

TWO HUNDRED AND FORTIETH PLENARY MEETING

Held at Flushing Meadow, New York, on Tuesday, 15 November 1949, at 3 p.m.

President: General Carlos P. RÓMULO (Philippines).

Report of the Trusteeship Council: report of the Fourth Committee (A/1028) (concluded)

1. Mr. DE BRUYNE (Belgium) said that, under paragraph 4 of draft resolution I on the political advancement of Trust Territories, the Administering Authorities would be called upon to inform the Trusteeship Council of the measures they intended to adopt with a view to attaining the objectives set forth in Article 76 b of the Charter. The result would be that the Trusteeship Council would consider itself qualified to discuss the intentions of the Administering Authorities and to pronounce on their merits; in a word, it would feel that it could intervene even at the stage at which measures for the administration of Trust Territories were being prepared.
2. In the view of the Belgian delegation, if the General Assembly gave its approval to such a practice, it would be flatly contravening the provisions of the Charter and of the Trusteeship Agreements, which placed the entire responsibility for the administration of Trust Territories on the Administering Authorities. In particular, the Agreement for Ruanda-Urundi stated that the Administering Authority alone had "full powers of legislation, administration and jurisdiction". A more general wording could not be conceived.
3. The Trusteeship Council's function was supervisory. Prior approval by the Council of the measures which the Administering Authorities proposed to take could not relieve the said Authorities of their responsibilities. Moreover, nothing in the Charter or in the Trusteeship Agreements required the Administering Authorities to consult the Trusteeship Council before they took any measure.
4. The division of responsibilities between the Administering Authorities on the one hand, and the Trusteeship Council and the General Assembly on the other, could not be altered without tampering with the operation of the Trusteeship System and formally violating the instruments governing that operation.
5. It was beyond doubt that a requirement such as that proposed in paragraph 4 of draft resolution I exceeded the obligations assumed by the Administering Authorities and would therefore have to be expressly accepted by them. Belgium had always been anxious to discharge scrupulously all the obligations it had assumed. It intended not to fail in its duty, but was firmly decided not to go beyond the obligations prescribed in the Charter and the Trusteeship Agreement.
6. That was the position of the Belgian delegation and the explanation for the adverse vote which, to its regret, it would have to cast.
7. Mr. HOOD (Australia) said that many aspects of the draft resolutions under discussion were not congenial to at least some of the Administering Authorities. He was speaking only for the Administering Authority which he represented, but it was clear from the debates which had taken place in the Fourth Committee that, time and again, quite definite warnings had been given by the representatives of all the Administering Authorities that in certain respects the proposals before the Assembly did not conform to the realities which the Administering Authorities themselves had to take into account.
8. He himself, together with the representatives of other Administering Authorities, had tried to indicate in the Fourth Committee that it was not wise for the General Assembly either to urge the Trusteeship Council to proceed at an unduly rapid pace in exercising its supervision or, still less, to address direct recommendations to the Administering Authorities which they themselves had attempted to indicate could not be implemented for the time being. He trusted that the General Assembly would still bear those considerations in mind and, before deciding to adopt any particular proposal, would take due heed of the possibilities of actually implementing it in the Trust Territories. He also hoped that the Assembly would pay due regard to the attitude which had been quite honestly and frankly expressed on behalf of the Administering Authorities regarding the position which they would be compelled to adopt towards certain of those proposals.
9. Turning first to draft resolution I, on the political advancement of the Trust Territories, he observed that previous speakers had pointed out that two or three of the clauses of that draft resolution had been severely contested in the Fourth Committee. As he recollected, those clauses had provoked quite intense debate and the voting on them had reflected the unfortunate division of opinion. Mr. Hood was referring especially to paragraphs 2 and 4 of draft resolution I.
10. In paragraph 2 the General Assembly was invited to express the view that the seat of administration in respect of all Trust Territories should be located inside the Territories concerned. The Australian delegation held that the subject, which was by no means uncomplicated, had at no stage been fully debated, either in the Fourth Committee or, still less, in the Trusteeship Council, where one would have expected it to have been brought up in the first instance. The Trusteeship Council would surely seem to be the body where some initial discussion should take place and where, if necessary, expert opinions could be obtained and considered.
11. A much more appropriate course for the General Assembly to adopt in respect of the proposal advanced in paragraph 2 of the draft resolution would be to request the Trusteeship Council to consider the matter and to seek full information from the Administering Authorities concerned with a view to submitting a report to the Assembly. After the submission of such a report the General Assembly could, of course, determine what action it thought fit to take.
12. The question of the geographical seat of administration of a Trust Territory was one which had presented itself in a highly practical and concrete form to the Australian Government. Mr. Hood did not intend to repeat what he had said in the Fourth Committee concerning the fact that

