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Fourth session

Item 12 of the agenda

### REPORT OF THE TRUSTEESHIP COUNCIL

#### Report of the Fourth Committee

Rapporteur: Dr. E. LE MARCHENA (Dominican Republic)

1. The report of the Trusteeship Council covering its fourth and fifth sessions (A/933) was referred to the Fourth Committee by the General Assembly at its 224th meeting on 22 September 1949.
2. After an introductory statement by the President of the Trusteeship Council, Mr. Roger Garreau, at the 88th meeting of the Committee, the general debate was opened and was continued until the 93rd meeting. Members of the Committee expressed their opinions on the activities of the Trusteeship Council and on its observations, conclusions and recommendations, particularly in respect of the seven Trust Territories, the political, economic, social and educational advancement of which had been examined by the Council at its fourth and fifth sessions, and in respect of petitions relating to the Trust Territories and of the report of the Visiting Mission to Ruanda-Urundi and Tanganyika. In the course of the debate, members commented on conditions in the Trust Territories and made observations regarding their development towards the objectives of the International Trusteeship System.
3. Nine draft resolutions, and a number of amendments thereto, were submitted by delegations or groups of delegations, and were discussed by the Committee from its 94th to its 104th meetings. These draft resolutions were of the following nature:
  - I. Two proposals dealing with political advancement in Trust Territories.
  - II. Two proposals, subsequently combined by their sponsors in a single draft resolution, dealing in a general manner with the report of the Trusteeship Council and in particular with its activities in respect of petitions and visiting missions.
  - III. One proposal dealing with economic advancement in Trust Territories.
  - IV. Two proposals, subsequently combined by their sponsors in a

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single draft resolution, dealing with social advancement in Trust Territories, one of them being concerned with the specific question of discriminatory laws and practices.

V. One proposal dealing with educational advancement in Trust Territories.

VI. One proposal dealing with the use of the flag of the United Nations in Trust Territories.

4. At its 95th meeting on 8 October 1949, the Committee appointed a Sub-Committee composed of the representatives of Brazil, Canada, Cuba, Czechoslovakia, Denmark, Egypt, India and Thailand "with the purpose of correlating the various draft resolutions, with the exception of that dealing with the use of the flag of the United Nations, and of drafting a single draft resolution to be submitted to the Committee".

5. The Sub-Committee, which held three meetings, came to the conclusion that it was not practicable to draft a single draft resolution covering all the proposals before it. In place of the proposals referred to in I and II above, the Sub-Committee adopted two draft resolutions (A/C.4/L.15) - the first on the political advancement of Trust Territories and the second on petitions and visiting missions and recommended their adoption to the Fourth Committee.

6. The Committee considered the two draft resolutions recommended by its Sub-Committee and the draft resolutions dealing with economic, social and educational advancement in Trust Territories and the use of the flag of the United Nations in those Territories.

7. The Committee adopted six draft resolutions, the texts of which are reproduced at the end of the present report.

8. A detailed account of the consideration by the Committee of the various proposals before it is given in sections I to VI below.

#### I. PROPOSALS DEALING WITH POLITICAL ADVANCEMENT IN TRUST TERRITORIES

9. Two original draft resolutions dealing with political advancement in Trust Territories were submitted to the Committee:

(1) By the delegation of Czechoslovakia (A/C.4/L.3), proposing that the General Assembly should consider that the information furnished by the Administering Authorities on the political, economic, social and educational situation in the Trust Territories, as well as the report of the Trusteeship Council, showed that the development of the Trust Territories had been lagging behind, and did not correspond to their required speedy development toward self-determination, self-government or independence, and that the Assembly should call upon all the Administering Authorities to submit to its next session their general plans and an outline of the ways and means by which they intended, in respect of each Trust Territory, to comply with the provisions

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of the Charter relating to the speediest possible development of Trust Territories toward self-determination, self-government or independence.

(ii) By the delegation of Cuba (A/C.4/L.4), proposing that the General Assembly, in respect of the seven Trust Territories on which annual reports were examined by the Trusteeship Council during the period covered by its report, should resolve: 1. to express its full support of the recommendations of the Council to the Administering Authorities with a view to the adoption by the latter of more energetic measures which would hasten the advancement of the Trust Territories toward self-government or independence; 2. to express its satisfaction at the measures adopted by the Governments of France and New Zealand for increased participation in representative assemblies of the inhabitants of the Territories under their administration; 3. to express its concern at the fact that the seats of administrative power for the Cameroons and Togoland under British administration were situated outside the Trust Territories; 4. to welcome the statement of the representative of the United Kingdom that a special Commissioner for the Cameroons under British administration had recently been appointed; 5. to welcome the policy of certain Administering Authorities of training increasing numbers of indigenous inhabitants so that they might gradually assume responsible administrative posts; 6. to note with special interest the recommendation of the Council with regard to the establishment of a separate legislature for the Trust Territory of New Guinea; 7. to recommend to the Council to include in its next report to the General Assembly a special section dealing with the implementation by the Administering Authorities of its recommendations concerning measures adopted to grant the indigenous inhabitants a larger degree of self-government through participation in the legislative, executive and judicial organs and processes of the Trust Territories.

