opinion on this matter, but the terminology of the recommendation in paragraph 52 is to the effect, explicitly, that the scope of the measures taken by the Administering Authority is insufficient. We have no objection at all; in fact, we would support the intentions and the aim of this paragraph. The Administering Authority is doing everything possible. This is a difficult problem, this problem of the recruitment of teachers, and we admit that it is a difficult problem. Therefore, to the extent that it might be thought that there might be some implied criticism in paragraph 52 as at present drafted, we will abstain on this.

Paragraph 52 was adopted by 13 votes to none, with one abstention.

Paragraph 53 was adopted.

Paragraph 54 was adopted.

The PRESIDENT: I should like to ask the Council now to turn to page 3 of the report, and I give the floor to the representative of India.

Mr. RASGOTRA (India): It is usual, it is desirable, it is necessary, in our view, that there should be a recommendation under the section which deals with target dates and the attainment of the objectives of Trusteeship. You will recall, Sir, and the members of the Council will recall, that only a few months ago the Assembly adopted its resolution 1413. I should like to read out one or two of the preambular paragraphs of that resolution. One paragraph says:

"Believing that the formulation of plans and targets in advance can assist in the acceleration of the progress of the inhabitants of Trust Territories towards independence,".

These are very well-considered words, and in our view, well-chosen words. I should like to stress particularly the word used by the Assembly, "Believing"; it is the belief of the Assembly that the formulation of plans and targets in advance can assist in the acceleration of the progress of the inhabitants of Trust Territories towards independence.

There is another preambular paragraph which reads as follows:

"Considering therefore that at this stage it is both necessary and desirable to foresee the course of developments leading to the attainment of independence...";

and in the operative part, basing itself on this belief and this consideration, the General Assembly

"Invites the Administering Authorities concerned" -- that is, those Administering Authorities which are concerned with the remaining Territories, leaving out Tanganyika and Ruanda-Urundi with regards to which the Assembly suggested the formulation of final targets -- "to formulate, in respect of the remaining Trust Territories" -- and of these remaining Trust Territories, one is New Guinea -- "early successive intermediate target dates and dates in the fields of political, economic, social and educational development so as to create, as soon as possible, favourable conditions for the attainment of self-government or independence;".

This is a very clear invitation. There are no provisos of any kind. And as I said, judging from the preambular part of the resolution, these are the well-considered views of the Assembly.

We feel that as members of the Drafting Committee on the non-administering side, we are not competent here in this Council in any way to accept a suggestion, an addition or a modification or amendment which would be tantamount to revising the views expressed by the Assembly in this matter. That is a very crucial point.

A day or so ago I saw a copy of the Australian Daily News issued by the Permanent Mission of Australia, which is located in New York. It contained a report of a press conference held by the Prime Minister of the Administering

(Mr. Rasgotra, India)

Authority, the Government of Australia and I would like to quote from it:

"Questioned on the matter of independence for the Australian Territory of Papua-New Guinea, Mr. Menzies told correspondents he would prefer to see the Territory given its independence a little prematurely rather than to see any explosive situation which might be created by the withholding of self-government."

This bulletin continues:

"Although he had once thought it better for a country to approach independence slowly, he now believed experience had shown that where self-determination was granted prematurely it was accompanied at least by good-will between the parties concerned."

I have read this out because it seems to my delegation that the thoughts expressed by the Prime Minister of Australia, who is, on behalf of the Administering Authority, responsible for the advancement and welfare of New Guinea, are very much the same thoughts which motivated the General Assembly as a whole in the adoption of resolution 1413. Therefore, my delegation hopes in all sincerity and in all confidence that at this stage of the Territory's development, at this stage of the development of the thoughts of the Administering Authority on the subject, no objection of any kind will be taken to the proposal that stands in the names of the delegations of the Soviet Union and India, because that proposal reflects fully in its entirety what the General Assembly itself has said. It uses the words that the General Assembly itself has used in the formulation of this particular part, and we in this Council, whether on the administering side or the non-administering side, should not -- should not, I repeat -- regard ourselves as competent to modify in any way the views of the Assembly.

It is with these thoughts in mind that I submit the proposal that the Council adopt the text submitted in sub-paragraph (a) of paragraph 7 of the introductory part of the report.

Mr. CASTON (United Kingdom): I believe we can simplify our procedure if I state on behalf of the representative of Belgium and of my own delegation that we will withdraw the text submitted in sub-paragraph 7 (b) on page 3 of document T/L.987. In its place, I will introduce, again in the name of both our delegations, three amendments to the text proposed by the representatives of India and the Union of Soviet Socialist Republics. These amendments are as follows: in place of the word "urges" in the second line, I propose the word "invites"; after the word "formulate", I propose the insertion of the words "wherever appropriate"; and after the words "New Guinea" in the fourth line, I propose the deletion of the words "so as" and to replace them by the words "whenever it is satisfied that this will help".