the previous ten or twelve years' experience in that regard in the case of New Guinea had been a matter of very lively concern to his Government. The pre-war administrative capital of the Trust Territory of New Guinea had been in Rabaul, which was actually in the Trust Territory. For various reasons into which he would not go for the moment, and after very honest and careful study of all the interests and considerations involved, the Administering Authority, which was the Australian Government, had decided that the best seat of administration for both New Guinea and Papua was the town of Port Moresby, which was in fact outside the Trust Territory although it was in Papua. Mr. Hood would not repeat the full explanation which his delegation had made in the Fourth Committee regarding the reasons for the choice of Port Moresby, but he did not wish the General Assembly to think that the choice, which had great practical importance on the spot, had been the subject of any light-hearted or careless decision. On the contrary, it had been a pre-occupation of the Australian Government for a long period, and the decision had been taken after the most careful deliberation.

13. That was why, in his opinion, the question was not one for hasty action by the General Assembly but rather a matter for preliminary study and consideration by the Trusteeship Council with a view to reporting later to the Assembly.

14. The delegation of Australia would be compelled, for reasons stated previously, to oppose paragraph 4 of draft resolution I. In the operation of the Trusteeship System a clear line must be drawn between the responsibilities of the Administering Authority on the one hand, and of the United Nations on the other. It was consistent with the Trusteeship System that the Administering Authority of a Trust Territory should be not only permitted but should indeed be obliged to make its own decisions and to use its own judgment in regard to the government of that Territory. If that were not so, the Administering Authority would to all intents and purposes have surrendered its functions. The actions of the Administering Authority should be supervised by the United Nations, which should assess the actions of a trustee State in the light of the principles, standards and undertakings set out in the Charter and in the Trusteeship Agreements, but the function of the General Assembly was purely supervisory. As it stood, paragraph 4 of draft resolution I called upon the Administering Authorities to furnish plans and an outline of the ways and means by which they intended to comply with the provisions of the Charter. That was quite different from assessing the actions of an Administering Authority. It was something quite different from supervision and it was outside the legitimate and expressly prescribed functions of the United Nations in that respect.

15. The Australian delegation would therefore oppose both paragraph 2 and paragraph 4 of draft resolution I.

16. Referring to draft resolution IV, which dealt with social advancement in Trust Territories, Mr. Hood drew attention to a short amendment submitted by his delegation. He hoped the amendment would commend itself to the General Assembly, as it was intended to rectify a certain misconception.

17. Paragraph 2 of draft resolution IV recommended the adoption of measures to "abolish immediately the corporal punishment of whipping". In the Fourth Committee the Australian representative had pointed out that that recommendation as it stood might be wrongly interpreted, since in fact there was no corporal punishment in the Territory of New Guinea, and the General Assembly would notice that the Territories referred to in connexion with a recommendation of the Trusteeship Council were the Cameroons and Togoland under British administration and New Guinea. The Trusteeship Council itself had recognized that fact when it had stated in its report that in New Guinea "no sentences of corporal punishment have been imposed since the resumption of civil administration",¹ in other words, for some years.

18. The Council had recommended "that the Administering Authority formally abolish corporal punishment".¹ The Australian amendment (A/1090) to draft resolution IV was intended to make that draft resolution reflect more accurately the recommendation of the Trusteeship Council. It called for the deletion from paragraph 2 of the words "and in New Guinea", and the substitution of the words "and that corporal punishment be formally abolished in New Guinea".

19. Mr. Hood hoped his explanation rendered it sufficiently clear why his delegation had felt it desirable and even necessary to suggest the change in the text of draft resolution IV, and he had no doubt that the General Assembly would recognize it as only fair and right that that particular paragraph should reflect more closely the actual recommendation of the Trusteeship Council.

20. Paragraph 5 of the draft resolution concerned the abolition of discriminatory practices and provisions. The Australian delegation would have to oppose that clause on the ground that the examination referred to should be carried out—and, undoubtedly, was intended to be carried out—as part of the normal procedure of the Trusteeship Council.