10. At its 99th and 100th meetings, the Committee considered the draft resolution on the political advancement of Trust Territories (A/C.4/L.15) proposed by the Sub-Committee mentioned in paragraphs 4 and 5 above, which was based on elements contained in the proposals of Cuba and Czechoslovakia and to some extent in the joint proposal of Canada, Egypt and India which is referred to in paragraph 14 below. The draft resolution proposed that the General Assembly, having considered the report of the Trusteeship Council should take note of the decisions of the Council and express full support of its recommendations to the Administering Authorities for the adoption by the latter of measures which would hasten the advancement of the Trust Territories toward self-government or independence; should express its view that the seat of administration should be located inside the Territories; should recommend that the Council include in its annual reports to the General Assembly a special section on the implementation by the Administering Authorities

of the Council's recommendations concerning measures for the participation of the indigenous inhabitants in the organs of government in Trust Territories, and should call upon the Administering Authorities to furnish the Council, within one year, with general plans and an outline of the ways and means by which they intended to comply with the provisions of the Charter relating to the progressive development of Trust Territories toward self-determination, self-government or independence.

11. The delegation of the United Kingdom of Great Britain and Northern Ireland submitted an amendment (A/C.4/L.18) to the fifth paragraph of the draft resolution.

12. At its 100th meeting, the Committee voted upon the draft resolution and the amendment, paragraph by paragraph.

The first paragraph of the draft resolution was adopted by 43 votes to none.

Paragraph 1 of the operative part: Paragraph 1 was adopted by 42 votes to none, with 3 abstentions.

Paragraph 2: Paragraph 2 was voted upon by roll-call as follows:

In favour: Afghanistan, Brazil, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Egypt, Guatemala, India, Iraq, Israel, Lebanon, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Greece, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom, United States of America.

Abstentions: Argentina, Chile, Dominican Republic, Ecuador, Ethiopia, Iran, Netherlands, Peru, Uruguay, Venezuela.

The paragraph was adopted by 23 votes, to 12, with 10 abstentions.

Paragraph 3: Paragraph 3 was adopted by 43 votes to none, with 3 abstentions.

Paragraph 4: The amendment submitted by the delegation of the United Kingdom reads as follows:

"Calls upon the Administering Authorities to keep the Trusteeship Council continuously informed regarding their policy relating to the progressive development of each Trust Territory toward self-government or independence."

The amendment was rejected by 24 votes to 13, with 8 abstentions.

Paragraph 4 was voted upon by roll-call, as follows:

In favour: Afghanistan, Brazil, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Egypt, Ethiopia, Guatemala, India, Iraq, Israel, Lebanon, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yemen, Yugoslavia.

Against:

Against: Australia, Belgium, Canada, Chile, Denmark, France, Greece, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom, United States of America.

Abstentions: Argentina, Dominican Republic, Ecuador, Iran, Peru, Thailand, Uruguay.

Paragraph 4 was adopted by 24 votes to 14, with 7 abstentions.

The draft resolution as a whole was voted upon by roll-call, as follows:

In favour: Afghanistan, Brazil, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Egypt, Ethiopia, Guatemala, India, Iraq, Israel, Lebanon, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Chile, France, New Zealand, Union of South Africa, United Kingdom, United States of America, Uruguay.

Abstentions: Argentina, Denmark, Dominican Republic, Ecuador, Greece, Iran, Netherlands, Norway, Peru, Sweden, Thailand.

The draft resolution was adopted by 24 votes to 10, with 11 abstentions. The text of the draft resolution is reproduced at the end of the present report as resolution I.

## II. PROPOSALS DEALING WITH PETITIONS AND VISITING MISSIONS

13. Two original draft resolutions dealing in general with the report of the Trusteeship Council and in particular with the activities of the Council in respect of petitions and visiting missions were submitted to the Committee.

(i) The delegation of Canada and India submitted a joint draft resolution (A/C.4/L.8) proposing that the General Assembly should take note of the report of the Trusteeship Council and observe with particular interest its activities in sending visiting missions to the Territories under trusteeship; should express satisfaction at the measures thus far taken by the Council in regard to educational advancement and administrative unions; and should request the Council to continue its work in these fields, to review its procedure with the object of expediting action in respect of petitions, and to direct visiting missions to report specifically on the steps taken towards realization of the objectives set forth under Article 76 b of the Charter, and in particular on the steps taken toward self-government.

(ii) The delegation of Egypt submitted a draft resolution (A/C.4/L.9) proposing that the General Assembly should take note of the delays which had occurred in the examination and final disposal by the Council of a number of important petitions; should consider that the examination of petitions was one of the principal functions of the Council under the Charter and that prompt and effective discharge of that function was indispensable for the promotion of the confidence of the inhabitants of the Trust Territories in the International Trusteeship System; should consider that the institution of periodic visits was one of the principal functions of the Council under the Charter and that the operation of the International Trusteeship System required a thorough discharge of that function; should note that the Council thus far had not taken effective action in respect of the observations, conclusions and recommendations of its Visiting Mission to Trust Territories in East Africa; should endorse the various decisions and recommendations made by the Council during its fourth and fifth sessions insofar as they might contribute to the advancement of the inhabitants of the Trust Territories towards the objectives laid down in Article 76 of the Charter; should recommend that the Council should take such measures as it might deem appropriate with a view to facilitating and accelerating the examination and disposal of petitions; and should recommend that the Council should take such measures as it might deem appropriate to ensure that the findings of its visiting missions should be promptly and effectively acted upon.

14. The delegations of Canada, Egypt and India subsequently combined their original proposals and submitted jointly a draft resolution (A/C.4/L.12)

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which, inter alia, proposed that the General Assembly should recommend to the Council to take such measures as it might deem appropriate with a view to facilitating and accelerating the examination and disposal of petitions, and to direct visiting missions to report specifically on the steps taken towards the realization of the objectives set forth in Article 76 b of the Charter, particularly on the steps taken towards self-government, and to take such measures as it might deem appropriate on the basis of those reports.