I think that the purpose of these amendments must be quite apparent, and I think the remarks which the representative of India has just made bear out the reasons why my delegation considers them appropriate. It is quite apparent from the remarks of the Prime Minister of Australia, which the representative of India quoted, that the Administering Authority needs no urging in this matter. It is very cognizant of all the issues concerned. It is also quite apparent that the Administering Authority is prepared to formulate, in the fields in which it considers this to be appropriate, intermediate targets and dates. It is also, I think, apparent that the Administering Authority will only do this when it is satisfied that this is in fact going to help "to create, as soon as possible, favourable conditions for the attainment of self-government or independence", which the Administering Authority and the Council are in complete agreement as being the main objectives of the Trusteeship Agreement. It is with this in mind that I should like to move these amendments.

Mr. HOOD (Australia): My delegation is grateful for the efforts of the members of the Council to find a formulation on this not particularly easy aspect of the fulfilment of the Trusteeship Agreement, a formulation which not only pays proper regard to the intentions of the Charter and of the Trusteeship Agreement itself, but also to the well-considered views and policies of the Administering Authority itself. My colleague from India quoted remarks made by the Prime Minister of Australia on his recent return from abroad. It is not for me to attempt to interpret his remarks; they speak for themselves.

(Mr. Hood, Australia)

At least I can say that all members of the Council must certainly recognize, on the basis of remarks of that kind, that there can be no question of the goodwill and the good faith of the Australian Government in this matter.

When we come to the actual formulation in the terms of the recommendations of the Council and the General Assembly, then we do not precisely run into difficulties but we do reach a situation in which the respective and varied points of view must all be taken account of together. I listened with attention and interest to what was said by the representative of India and to what was subsequently proposed as a variation in terminology by the representative of the United Kingdom. It may perhaps be thought that it is a not insignificant position on the part of the Administering Authority, but to a very large extent we cannot, nor do we wish to, object to this kind of formulation, but it is important for us, as the responsible Government in this matter -- and we are dealing in terms of significance with human beings -- to say that there are certain things to which we will gladly accede, provided that recognition is given to our own system of feasibility and the art of the possible.

To summarize our views, my delegation would be happy to support a recommendation in the formulation in which it would be if the amendments proposed by the United Kingdom delegation are agreeable to the sponsors of the recommendation, provided there is introduced into its terminology a notion which is vital for us, that not only will there be a formulation of what is called "successive intermediate targets and dates", but the concept also that these targets and dates are not overriding in themselves. There is an element, I will not say of doubt, but of practicability in the precise attainment of dates which also must be taken account of. I would put this suggestion for the consideration of the representative of the United Kingdom. Could he see his way to accepting the inclusion of the word "tentative" at the proper place in the text? If the text referred to "successive, tentative and intermediate targets and dates", my delegation would support the recommendation. I repeat, this may be thought to be a not insignificant attitude for us to take, to support the adoption of such a recommendation from the Trusteeship Council.

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): We have here a rather difficult problem. I have listened very carefully to the amendments proposed by the representative of the United Kingdom. I think that the amendments proposed by the representative of the United Kingdom will only repeat his own draft resolution. The term which is valid in his draft resolution is the following: "whenever appropriate, and whenever it is satisfied".

I know that Mr. Caston, the representative of the United Kingdom, has great drafting ability, but I do not think there can be any transaction here. We cannot determine what is immediate and what is vaguely in the future. I do not see how we can reconcile these two concepts. It must be admitted -- and I hope that the representative and you, Mr. President will agree with me -- that his amendments transpose paragraph (a) and (b). I think it would be much better, to facilitate the work of the Council, if we simply were to vote for proposal (a) or (b). Once these amendments have been accepted, I see no difference between draft resolution (b), and (a), as it would then stand. I do not wish to go into any details here. It is the same amendment.

But I wish to insist on one point. Several members of the Council agree about one thing, that we need immediate objectives, minimum objectives. In making such a request, as regards the argument submitted by the Chairman of the Drafting Committee, I think this is a fair proposal and a just one, in accordance with the needs of the Territory. The minimum objectives are those which are needed in the Territory. The amendments submitted by the representative of the United Kingdom are a repetition. They are indefinite and they depend upon the good will of the Administering Authority. I think that as regards these words, they will be more useful for the Council.

This is a suggestion which I take the liberty of making to the representative of the United Kingdom, namely to withdraw his proposal, and that in order to facilitate our work we should vote on draft resolutions (a) and (b) as they stand. I do not wish to embark on a controversy or semantics with the representative of the United Kingdom, but the fundamental points of draft resolution (b) have been transferred through his amendments to draft resolution (a).

Mr. CASTON (United Kingdom): I certainly would not propose to enter into a battle of semantics with the representative of Bolivia which I know I should lose. It was in fact my intention to put the essential parts of proposal (b) into the amendments which have been included and which I proposed now. I think in fact that this would simplify our procedure. I have withdrawn text (b). Therefore, I think it would be better if we did proceed on my amendments.