21. Regularly, each year, the Trusteeship Council had before it, direct from the Administering Authorities, reports on their actions during the previous year in the Trust Territories. It also had reports at regular, though less frequent, intervals from the Visiting Missions to Trust Territories. The contents of those reports should and did include, as a matter of course, all necessary references to so-called discriminatory practices, for some of which there were adequate and good reasons. Moreover, it was part of the normal function and the normal duty of the Trusteeship Council itself to examine all the conditions mentioned in those reports on that aspect of the administration of Trust Territories. It was the function of the Trusteeship Council, after proper examination and with expert guidance, where needed, to furnish its own report to the General Assembly. That was the correct and, in the long run, the only realistic and feasible way of dealing with those matters.

22. Mr. LIU (China) said that in the Fourth Committee his delegation had voted for all the draft resolutions submitted to the General Assembly for approval. After the lengthy debate

¹ See *Official Records of the fourth session of the General Assembly*, Supplement No. 4, page 66.

which had taken place in Committee, he did not wish to recapitulate the arguments then advanced by his delegation, but would merely say that his delegation was happy and proud to have associated itself with others in subscribing to those draft resolutions which, when adopted by the General Assembly, would doubtless mark significant progress in the operation of the International Trusteeship System. The Chinese delegation would vote for those draft resolutions in the Assembly and hoped they would be supported by a great majority of the members.

23. Mr. Liu wished to speak in support of the amendment proposed by the representative of Australia to paragraph 2 of draft resolution IV. As the sponsor of the original amendment which the representative of Australia was seeking to amend, the Chinese delegation felt it should support the Australian amendment. It accepted the validity of the argument advanced in favour of that amendment, inasmuch as in fact corporal punishment was no longer practised in the Trust Territory of New Guinea. The situation in New Guinea differed from the situation prevailing in the other two Trust Territories referred to in the second part of paragraph 2. In the case of the latter, what was sought was abolition of corporal punishment both in practice and in law; in the case of the former what was sought was only formal abolition of corporal punishment.

24. Without criticizing the Chairman of the Fourth Committee, Mr. Liu regretted that he had ruled the Australian representative's amendment out of order on technical grounds; Mr. Liu felt that such a matter should have been settled in Committee. Although he had at times disagreed with the representative of Australia, on that point he wholeheartedly supported him. The Chinese delegation would therefore not only vote in favour of the Australian amendment, but would ask the General Assembly to approve it as a very reasonable amendment.

25. Mr. FAHY (United States of America) recalled that in the Fourth Committee his delegation had voted for five of the six draft resolutions before the Assembly, including draft resolution VI concerning the use of the United Nations flag in Trust Territories. The United States delegation would continue to support those draft resolutions in the Assembly.

26. The United States delegation was obliged, however, to oppose paragraphs 2 and 4 of draft resolution I concerning political advancement.

27. It would oppose paragraph 2, as it had done in the Fourth Committee, for two reasons. In the first place, that paragraph was inconsistent with the provisions of the Trusteeship Agreements on certain Territories; that inconsistency should be eliminated if possible before the principle was adopted by the General Assembly. In the second place, the United States delegation was sincerely convinced that it was not in the best interests of all the Trust Territories that that principle, however sound in theory, should be put forward by the General Assembly for immediate practical application in all the Territories.

28. With regard to paragraph 4, Mr. Fahy thought that if it were carefully read, its lack of wisdom would become clearly apparent. The United States delegation shared the view, so well expressed by the representative of Thailand

(239th meeting) that that paragraph of draft resolution I was not practical and would not produce good results; it would be unwise for the Assembly to adopt it, for progressive development towards self-government or independence was a matter which depended not only upon economic, social and political advancement but also upon the intellectual and moral level of a people as well as on the extent of their progress towards self-government. A blue-print in that area of human activity should not be called for at the moment, at any rate for all the Trust Territories, especially since there were such varying degrees of development among the different Territories.

29. The United States delegation was glad to join with the representative of China in supporting the Australian amendment. In all other respects it would be glad to support, as it had done in the Committee, the group of draft resolutions recommended to the General Assembly by the Fourth Committee.

30. Mr. VILFAN (Yugoslavia) stated that his delegation, acting in accordance with its stand in the Committee, would vote in favour of all the draft resolutions except draft resolution III on economic advancement in the Trust Territories. That vote would not mean that the Yugoslav delegation considered those draft resolutions to be satisfactory. Their contents fell far short of what, in its opinion, could and should be done.