15. At its 100th meeting, the Committee considered a draft resolution (A/C.4/L.15) recommended by the Sub-Committee mentioned in paragraphs 4 and 5 above, which was based upon the joint proposal of Canada, Egypt and India but dealt exclusively with petitions and visiting missions. At the same meeting, the draft resolution was adopted by 43 votes to none, with 2 abstentions. The text is reproduced at the end of the present report as resolution II.

III. PROPOSAL DEALING WITH ECONOMIC ADVANCEMENT IN TRUST TERRITORIES

16. The delegation of Cuba submitted a draft resolution (A/C.4/L.10) reading as follows:

The General Assembly,

Having taken note of the conclusions and recommendations of the Trusteeship Council on the economic advancement of the following Trust Territories: Cameroons under British Administration, Togoland under British Administration, Cameroons under French Administration, Togoland under French Administration, Western Samoa, Nauru and New Guinea,

Resolves

"1. To express its full support of the recommendations of the Trusteeship Council for a greater participation of the indigenous inhabitants in the management of commercial and production undertakings which deal in a monopolistic form with commodities and raw materials of primary importance to the economy of the Trust Territories,

"2. To call the attention of the Trusteeship Council to the far reaching consequences, social, political and economic, of certain plans of economic development in operation in certain territories;

"3. To state as a criterion that all economic policy in Trust Territories should be guided primarily by the essential interests of the indigenous inhabitants, the need for raising their standards of living and a general improvement in the present levels of housing, nutrition and health conditions,

"4. To note with satisfaction the provisions existing in the legislation of certain Trust Territories which entitle the indigenous inhabitants to the full benefit of the earnings of corporations and other undertakings of the same type dealing with the production of or trade in certain raw materials and commodities of vital interest to the Trust Territories,

"5. To express its concern that the lack of budgetary autonomy in some cases and the scarcity of data in others did not allow the Trusteeship Council to make a thorough examination of the financial situation of certain territories,

"6. To note with satisfaction the excellent financial situation in the Trust Territories of Western Samoa and Nauru and to endorse the recommendations of the Council regarding the need for the formulation of plans laying down a sound economic foundation for these two territories.

"7. To recommend to the Trusteeship Council the inclusion in its next report to the General Assembly of a special section on the implementation by the Administering Authority of its recommendations on the economic advancement of the Trust Territories."

/17. The delegation



17. The delegation of Cuba subsequently submitted a revised draft resolution (A/C.4/L.10/Rev.1) which differed from the original as follows:

Paragraph 1: To read as follows:

"To state its view that the indigenous inhabitants of the Trust Territories should have a greater participation in the management of commercial and production undertakings which deal in a monopolistic form with commodities and raw materials of primary importance to the economy of the Trust Territories".

Paragraph 3: Replace the words "to state as a criterion" by the words "to state its view" in the first line of the sub-paragraph.

Paragraph 4: To read as follows:

"To express its satisfaction that in certain Trust Territories the indigenous inhabitants are given an ample share in the profits of corporations and other undertakings of the same type dealing with the production of or trade in certain raw materials and commodities of vital interest to the Trust Territories".

Paragraph 7: Replace the words "next report" by the words "annual reports" in the second line of the sub-paragraph.

18. The delegation of Uruguay submitted an amendment to the revised draft resolution referred to below.

19. The delegation of the Philippines submitted two amendments (A/C.4/L.24) to the revised draft resolution referred to below.

20. At the 103rd meeting the amendments and revised draft resolution were voted upon paragraph by paragraph.

The first paragraph of the draft resolution was adopted by 46 votes to none with no abstentions.

Paragraphs 1 and 4 of the operative part: The amendment submitted by the delegation of Uruguay proposed to replace the paragraphs by the following text:

"To state its view that the inhabitants of the Trust Territories should have increasing participation - and therefore to express its satisfaction in those cases where such participation is enjoyed - in the management and in the profits of undertakings dealing with the production of or trade in raw materials and commodities produced and/or manufactured in those territories and which are of vital importance to the economy of the Trust Territories concerned".

The amendment was rejected by 24 votes to 14, with 6 abstentions.

The amendment submitted by the delegation of the Philippines proposed to replace the paragraphs by the following text:

"To express full support of the recommendations of the Trusteeship Council and all steps leading to a greater participation of indigenous inhabitants in the profits and management of entities, public or private engaged in the exploitation of mineral and other natural resources or in the production of, or trade in, raw materials and commodities basic to the economy of Trust Territories".

/The amendment

The amendment was adopted by 31 votes to 4, with 9 abstentions.

Paragraphs 2 and 3: The amendment submitted by the delegation of the Philippines proposed to replace the paragraphs by the following text:

"To reaffirm the principle that the interests of the indigenous inhabitants must be paramount in all economic plans or policies in Trust Territories, particularly in raising the standards of living, level of wages, and in improving housing, nutrition and health conditions."

The amendment was adopted by 27 votes to 5, with 12 abstentions.

Paragraph 5: Paragraph 5 was adopted by 26 votes to 7, with 13 abstentions.

Paragraph 6: Paragraph 6 was voted in two parts. The first part read as follows:

"To note with satisfaction the excellent financial situation in the Trust Territories of Western Samoa and Nauru and ..."

The first part was adopted by 36 votes to 5, with 5 abstentions.

The second part read as follows:

"... to endorse the recommendations of the Council regarding the need for the formulation of plans laying down a sound economic foundation for these two Territories".

The second part was adopted by 45 votes to none with 1 abstention.

The paragraph as a whole was adopted by 39 votes to 5, with 2 abstentions.