As far as the suggestion made by the representative of Australia is concerned, I have this comment. In my understanding, any target is something at which one aims. It is something which one attempts to hit. I do not therefore feel that the addition of the word "tentative" adds anything to the draft which is already before us. On the other hand, since I gathered from the representative of Australia that if this word were added, he would be able to vote for the draft resolution, if the amendments were all accepted, and since in my recollection this is a new development in the history of this question and since I am quite sure that the Council would in these matters gain a great deal from getting the positive vote of the Administering Authority concerned for its recommendations, I would certainly accept the addition of the word "tentative" as part of the amendments which I have proposed.

If I may make one more suggestion, it is that we proceed at once to a vote on my amendments.

Mr. ACLY (United States of America): The Trusteeship Council is well aware of the position of the United States Government as far as intermediate targets and dates are concerned. We have consistently supported this concept. In this particular case I feel that the amendments which have been proposed do not change the substance of the proposal, that targets are by definition tentative, and in order to gain more general support for the proposal, and especially the support of the representative of Australia, which we consider of particular value at this time, I would be prepared to vote in favour of the amendments which have been suggested.

Mr. RASGOTRA (India): Since these amendments are amendments to my proposal, I presume that it would be proper for me to say a few words. First of all, let me say that by putting the proposal that we did before the Council we do not in any way question the wisdom, the experience and the discretion of the Government of Australia. In fact, on the other hand, we have the greatest faith and reliance in that wisdom and in that judgement of the Administering Authority. At the appropriate times during the debates in this Council, we have paid our tributes to the Administering Authority and to the work it is doing in Australia.

The representative of Australia adduced the argument that in this matter some discretion should be left to the Administering Authority.. The discretion is already there in the resolution that the General Assembly adopted. It invites the Administering Authorities to fix target dates. The General Assembly has not proceeded to establish target dates itself. We in this Council have at no time suggested that these are the targets which the Administering Authority must aim at. We leave this matter in their discretion, and that is, in our view, a wide enough discretion.

The representative of Australia said -- and I personally think it was a rather unfortunate expression--- that "we are a responsible Government". It seemed to follow from that that Governments which, in compliance with General Assembly resolutions, have proceeded with the fixation of intermediate targets, and in some cases even final targets, are in some way irresponsible. We do not believe in that. On the contrary, the Administering Authorities who have established targets, experience shows, have done wisely and have done well, not only by the peoples of the Trust Territories, but also by themselves, by the General Assembly and by the Council.

We do not question -- I want to repeat this and I want to make it quite clear for the purpose of the record -- the good will and the good faith of the Administering Authority. We have the utmost confidence in that good will and in that good faith. When I read out the interview given by the Prime Minister to the press, that was with a view to saying that the Administering Authority itself believes that the time of New Guinea's independence is approaching.

(Mr. Rasgotra, India)

It is exactly because of these circumstances that the General Assembly had developed the belief that it is desirable and necessary to establish intermediate targets, and there are no qualifications attached to that. Having said that, if I say more it will be repetition and I do not want to do that. But even at the risk of annoying members of the Council or taxing their patience, I do want to point out one thing. In Article 85 of the Charter, the following is very clearly stated, and I think it is necessary to draw the Council's attention to this matter once again:

"The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic" -- and this area is not designated as strategic -- "including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly."

(Mr. Rasgotra, India)

Then it goes on to say in paragraph 2:

"The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions."

And mark the words "operating under the authority of the General Assembly" -- a great deal of legal value attaches to these words.

Now, the General Assembly has laid down certain principles, and the representative of the United Kingdom is trying, by means of these amendments, not to amend the proposal of the delegation of India, but to amend the instructions that come to the Council from the General Assembly; and this, in our view, is entirely wrong, and we therefore, with due respect to the representative of the United Kingdom, shall vote against these amendments because they interfere with the General Assembly's considered views in the matter, with the directive which the General Assembly has given to us. Therefore, we shall have to vote against them.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): For the reasons which were so ably put forth by the representative of India, the Soviet delegation will, of course, vote against the amendments submitted by the United Kingdom, since they alter completely the meaning of the joint proposal submitted by India and the Soviet Union and are utterly at variance with resolution 1413 (XIV) of the General Assembly.

The representative of the United Kingdom endeavoured to represent the situation in such a way as to indicate that these amendments were not changing anything, and he tried thus to change a fowl into a fish, as it were, so that he would be able to eat it during Lent. But it is not so easy as that. Resolutions of the General Assembly are resolutions of the General Assembly, and the Trusteeship Council, in conformity with the Charter of the United Nations, is obliged to conform strictly to those resolutions. Therefore, the Soviet delegation will object to any proposals designed to distort in any way the significance of the resolutions of the General Assembly, and if the amendments are adopted by a majority in the Council, the Soviet delegation will be obliged to vote against the amended text as we would consider that it was in direct conflict with the resolutions of the General Assembly.

(Mr. Oberemko, USSR)

The Soviet delegation does not intend to take part or to be an accomplice in such actions of the majority of the Trusteeship Council, which majority consists of representatives of Administering Authorities and certain other representatives who, perhaps, normally vote obediently with them.