Paragraph 7: Paragraph 7 was adopted by 43 votes to none, with 3 abstentions.

The draft resolution, as amended, was adopted by 38 votes to 1, with 7 abstentions. The text of the draft resolution is reproduced at the end of the present report as resolution III.

#### IV. PROPOSALS DEALING WITH SOCIAL ADVANCEMENT IN TRUST TERRITORIES

21. Two draft resolutions dealing with social advancement were submitted to the Committee:

(i) The delegation of Cuba submitted a draft resolution (A/C.4/L.5) proposing that the General Assembly should take note of the conclusions and recommendations of the Council on social advancement in respect of the seven Trust Territories dealt with by the Council during the period of its report, and of the conclusions and observations of its Visiting Mission to the Trust Territories in East Africa; should express its satisfaction with the recommendations of the Council concerning the absolute prohibition of uncivilized practices such as child marriage; should give full support to the recommendations of the representatives of Costa Rica and China on the Visiting Mission that strong and effective measures should be taken to abolish all forms of whipping in Ruanda-Urundi and to the recommendation of the Council that corporal punishment should be abolished immediately in Togoland and the Cameroons under British administration; should express its concern that the Council had not approved any conclusions or recommendations with respect to the existence in some Territories of such important problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants; should express its concern at the existence in the legislation and practices of certain Territories of discriminatory provisions inconsistent with the Charter and the Trusteeship Agreements; and should ask the Council to include in its next report a special section dealing with the implementation by the Administering Authorities of its recommendations concerning the improvement of social conditions and, in particular, the abolition of discriminatory practices and corporal punishment.

(ii) The delegation of China submitted a draft resolution (A/C.4/L.6) proposing that the General Assembly should note that in certain Territories discriminatory laws and practices still existed, and should recommend that the Trusteeship Council should examine all laws, statutes and ordinances, as well as their application in the Trust Territories and make positive recommendations to the Administering Authorities concerned with a view to the abolition of all discriminatory provisions or practices; and should report on the action taken to the General Assembly at its next regular session.

22. The delegations of Cuba and China subsequently submitted a joint draft resolution (A/C.4/L.13) reading as follows:

"The General Assembly,

"Having taken note of the conclusions and recommendations of the Trusteeship Council on the social advancement of the following Trust Territories: Togoland under French administration, Togoland under British administration, the Cameroons under French administration, the Cameroons under British administration, Western Samoa, Nauru and New Guinea, and of the conclusions and observations of its Visiting Mission to East Africa, incorporated in the report of the Trusteeship Council, and

"Recalling that one of the basic objectives of the International Trusteeship System is to encourage respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"Resolves

"1. To express its satisfaction at the recommendations of the Council concerning the absolute prohibition in the Trust Territories of such uncivilized practices as child marriage;

"2. To give full support to the recommendations of the representatives of Costa Rica and China in the Visiting Mission to East Africa that strong and effective measures should be taken to abolish all forms of whipping in the Trust Territory of Ruanda-Urundi and to the recommendation of the Council that corporal punishment should be abolished immediately in Togoland and the Cameroons under British administration;

"3. To express its concern that the Council has not approved any conclusions or recommendations with respect to the existence in some Territories of such important social problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants;

"4. To express its concern at the fact that in certain Trust Territories discriminatory laws and practices still exist contrary to the principles of the Charter and the Trusteeship Agreements;

"5. To recommend that the Trusteeship Council should examine all laws, statutes and ordinances, as well as their application, in the Trust Territories and make positive recommendations to the Administering Authorities concerned with a view to the abolition of all discriminatory provisions or practices;

"6. To ask

"6. To ask the Trusteeship Council to include in its next report to the General Assembly a special section dealing with the implementation by the Administering Authorities of its recommendations concerning the improvement of social conditions in Trust Territories, the abolition of corporal punishment and, in particular, the action taken in pursuance of the recommendation in paragraph 5 above."

23. The delegation of Australia submitted an amendment (A/C.4/L.16) to paragraph 5 of the draft resolution, as referred to in paragraph 31 below.

24. The delegation of the Philippines submitted the following amendments (A/C.4/L.17 to the draft resolution:

Paragraph 2: Replace by the following text:

"2. To recommend the adoption of strong and effective measures to abolish all forms of whipping or corporal punishment as soon as possible in the Trust Territories where such forms of punishment exist."

Paragraph 3: To read as follows:

"3. To express its concern at conditions prevailing in certain Trust Territories regarding such important social problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants."

Paragraph 6: In the fourth line, insert the words "among other things" after the word "concerning".

25. The joint draft resolution was discussed at the 97th meeting.

During the discussion the sponsors of the joint draft resolution accepted the following changes.

Paragraph 1: To add at the end of the paragraph the words "in the Trust Territories where such practices exist".

Paragraph 2: To replace the paragraph by the following text proposed by the delegation of the Dominican Republic:

"To recommend the adoption of strong and effective measures to abolish all forms of whipping in the Trust Territory of Ruanda-Urundi, and give full support to the recommendation of the Council that corporal punishment should be abolished immediately in Togoland and the Cameroons under British administration".

In the same paragraph the delegation of China, as the co-sponsor of the draft resolution, with the consent of the delegation of Cuba, amended the text by the addition, at the end of the paragraph, of the words "and in the Trust Territory of New Guinea".

Paragraph 3: To replace the paragraph by the following text:

"To recommend to the Trusteeship Council the adoption of suitable measures for solving in a broad and humanitarian spirit such important social problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants."

/Paragraph 6:

Paragraph 6: To replace the words "in its next report", by the words "in its annual reports".