Mr. RASGOTRA (India): I overlooked saying something which I had intended to say.

The first amendment proposed by the representative of the United Kingdom was to the effect that the word "urges" should be replaced by the word "invites", and the argument adduced was that this is the word used in the General Assembly resolution. For that very reason I am glad to accept that amendment and I hope that, for the same reason, the representative of the United Kingdom will withdraw the amendment because there are words other than those used in the General Assembly resolution and they introduce thoughts which the Assembly has rejected. These were tried in the General Assembly itself.

Mr. SOLANO LOPEZ (Paraguay) (interpretation from Spanish): I did not intend to participate in this debate, but I should like to explain my vote with regard to the three amendments.

We would divide the United Kingdom amendments in two. The first suggests replacement of the word "urges" by the word "invites". My delegation will support this because it corresponds to the terminology of resolution 1413 (XIV) of the General Assembly.

If we accepted the other two amendments we would be changing the terminology of that same resolution which, when voted in the General Assembly, was supported by my delegation.

The PRESIDENT: We shall now proceed to vote on the United Kingdom amendments, which are as follows: under (a), in the second line, to replace the word "urges" by the word "invites", and in the same line, between the words "formulate" and "early" to insert "whenever appropriate"; then, in the third line, between the words "successive" and "intermediate" to insert the word "tentative", as originally suggested by the representative of Australia;

(The President)

and finally, in the fourth line, to delete the words "so as" and replace them by the words "whenever it is satisfied that this will help".

Mr. CASTON (United Kingdom): Mr. President, I am afraid that you have got my second amendment slightly wrong. It is "wherever appropriate" and not "whenever appropriate".

The second point is that I understood from the representative of India that the first of my amendments had been accepted, so perhaps a vote might be saved on that one at any rate.

The PRESIDENT: I was not quite sure that everybody had accepted that amendment.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): The representative of India accepted this first amendment and we agree to accept it also since it is in accordance with the wording of the General Assembly resolution. Thus there is need to vote on it.

The PRESIDENT: The Council will then vote on the second amendment, namely, the insertion of the words "wherever appropriate" between the words "formulate" and "early" in the second line.

There were 7 votes in favour and 7 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 7 votes in favour and 7 against. The amendment was not adopted.

The PRESIDENT: We shall now vote on the third amendment, which is to insert the words "tentative and" between the words "successive" and "intermediate" in the third line.

There were 7 votes in favour and 7 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 7 votes in favour and 7 against. The amendment was not adopted.

The PRESIDENT: We shall now take up the fourth amendment, which, as already indicated, consists of the deletion of the words "so as" in the fourth line and their replacement by the words "whenever it is satisfied that this will help".

A vote was taken on the amendment.

There were 7 votes in favour and 7 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 7 votes in favour and 7 against. The amendment was not adopted.

The PRESIDENT: The Council will now vote on text (a) of paragraph 7. Text (a) was adopted by 8 votes to 5, with 1 abstention.

The PRESIDENT: We will now turn to paragraph 4 of the report (T/L.987), in which the Committee recommends that the Council adopt the working paper on conditions in the Trust Territory of New Guinea (T/L.967 and Add.1) as the basic text for the chapter on that Territory in the Council's report to the General Assembly.

The recommendation was adopted by 13 votes to none, with 1 abstention.

AGENDA ITEM 6

ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES: REPORTS OF THE STANDING COMMITTEE ON ADMINISTRATIVE UNIONS RELATING TO NEW GUINEA (T/L.983) AND TO THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION (T/L.983/Add.1)

Mr. ACLY (United States of America), Chairman of the Standing Committee on Administrative Unions: It is a pleasure for me, as Chairman of the Standing Committee on Administrative Unions, to introduce the report of the Standing Committee for the present session, comprising at this time only parts I and II of the full report, which will eventually include also parts III and IV to cover Tanganyika and Ruanda-Urundi.

In submitting this report to the Council, I wish to express to my colleagues on the Committee my great appreciation of the harmony and the spirit of co-operation that prevailed during our deliberations, which enabled us to produce these two reports. They were both accepted unanimously, although, as indicated in the report on New Guinea, one proposal made by a member of the Committee was not accepted.

We were also fortunate in having the Special Representative for New Guinea with us at the time when we considered this report, and I wish to thank him also for the great help that he rendered to the Committee.

I also, on behalf of the Committee, would like to express our thanks to the Secretary of the Committee, Mr. Popov, and also to the other members of the Secretariat staff, who worked hard in producing the papers that were used by the Committee in its work.

I believe that the reports speak for themselves and require no particular explanation from me. I commend them both to the sympathetic attention of the Council.