26. These amendments were incorporated in a revised text of the draft resolution (A/C.4/L.13/Rev.1).

27. However, in order to meet other suggestions made at the 97th meeting by various delegations, the delegations of Cuba and China submitted a second revised draft resolution (A/C.4/L.13/Rev.2), which differed from the first in the following manner:

Paragraph 2: The paragraph was revised by the addition of the words "as soon as possible" between the words "abolish" and "all forms of whipping".

Paragraph 4: The paragraph was revised to read as follows:

"To recommend the abolition of discriminatory laws and practices contrary to the principles of the Charter and the Trusteeship Agreements in all Trust Territories in which these laws and practices still exist."

Paragraph 5: The paragraph was revised to read as follows:

"To recommend that the Trusteeship Council should examine any laws, statutes and ordinances which may be brought to its attention, as well as their application, in the Trust Territories so as to enable it to make positive recommendations to the Administering Authorities concerned with a view to the abolition of all discriminatory provisions or practices."

28. At the 98th meeting, the second revised draft resolution was discussed. The delegation of the Philippines withdrew its amendments to paragraphs 3 and 6, but maintained its amendment to paragraph 2 (A/C.4/L.17).

29. The delegations of Czechoslovakia and China submitted amendments to paragraphs 3 and 5 respectively, as referred to in paragraph 31 below.

30. The delegations of Cuba and China amended paragraph 2 to read as follows:

"2. To recommend the adoption of strong and effective measures to abolish immediately the corporal punishment of whipping in the Trust Territory of Ruanda-Urundi, and give full support to the recommendation of the Council that corporal punishment should be abolished immediately in Togoland and the Cameroons under British administration and in the Trust Territory of New Guinea."

31. At the same meeting, the Committee voted on the amendments and on the revised joint draft resolution, paragraph by paragraph.

The first paragraph of the preamble was adopted by 42 votes to none, with 2 abstentions.

The second paragraph of the preamble was adopted by 42 votes to none, with 2 abstentions.

Paragraph 1 of the operative part was adopted by 43 votes to 1, with 1 abstention.

/Paragraph 2:

Paragraph 2: The amendment submitted by the delegation of the Philippines (A/C.4/L.17) read as follows:

"To recommend the adoption of strong and effective measures to abolish all forms of whipping or corporal punishment as soon as possible in the Trust Territories where such forms of punishment exist".

The amendment was rejected by 29 votes to 11, with 3 abstentions.

The paragraph was voted upon by roll call, as follows:

In favour: Afghanistan, Brazil, Byelorussian Soviet Socialist Republic, Chile, China, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Ethiopia, Greece, Guatemala, India, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Union of South Africa, United Kingdom.

Abstentions: Belgium, Canada, Dominican Republic, France, Netherlands.

Paragraph 2 was adopted by 37 votes to 3, with 5 abstentions.

Paragraph 3: The amendment submitted by the delegation of Czechoslovakia read as follows:

"To express its concern that the Council has not approved any conclusions or recommendations with respect to the existence in some territories of such important social problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants."

The amendment was rejected by 26 votes to 5, with 9 abstentions.

Paragraph 3 was adopted by 42 votes to none with 3 abstentions.

Paragraph 4: Paragraph 4 was adopted by 44 votes to none, with no abstentions.

Paragraph 5: The delegation of Australia proposed an amendment to replace the words "...with a view to the abolition of all discriminatory provisions or practices" by the words "... with a view to the abolition of any discriminatory provisions or practices contrary to Article 76 of the Charter". The amendment was rejected by 26 votes to 7, with 9 abstentions.

The delegation of China proposed an amendment to replace the paragraph by the following text:

"To recommend that the Trusteeship Council should examine all laws, statutes and ordinances, as well as their application, in the Trust Territories and make positive recommendations to the Administering Authorities concerned with a view to the abolition of all discriminatory provisions or practices."

The amendment was adopted by 17 votes to 15, with 11 abstentions.

Paragraph 6: Paragraph 6 was adopted by 37 votes to 2, with 4 abstentions.

The draft resolution, as amended, headed by the title "Social Advancement in Trust Territories", was adopted by 39 votes to 2, with 4 abstentions. The text of the draft resolution is reproduced at the end of the present report as resolution IV.



V. PROPOSAL DEALING WITH EDUCATIONAL ADVANCEMENT IN TRUST TERRITORIES

32. The delegation of Brazil submitted a draft resolution (A/C.4/L.7) reading as follows:

"The General Assembly,

"Considering the need for the inclusion in the school curricular in the Trust Territories of instruction on the United Nations, the Trusteeship System and the special status of Trust Territories,

"Having examined the conclusions and recommendations of the Trusteeship Council with respect to educational advancement in the Trust Territories of the Cameroons and Togoland under British administration, the Cameroons and Togoland under French administration, Western Samoa, Nauru and New Guinea,

"Considering resolutions 36 (III) of 8 July 1948, 83 (IV) of 9 February 1949 and 110 (V) of 19 July 1949, adopted by the Trusteeship Council, concerning the application of which the Assembly desires more detailed information,

"Decides

"1. To recommend to the Trusteeship Council that it should continue its programme for the development and promotion of the spread of information on the United Nations and the Trusteeship System in the Trust Territories, and to make the necessary recommendations to the Administering Authorities;

"2. To draw the attention of the Trusteeship Council to the necessity of requesting the Administering Authorities to study the possibility of including in the curricula of schools in the Trust Territories instruction on the United Nations, the Trusteeship System and the special status of Trust Territories;

"3. To express its satisfaction at the Council's recommendations for an increase in the budgetary provisions for education in the Trust Territories;

"4. To express the opinion that the wider expansion and more rapid development of the present facilities for the higher education of indigenous students in the Trust Territories is an essential contribution to the progress towards autonomy or independence of the inhabitants of those Territories;

"5. To congratulate the Administering Authorities which have adopted measures for the establishment in Africa of educational institutions of university standard and systems of scholarships allowing indigenous students to finish their university training in other countries.