The PRESIDENT: We will now turn to the conclusions and recommendations set out in paragraph 47 of the document under consideration (T/L.983). I will now give the floor to any members wishing to make observations on these.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We have been able, during the general debate, to state our position in considerable detail with regard to the administrative union between the colony of Papua and the Trust Territory of New Guinea. We think that the existence of this union is unjust and that it prevents the development of the Trust Territory towards a speedy achievement of the fundamental aims of the Trusteeship System. Therefore, we think that the Administering Authority should consider the adoption of different organic acts in the Trust Territory of New Guinea in accordance with the provisions of the United Nations Charter and the Trusteeship Agreement and the creation in this Trust Territory of representative legislative, executive and judicial bodies independent of the corresponding bodies in the neighbouring Australian territory. This is the principal position of the Soviet delegation on this question.

(Mr. Oberenko, USSR)

With regard to the draft conclusions and recommendations submitted by the Standing Committee on Administrative Unions, we must confess that these are quite unsatisfactory and that the Committee has not carried out its task in this respect. Therefore the Soviet delegation will vote against these conclusions and recommendations.

At the same time, we note that in paragraph 48 of the report of the Standing Committee there is the text of a proposal made by the representative of the United Arab Republic. This proposal was not adopted by the Committee, because of a tied vote. We should like to note that, while this proposal does not go as far as we should have liked, its basis is a reasonable one and its purpose is, we think, entirely in accordance with the interests of the most rapid possible development of the Trust Territory. Therefore, the Soviet delegation is prepared to vote in favour of it.

Mr. RIFAI (United Arab Republic): I should like to state in brief the views of my delegation with regard to this proposal which we submitted in the course of the meetings of the Standing Committee on Administrative Unions. The delegation of the United Arab Republic has on various occasions in the past considered the question of the administrative union between Papua and New Guinea as, in one way, placing some impediments in the way of the progressive evolution of the Territory towards the objectives of the Trusteeship System. I do not need to recall at this stage that on various occasions in the past, particularly in the General Assembly, views have been expressed and resolutions adopted to the effect that it was desirable and more conducive to the development of the Trust Territories to have separate judicial, executive and legislative organs. It was precisely in conformity with those resolutions and with the views that had been expressed in the past, both in the General Assembly and here in the Trusteeship Council, that my delegation submitted this draft resolution which the Council sees before it at the present time and which was unfortunately, because of a tied vote, rejected in the Standing Committee on Administrative Unions.

I wish, in the name of my delegation, to reintroduce this draft resolution at this stage in the hope that it will not be strenuously opposed by the Administering Authority in view of the fact that what we are doing here is merely expressing a hope that the Administering Authority will give serious consideration to the possibility of the establishment of separate legislative and judicial organs in New Guinea. I think that no one could argue that there could be any serious objection to an expression of hope that the Administering Authority should give serious consideration to the possibility. In my view this way of formulating our thoughts is indeed a very mild one, and we would hope that the Administering Authority would give our suggestion the consideration which it deserves.

For these reasons we hope that this draft resolution, as now presented here before the Trusteeship Council, will receive the support of our fellow members and that the Council will be able to finish the consideration of this report without much loss of time.

Mr. ACLY (United States of America): In moving an addition to the conclusions and recommendations of the Standing Committee on Administrative Unions to the effect that consideration should be given to the possible establishment of separate legislative and judicial organs in New Guinea in place of those which now include also Papua, the representative of the United Arab Republic has made it quite clear that he does so in the belief that this separation would in some way expedite the attainment of self-government or independence by the Trust Territory. With that basic premise my delegation finds it impossible to agree. My delegation is, of course, in favour of any action that would facilitate the progress of any Trust Territory towards self-government or independence, but it is convinced that the action being proposed would not permit that result. On the contrary, my delegation believes that the separation of the Trust Territory from Papua would delay rather than hasten the attainment of the ultimate objective of the Trusteeship System.

If the members of this Council wish specific evidence of the truth of this proposition they need only refer to two concrete examples with which the Council has had direct and recent experience. I refer to the administrative unions between the British Cameroons and Nigeria and between Ruanda-Urundi and the Belgian Congo. If we wished to go back farther we could refer also to the administrative union between British Togoland and the Gold Coast. In each case the other non-self-governing territory concerned has been granted or is being granted independence. The association with such territories can only hasten the progress of the Trust Territory towards its goal. What better evidence could we ask to establish beyond doubt that administrative unions expedite rather than delay the political advancement of Trust Territories?

In the particular case now under consideration there are other valid reasons for encouraging the retention of the administrative union under the authorization so wisely granted to Australia by the Trusteeship Agreement. The administrative union certainly could not survive the creation of separate legislative and judicial organs. The people of New Guinea and the people of Papua are of the same race and are in a similar state of economic development, and in every way their future lies together. The representatives of the Administering Authority have made it clear that the ultimate decision on this matter will be left to the people of the territories themselves.

(Mr. Acly, United States)

It is the opinion of my delegation that the continuation of the association now existing between the two territories will permit the development of the area and will eventually make it viable both politically and economically, and will thereby hasten the attainment of self-government or independence by both the people of New Guinea and the people of Papua. In our opinion this Council would be doing a real disservice to both those peoples by suggesting that they should be put apart.

For these reasons it is the intention of my delegation to vote against this proposal.

Mr. FORSYTHE (Australia): In the light of the statements made this afternoon by the representatives of the Soviet Union and of the United Arab Republic may I once again explain to the Council the attitude of the Administering Authority on this question of the administrative union between the territories of Papua and New Guinea? It seems to us that the proposal for the establishment of separate legislative and judicial organs in New Guinea does not take into account the following very practical considerations which, in our opinion, certainly do favour a joint legislature. These considerations, we think, are that the territories of Papua and New Guinea are geographically united, the main racial groups being scattered indiscriminately throughout the territories, so that the problems involved in developing both territories and in raising the standard of living are essentially the same in both areas. It would follow, therefore, in our view that to solve those problems it is necessary to ensure the most efficient use of available resources and an equally efficient arrangement for the formulation and execution of policies.

(Mr. Forsythe, Australia)

In this connexion, it seems to us that it would have been particularly difficult for services subject to different executive controls and for a pattern of living and development subject to different legislative organs to achieve this combination of economy and efficiency. These considerations led to an administrative union and our right -- I should like to point out to the representative of the Soviet Union -- to establish this administrative union is clearly recognized in the Trusteeship Agreement. I think he referred to the existence of the administrative union as being unjust and not in accordance with the Trusteeship Agreement. We believe that the present arrangements are in the interests of good government and economy of manpower and resources and that it operates for the mutual advantage of the two populations concerned.

In particular, the administrative union, including the common legislature, has in no way, contrary to the allegations of the representative of the Soviet Union, threatened or retarded the development of the Trust Territory. No evidence has been presented to the Trusteeship Council to the effect that the administrative union has retarded the development of the Trust Territory. This is just a mere statement, an allegation, on the part of the representative of the Soviet Union.

Indeed, I would point out that the four safeguards laid down by the Trusteeship Council to avoid the possibility of any administrative union operating in such a manner as to prejudice the attainment of the objectives of the Trusteeship System have been scrupulously observed by the Administering Authority, and this fact has been confirmed by the reports of the Standing Committee on Administrative Unions.

We feel, therefore, that the common legislature is justified not only by the terms of the Trusteeship Agreement, but also by the physical circumstances of the Territory and by the interests of the peoples concerned.

For the reasons I have now set out to the Council, we shall vote against the proposal of the representative of the United Arab Republic contained in paragraph 48 of document T/L.983.

Mr. SALAMANCA (Bolivia)(interpretation from Spanish): I do not think that we can establish any relationship -- and I disagree here with the representative of the United States -- between Nigeria and the Cameroons and Ruanda-Urundi and the Congo. In these Territories there was fairly good development. I agree with the last point made by the representative of the United States and by the representative of Australia that this is a problem which concerns the people, but in this case the people have not emerged politically. They have no definite opinion about these matters.

The proposal submitted by the representative of the United Arab Republic is simply a recommendation, it simply expresses a hope -- it has no immediate application. I would not be opposed to the union if there were political maturity in one Territory or the other or if both Territories could merge into a federation. I think there is some validity in the point of view of the representative of the United Arab Republic in this case. That is why my delegation will vote for this proposal.

Mr. RASGOTRA (India): The representative of the United States, in expressing his opposition to the proposal in paragraph 48, adduced arguments which I think can be described fairly as political arguments or arguments of a political character. Now I submit with due respect to the representative of the United States that arguments of that character are utterly irrelevant to the consideration of this proposal. The representative of Australia again adduced arguments of administrative convenience, physical circumstances, similarities between the peoples of Papua and New Guinea. With due respect to him, I would like to submit that these arguments are also utterly irrelevant to the consideration of the issues before us.

The law in these matters is and ought to be for all our considerations the Trusteeship Agreement. When a question of this kind arises we must go back to the Agreement which authorizes an administrative union and, in addition, of course, the various resolutions of the General Assembly. In article 5 of the Trusteeship Agreement what is authorized is a customs, fiscal or administrative union. But what we have here in the case of Papua and New Guinea is a

(Mr. Macgregor, India.)

legislative union and a political union. Now under which provision of the Agreement -- and as I said the Agreement is the law -- is this kind of a union authorized?

It is a different matter that these issues may not have been raised in the past, but a time has come when these issues are being raised, and I presume they will be raised more and more as time advances. It is proper that consideration should be given to these matters.

That is not the whole story. Of course article 5 mentions federation. The article reads:

"It is agreed that the Administering Authority, in the exercise of its powers under article 4, shall be at liberty to bring the Territory into a customs, fiscal or administrative union or federation with other dependent territories ..." --

under the jurisdiction of the Administering Authority. Federation is a very difficult, complicated and different matter. Federation results from the coming together of autonomous units or, if it is formed otherwise, there is a clear division of legislative functions and administrative functions between the federated unit and the federating component.

That is not the case with respect to Papua and New Guinea. As I said, this is a legislative union; this is a political union; there is one administration, it seems to us, and for all practical purposes all departments are located not in the Trust Territory but in the Non-Self-Governing Territory, over the administration of which this Council has no supervision or control. But that is another matter.