/"6. To declar

"6. To declare formally that, in accordance with the principles of the Charter, the Trusteeship Agreements and the Universal Declaration of Human Rights, the existence of discrimination as regards educational facilities available to native or non-native students is inadmissible;

"7. To recommend to the Trusteeship Council the inclusion in its next report to the General Assembly of a special chapter on the manner in which the Administering Authorities have applied resolutions 36 (III) on the provision of information concerning the United Nations to the peoples of Trust Territories, 83 (IV) on educational advancement in Trust Territories, free primary education and the training of indigenous teachers, and 110 (V) on higher education in the Trust Territories in Africa."

33. The delegation of Brazil subsequently submitted a revised resolution (A/C.4/L.7/Rev.1) which differed from the original text in the following respects:

The first paragraph of the preamble was revised to read as follows:

"Considering the desirability of including in the school curricula in the Trust Territories instruction on the United Nations, the Trusteeship System and the special status of Trust Territories;"

Paragraph 3 of the operative part was revised to read as follows:

"To express its hope that, in the spirit of the Council's recommendations for an increase in the budgetary provisions for education in the Trust Territories, the Administering Authorities will give in preparing their budgets, special prominence to the improvement and increasing of educational facilities;"

Paragraph 6 was revised to read as follows:

"To declare formally that discrimination on racial grounds as regards educational facilities available to the different communities in the Trust Territories is not in accordance with the principles of the Charter, the Trusteeship Agreements and the Universal Declaration of Human Rights;"

Paragraph 7: The word "chapter" was replaced by the word "section".

The revised draft resolution was discussed at the 100th, 101st and 102nd meetings of the Committee.

The delegation of Mexico submitted an amendment (A/C.4/L.19) to paragraph 2 of the operative part of the revised draft resolution which consisted of adding the following words at the end of the paragraph:

"...and, to this end, to make use, if they so desire, of any co-operation that may be furnished by the United Nations Educational, Scientific and Cultural Organization."

The amendment was accepted by the delegation of Brazil.

34. The delegation of the Philippines submitted the following amendments (A/C.4/L.20) to the revised draft resolution:

In the second paragraph of the preamble, insert the word "approvingly" after the words "having examined".

In the third paragraph of the preamble, replace the word "application" by the word "implementation".

In paragraph 1 of the operative part, replace the words "that is should" by the word "to".

In paragraph 7, replace the words "next report" by the words "annual reports"; replace the word "applied" by the word "implemented"; add at the end the words "...and otherwise on the Council's recommendations in the field of education".

These amendments were accepted by the delegation of Brazil except the amendment to the second paragraph of the preamble, which the delegation of the Philippines thereupon withdrew.

35. The delegation of the Union of Soviet Socialist Republics submitted an amendment (A/C.4/L.21) proposing the deletion of paragraph 5 of the operative part.

36. The delegation of Yugoslavia submitted an amendment (A/C.4/L.22) proposing the replacement of paragraph 5 by a new text.

37. At the 102nd meeting, the Committee voted on the revised Brazilian draft resolution in its final form paragraph by paragraph, together with the related amendments.

The first paragraph of the preamble was adopted by 44 votes to none, with no abstentions.

The second paragraph of the preamble was adopted by 45 votes to none, with no abstentions.

The third paragraph of the preamble was adopted by 45 votes to none, with no abstentions.

Paragraph 1 of the operative part: Paragraph 1 was adopted by 45 votes to none, with no abstentions.

Paragraph 2: Paragraph 2 was adopted by 41 votes to none, with 4 abstentions.

Paragraph 3: Paragraph 3 was adopted by 44 votes to none, with 5 abstentions.

Paragraph 4: Paragraph 4 was adopted by 39 votes to none, with 6 abstentions.

/Paragraph 5:

Paragraph 5: The amendment submitted by the delegation of the USSR to delete the paragraph was rejected by 32 votes to 5, with 7 abstentions.

The amendment submitted by the delegation of Yugoslavia to replace the paragraph by a new text, was voted upon in two parts. The first part read as follows:

"To take note of the measures adopted by certain Administering Authorities for the establishment in Africa of educational institutions of university standard and systems of scholarship allowing indigenous students to finish their university training in other countries;"

This part of the amendment was rejected by 25 votes to 8, with 11 abstentions.

The Committee decided that the second part of the amendment, if adopted, would be added at the end of paragraph 5.

The second part read as follows:

"to recommend the Trusteeship Council to invite these Administering Authorities to intensify such measures, and to invite those Administering Authorities which up to the present time have not applied any of these measures to adopt them as soon as possible".

This part of the amendment was adopted by 21 votes to 12, with 9 abstentions.

The paragraph as amended was adopted by 33 votes to 5, with 6 abstentions.

Paragraph 6: Paragraph 6 was adopted by 45 votes to none, with no abstentions.

Paragraph 7: Paragraph 7 was adopted by 45 votes to none, with no abstentions.

The draft resolution as a whole was adopted by 39 votes to 5, with no abstentions. The text of the draft resolution is reproduced at the end of the present report as resolution V.