What does the proposal of the representative of the United Arab Republic say? It expresses the hope that the Administering Authority will give serious consideration to the possibility of the establishment of separate legislative and judicial organs in New Guinea. This proposal does not mention administrative arrangements or fiscal arrangements. It does not mention arrangements with regard to customs and tariffs. This proposal is entirely in accord with what is provided for in article 5. We feel, therefore, that it is a perfectly justified proposal,

it is a very timely proposal, it is a proposal in the spirit of article 5 of the Agreement. We here on the other side have only one thing to go by apart from the Charter, and that is the Trusteeship Agreement. There is no reason for us to feel that there is anything else by which the Administering Authority may act. Now that this matter has come before the Council, the Council must give thought to it, and so must the Administering Authority. It is a legal matter of great importance. If things are not settled in a legal manner, then I am afraid a time may come when members of the Council or members of the Assembly may feel obliged to seek competent legal opinion or advice in the matter.

(Mr. Rasgotra, India)

Cases have been mentioned of Nigeria and the Cameroons. Now, we know what has happened with regard to the Trust Territory of the Cameroons. In the Southern part of the British Cameroons, for example, we had the separate legislative organs and, when the time came to take a decision with regard to the future of that part of the Territory, no difficulties arose because the Territory had its own Administration, despite an administrative union, and, what is more important, it had its own legislative organ. But, because of the absence of these very things in the Northern Cameroons, we have been discussing the problems for the last six months, and the ultimate decision of the Assembly was to separate the administration of the Northern Cameroons from Nigeria.

Now, these difficulties have arisen in a case where no clear decisions had been taken, and I think that the Council and the Administering Authority in this case should give regard to these difficulties and see to it that similar difficulties are not repeated in relation to the Trust Territory of New Guinea.

The Congo and Ruanda-Urundi have been mentioned by some representative. That is not really relevant because, despite the administrative union, the Trust Territory of Ruanda-Urundi -- or the two parts of it -- have their own executive, legislative and judicial organs.

We are not questioning the validity of the administrative union. That union is sanctioned by the agreement, and we respect that agreement. If we here made a proposal which went contrary to the agreement and the representative of the United States or of Australia raised objections, we would think over those objections and probably amend our proposal. But the proposal that has been made is completely in line with the agreement, and therefore my delegation sincerely hopes that, in the light of the obligations of the Administering Authority in relation to the Trusteeship Agreement, the Administering Authority itself will accept this proposition because it merely expresses the hope that it will give serious consideration to the establishment of separate legislative and judicial organs -- not fiscal and administrative or customs matters -- and these matters, the matters referred to in the proposal of the United Arab Republic, are excluded from the play of article 5 of the agreement. We do not know under what authority the Administering Authority has gone ahead and brought the Territory into a legislative union with Papua, which is a Non-Self-Governing Territory. The Council

(Mr. Rasgotra, India)

has in the past gone over this, as I said, but, now that the matter has been raised, I think that the minimum that the Administering Authority can do is to accept the proposal that it should give serious consideration to it.

Mr. EDMONDS (New Zealand): I had hoped to be able to state my delegation's position on this rather briefly, but now I may have to take a little longer.

First of all, the New Zealand delegation cannot accept the argument that the Administering Authority for New Guinea has not the legal power to join the Trust Territory of New Guinea with the Territory of Papua in the way that it has done. Its powers under articles 4 and 5 of the Trusteeship Agreement are very wide. It can even administer the Territory as if it were an integral part of Australia. Similar provisions in other Trusteeship Agreements, in the case of Togoland and the Cameroons, have been interpreted by this Organization -- through its actions, through conventions, through international practice -- as adequately, I think, substantiating the legal validity of the position of the Administering Authority. That is the first point. It would be rather remarkable if, after fourteen years, we found that we had been illegal in most of our transactions, having to do with half of the Trust Territories which this Council has had the honour of supervising.

The question of the actual advantages to the people of the Territory of New Guinea is, I think, a question which is of more immediate interest to this Council. After all, these legal points can be regarded, I think, as being fixed by the past practice of the United Nations. But, in the case of New Guinea, we have just adopted an amazing number of resolutions, all of them urging the Administering Authority to do things, and most of the things being very expensive. Among other things, we have told it to spend more money in the Territory. We have told it to improve the technical services. We have told it that we are not satisfied with the way it is recruiting public servants, and to get some more. We have told it that the system of education is bad, and that it should get some more teachers. Now we say, on top of that, that it should spend some more money by setting up a separate legislature and judicial organs. Once you have a separate legislature and judicial organs, you have to have some services under them, no matter what common services they retain in common with Papua. That would mean more money.

(Mr. Edmonds, New Zealand)

I think it would be detrimental to the interests of the people of New Guinea at this stage, when they do need rapid development and do need the investment of large amounts of capital, to suggest that we should sidetrack the limited amount of money which is available into flying legal kites.