71. PROPOSAL DEALING WITH THE USE OF THE FLAG OF THE UNITED NATIONS IN TRUST TERRITORIES

38. The delegations of China, Costa Rica, Egypt, Liberia, Mexico and the Philippines submitted a joint draft resolution (A/C.4/L.11) proposing that the General Assembly should request the Trusteeship Council to recommend to the Administering Authorities concerned that the flag of the United Nations be flown over all the Trust Territories. The draft resolution was subsequently revised (A/C.4/L.11/Rev.1) in order to incorporate in it amendments proposed by the delegations of the Dominican Republic and Egypt. The amendment submitted by the Dominican Republic proposed that reference should be made to General Assembly resolution 167(II) of 20 October 1947 whereby the United Nations flag was adopted. The delegation of Egypt proposed that the flag of the United Nations should be flown side by side with that of the Administering Authority concerned and with the territorial flag, if there were one.
39. The delegation of the United Kingdom submitted an amendment (A/C.4/L.14) proposing that the last paragraph of the joint draft resolution be replaced by the following text:

"Requests the Trusteeship Council to study the possibility of inviting the Administering Authorities concerned to fly the United Nations flag where appropriate in all Trust Territories".

40. The Committee considered the joint draft resolution and the amendment thereto at its 96th and 97th meetings.

The amendment was rejected by 26 votes to 7, with 7 abstentions.

The draft resolution was voted upon by roll-call as follows:

In favour: Afghanistan, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Guatemala, India, Iraq, Israel, Lebanon, Liberia, Mexico, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia,

Against: Australia, Belgium, France, Netherlands, United Kingdom of Great Britain and Northern Ireland.

Abstentions: Argentina, Greece, New Zealand, Union of South Africa.

The draft resolution was adopted by 35 votes to 5, with 4 abstentions.

The text of the draft resolution is reproduced at the end of this report as resolution VI.

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41. The Fourth Committee therefore recommends to the General Assembly the adoption of the following resolutions:

/RESOLUTION I

RESOLUTION I

POLITICAL ADVANCEMENT OF TRUST TERRITORIES

The General Assembly,

Having considered the report of the Trusteeship Council covering its fourth and fifth sessions and the various decisions and recommendations made by it in the course of the discharge of its functions,

1. Takes note of the decisions taken by the Trusteeship Council and expresses its full support of the Council's recommendations to the Administering Authorities for the adoption by the latter of measures which would hasten the advancement of the Trust Territories toward self-government or independence, in accordance with the objectives laid down in Article 76 b of the Charter;
2. Expresses the view that the seat of administration in respect of all Trust Territories should be located inside the territories concerned;
3. Recommends to the Trusteeship Council that it should include in its annual reports to the General Assembly information in a special section dealing with the implementation by the Administering Authorities of the Council's recommendations concerning the measures adopted to grant the indigenous inhabitants of the Trust Territories a larger degree of self-government through participation in the legislative, executive and judicial organs and procedures of the Trust Territories;
4. Calls upon all the Administering Authorities to furnish to the Trusteeship Council, within one year, general plans and an outline of the ways and means by which they intend, in respect of each Trust Territory, to comply with the provisions of the Charter relating to the progressive development of Trust Territories toward self-determination, self-government or independence as speedily as possible.

RESOLUTION II

PETITIONS AND VISITING MISSIONS

The General Assembly,

Considering that the examination of petitions is one of the principal functions of the Trusteeship Council under the Charter and that the prompt and effective discharge of this function is indispensable for the realization of the objectives set forth in Article 76 b of the Charter and for the promotion of the confidence of the inhabitants of the Trust Territories in the International Trusteeship System,

Observing with particular interest the activities of the Trusteeship Council in sending visiting missions to the territories under Trusteeship,

Recommends to the Trusteeship Council that it should:

1. Take such measures as it may deem appropriate with a view to facilitating and accelerating the examination and disposal of petitions;
2. Direct visiting missions to report fully on the steps taken towards the realization of the objectives set forth in Article 76 b of the Charter, under the headings of political, economic, social and educational advancement, and in particular on the steps taken toward self-government or independence.

RESOLUTION III  
ECONOMIC ADVANCEMENT IN THE  
TRUST TERRITORIES

The General Assembly,

Having taken note of the conclusions and recommendations of the Trusteeship Council on the economic advancement of the following Trust Territories; Cameroons and Togoland under British Administration, Cameroons and Togoland under French Administration, Western Samoa, New Guinea and Nauru,

Resolves

1. To express full support of the recommendations of the Trusteeship Council and of all steps leading to a greater participation of indigenous inhabitants in the profits and management of entities, public or private, engaged in the exploitation of mineral and other natural resources or in the production of, or trade in, raw materials and commodities basic to the economy of Trust Territories;
2. To reaffirm the principle that the interests of the indigenous inhabitants must be paramount in all economic plans or policies in Trust Territories, particularly in raising the standards of living, level of wages, and in improving housing, nutrition and health conditions;
3. To express its concern that the lack of budgetary autonomy in some cases and the scarcity of data in others did not allow the Trusteeship Council to make a thorough examination of the financial situation of certain territories;
4. To note with satisfaction the excellent financial situation in the Trust Territories of Western Samoa and Nauru and to endorse the recommendations of the Council regarding the need for the formulation of plans laying down a sound economic foundation for these two territories;
5. To recommend to the Trusteeship Council the inclusion in its annual reports to the General Assembly of a special section on the implementation by the Administering Authorities of its recommendations on the economic advancement of the Trust Territories.

/RESOLUTION IV



RESOLUTION IV

SOCIAL ADVANCEMENT IN TRUST TERRITORIES

The General Assembly,

Having taken note of the conclusions and recommendations of the Trusteeship Council on the social advancement of the following Trust Territories, the Cameroons and Togoland under British administration, the Cameroons and Togoland under French administration, Western Samoa, New Guinea and Nauru, and of the conclusions and observations of its Visiting Mission to East Africa, incorporated in the report of the Trusteeship Council,

Recalling that one of the basic objectives of the International Trusteeship System is to encourage respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Resolves

1. To express its satisfaction at the recommendations of the Trusteeship Council concerning the absolute prohibition of such uncivilized practices as child marriage in the Trust Territories where such practices exist;
2. To recommend the adoption of strong and effective measures to abolish immediately the corporal punishment of whipping in Ruanda-Urundi, and to give full support to the recommendation of the Trusteeship Council that corporal punishment should be abolished immediately in the Cameroons and Togoland under British administration and in New Guinea;
3. To recommend to the Trusteeship Council the adoption of suitable measures for solving in a broad and humanitarian spirit such important social problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants;
4. To recommend the abolition of discriminatory laws and practices contrary to the principles of the Charter and the Trusteeship Agreements, in all Trust Territories in which such laws and practices still exist;
5. To recommend that the Trusteeship Council should examine all laws, statutes and ordinances, as well as their application, in the Trust Territories and make positive recommendations to the Administering Authorities concerned with a view to the abolition of all discriminatory provisions or practices;
6. To ask the Trusteeship Council to include in its annual reports to the General Assembly a special section dealing with the implementation by the Administering Authorities of its recommendations concerning the improvement of social conditions in Trust Territories, the abolition of corporal punishment and in particular the action taken in pursuance of the recommendation contained in paragraph 5 above.

RESOLUTION V

EDUCATIONAL ADVANCEMENT IN TRUST TERRITORIES

The General Assembly,

Considering the desirability of including in the school curricula in the Trust Territories instruction on the United Nations, the International Trusteeship System and the special status of Trust Territories,

Having examined the conclusions and recommendations of the Trusteeship Council with respect to educational advancement in the Trust Territories of the Cameroons and Togoland under British administration, the Cameroons and Togoland under French administration, Western Samoa, New Guinea and Nauru,

Considering resolutions 36 (III) of 8 July 1948, 83 (IV) of 9 February 1949 and 110 (V) of 19 July 1949 adopted by the Trusteeship Council, concerning the implementation of which the Assembly desires more detailed information,

Resolves

1. To recommend to the Trusteeship Council to continue its programme for developing and promoting in the Trust Territories the diffusion of information on the United Nations and on the International Trusteeship System and to make the necessary recommendations to the Administering Authorities;
2. To draw the attention of the Trusteeship Council to the necessity of requesting the Administering Authorities to study the possibility of including in the curricula of schools in the Trust Territories instruction on the United Nations, the International Trusteeship System and the special status of Trust Territories and to this end to make use, if they so desire, of the co-operation that may be furnished by the United Nations Educational, Scientific and Cultural Organization;
3. To express its hope that, in the spirit of the Trusteeship Council's recommendations for an increase in the budgetary provisions for education in the Trust Territories, the Administering Authorities will give, in preparing their budgets, special prominence to improving and increasing educational facilities;
4. To express the opinion that the wider expansion and more rapid development of the present facilities for the higher education of indigenous students in the Trust Territories constitute an essential contribution to the progress towards autonomy or independence of the inhabitants of these Territories;
5. To congratulate the Administering Authorities which have adopted measures for the establishment in Africa of educational institutions of

/university

university standard and systems of scholarships allowing indigenous students to complete their university training in other countries and to recommend to the Trusteeship Council that it call upon those Administering Authorities to intensify such measures and that it call upon the Administering Authorities which, up to the present time have not applied any of these measures to adopt them as soon as possible;

6. To declare formally that discrimination on racial grounds as regards educational facilities available to the different communities in the Trust Territories is not in accordance with the principles of the Charter, the Trusteeship Agreements and the Universal Declaration of Human Rights;

7. To recommend the Trusteeship Council to include in its annual reports to the General Assembly a special section on the manner in which the Administering Authorities have implemented resolution 36 (III) on the provision of information concerning the United Nations to the peoples of Trust Territories, resolution 83 (IV) on educational advancement in Trust Territories, free primary education and the training of indigenous teachers, and resolution 110 (V) on higher education in the Trust Territories in Africa, and, generally, on the implementation of the Council's recommendations in the field of education.

RESOLUTION VI  
USE OF THE FLAG OF THE UNITED NATIONS IN  
TRUST TERRITORIES

The General Assembly,

Considering its resolution 167 (II) of 20 October 1947 by which it adopted the United Nations flag,

Realizing that the accomplishment of the objectives of the International Trusteeship System requires not only the closest collaboration between the Trusteeship Council and the Administering Authorities concerned, but also the active co-operation of the peoples of all Trust Territories,

Mindful of the fact that one of the most potent means of stimulating the interest and enlisting the co-operation of the peoples of Trust Territories is to keep them constantly reminded of the abiding concern of the United Nations in the promotion of their political, economic, social and educational advancement, and their full enjoyment of human rights and fundamental freedoms,

Considering that the flag of the United Nations symbolizes the ideals and aspirations proclaimed in the Charter, which include the effective implementation of the principles of the International Trusteeship System,

Requests the Trusteeship Council to recommend to the Administering Authorities concerned, that the flag of the United Nations be flown over all Trust Territories side by side with the flag of the Administering Authority concerned and with the territorial flag if there is one.

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