The representative of the United Arab Republic, whom I know and admire, has said that this is merely an expression of hope on the part of the Council. That is true. It is a hope which my delegation cannot share. But, for all that, I think one realizes that in the phrasing of resolutions such as this -- and I congratulate the representative of the United Arab Republic on the phrasing of his resolution -- the expression of a hope on the part of the Council is really a way of bringing pressure to bear on an Administering Authority to go in a certain direction, and I very much doubt whether it is in the interests of the people of New Guinea or in the interests of the people of Papua, with whom we are not technically concerned, for the Council to express this hope and to bring this pressure to bear on the Administering Authority.

This resolution of the General Assembly -- resolution 326 -- which is cited in the draft resolution was, in fact, considered by the Trusteeship Council many years ago. It was a long resolution and the Council took it into account when it drew up the safeguards which it has since applied to Trust Territories. In other words, to a large extent this question was discussed in this Council and settled many years ago, and I doubt the wisdom of reviving it at the moment.

The people of New Guinea and Papua are similar. The physical conditions of the Territories are similar. The existence of the administrative union, in my opinion, serves the interests of both these peoples. Looking at it from the long-range point of view, it would seem to be more in the interests of those peoples to be brought together than to be separated. In other parts of the world, people are getting together, and, in some parts of the world, this Council is encouraging them to get together. However well meant this draft resolution is, I think that in fact it would be detrimental to the interests of the people of New Guinea, and I agree with the representative of the United States that it would in fact delay their development to a point at which they can achieve the objectives of the Trusteeship System and make a decision as to their future. For this reason, my delegation will oppose the draft resolution.

The PRESIDENT: Of course, we still have to dispose of paragraph 47. Since objection has been raised, I would ask the Council to vote on that paragraph. Paragraph 47 was adopted by 15 votes to 1.

The PRESIDENT: We shall now vote on the draft resolution appearing in paragraph 48.

There were 7 votes in favour and 7 against.

After a brief recess in accordance with rule 58 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 7 votes in favour and 7 against.

The draft resolution contained in paragraph 48 was not adopted.

The PRESIDENT: Before we conclude this item of our agenda, and since this is the last time that Mr. Jones, who is present in this room, will appear before the Council as Special Representative of his country, I would like to extend to him our very special thanks and appreciation for the co-operation which he has given to the Council for many years, and to wish him a safe and happy return to his home.

Mr. JONES (Special Representative): Mr. President and members of the Council, I would like to thank you very, very much for your kind words. During the nine years that I have had the honour of coming here as Special Representative I have received the assistance and co-operation of all members of this Council, and if I have been able to assist the Council in its work, that alone is my reward.

I also wish to express my appreciation for the assistance and co-operation given to me by the officers of the Secretariat and the officers of the specialized agencies.

That is about all I can say now, Mr. President -- just thank you, and au revoir.

The PRESIDENT: Good luck to you, Mr. Jones.

AGENDA ITEM 6

ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES: REPORTS OF THE STANDING COMMITTEE ON ADMINISTRATIVE UNIONS RELATING TO NEW GUINEA (T/L.983) AND TO THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION (T/L.983/Add.1)

The PRESIDENT: If there are no observations on the report of the Standing Committee on Administrative Unions, I would suggest that the Council take note of the report.

It was so decided.

Mr. RIFAI (United Arab Republic): I should like to make a simple suggestion for the consideration of my colleagues. In paragraph 5 of Part II of the report, which is to be found in document T/L.983/Add.1, it seems to me we have inadvertently said that the Standing Committee considered it unnecessary to submit "a report", on the operation of the Administrative Union affecting the Cameroons under United Kingdom administration. I wonder if it would not be more appropriate to say "recommendations" or something of that sort, because this is in fact a report.

The PRESIDENT: The Council's Secretary has taken note of the suggestion made by the representative of the United Arab Republic.

PERIODIC VISITING MISSIONS TO TRUST TERRITORIES (T/L.986)

The PRESIDENT: I call now on the representative of India to introduce this draft resolution.

Mr. RASGOTRA (India): It is late, and it is not necessary for me to make a long speech. The draft resolution is self-explanatory. The decisions and documentation on which the co-sponsors based themselves are referred to in the body of the draft resolution. Since this document has been with the members of the Council for a long time, I take it that they have studied these references, and I should merely like to express the hope, on my own behalf and on behalf of the co-sponsors, that this draft resolution will be readily adopted.

The draft resolution was adopted unanimously.

The PRESIDENT: Our next meeting will be on Monday at 10.30 a.m., when, as has already been said, we shall first hear the final statement of the Administering Authority on Ruanda-Urundi. The agenda will also include the report of the Sub-Committee on the Questionnaire concerning Tanganyika, document T/1539, and the report concerning Ruanda-Urundi, document T/1506.

In addition to the meeting on Monday morning, there will also be a meeting of this Council in the afternoon at 3 o'clock.

(The President)

The Standing Committee on Petitions will meet at 10 o'clock Monday morning, and the Drafting Committee on Ruanda-Urundi will meet at 2.30 in the afternoon.

The meeting rose at 6.45 p.m.