31. As it had stated on many occasions, the Yugoslav delegation was convinced that the International Trusteeship System could be justified only if it helped the peoples under trusteeship to achieve self-government and independence as rapidly as possible. The Yugoslav delegation would always consider the attainment of independence by Trust Territories and Non-Self-Governing Territories as the only final solution.

32. One of the basic principles of the Charter was the peace among peoples was based on respect of equal rights and on self-determination. That principle did not lose its validity when applied to peoples under trusteeship. It governed the assessment of policies pursued in the Trust Territories, and it should also inspire the recommendations addressed to the Administering Authorities.

33. Examined in the light of that final aim, the draft resolutions before the General Assembly did not represent a great step forward. They were not only confined, on the whole, to polite wishes, but they were very modest in substance.

34. The positive feature of the draft resolutions, however, was that they expressed—although in a very indefinite way—the world's conviction that more rapid progress should be realized in the cultural and social development of the indigenous peoples and in their participation in the administration of their countries, in short, in the development of the whole life of the peoples of the Trust Territories. In that sense, despite all their deficiencies, they represented a short step forward, and brought additional pressure on the Administering Authorities.

35. The Yugoslav delegation wished in particular to define its attitude towards draft resolution III, on economic advancement in the Trust Territories, and towards draft resolution V, on educational advancement in the Trust Territories.

36. In its opinion, those draft resolutions contained unnecessary compliments to the Adminis-

tering Authorities. In reality, there were no achievements which merited special mention. The Yugoslav delegation had made that clear in Committee, and wished to emphasize it again. In Committee it had tried to change the wording in one of the draft resolutions, but without success. But that was not the decisive feature of the two draft resolutions. In addition to the compliments to the Administering Authorities, both drafts contained certain stipulations which had determined the attitude of the Yugoslav delegation.

37. Draft resolution V contained very useful, precise and progressive provisions. Mr. Vilfan had in mind particularly the provisions set forth in paragraphs 3, 4, 6 and 7 relating respectively to the budget for education in the Trust Territories, the expansion and more rapid development of existing facilities for the higher education of indigenous students, a formal declaration against racial discrimination, and the implementation of the Trusteeship Council's recommendations in the field of education. The adoption of those provisions was of direct and immediate interest to the Trust Territories, and the Yugoslav delegation wished to contribute its part by supporting the draft resolution as a whole. Draft resolution III, on the other hand, did not provide for any comparable measures.

38. The delegation of Yugoslavia would therefore vote in favour of draft resolution V but would abstain from voting on draft resolution III.

39. Mr. EL KONI (Egypt) stated that his delegation wholeheartedly supported all six draft resolutions contained in the report on the Fourth Committee, with the amendment proposed by the Australian delegation. It considered that those six draft resolutions would serve to accelerate the advancement of the peoples of the Trust Territories without overburdening the Administering Authorities. All that they asked those Powers to do was to redouble and expedite their efforts. The world was moving fast, and so should the Trust Territories, in order to catch up with world progress. It was therefore necessary to avoid delay.

40. The Egyptian delegation, while considering all the draft resolutions equally important, wished to stress the particular importance of draft resolution I, which dealt with the political advancement of Trust Territories. That importance resided in the fact that the ultimate objective of all the other draft resolutions was to prepare the peoples of the Trust Territories for self-government or independence, whereas that was the direct objective of draft resolution I. Opposition to that draft resolution, in the opinion of the Egyptian delegation, was not justified.

41. Referring to paragraph 2 of draft resolution I, which expressed the view that in all Trust Territories the seat of administration should be situated within the Territory concerned, Mr. el Koni said that that view was compatible with the general and universal rule that every country should have its seat of administration within its boundaries. The Trust Territories should not be an exception to that well-established rule. On the contrary, there was every reason to uphold it firmly in respect of those Territories, in order to safeguard their individuality.

42. The recommendation contained in paragraph 4, which called upon the Administering Authorities to furnish the Trusteeship Council with their

plans for the progressive development of the Trust Territories towards self-government or independence, was the corner-stone of any political advancement. If the most highly developed countries, such as the Administering Authorities, adopted plans for their own development, Mr. el Koni did not think the General Assembly would be asking too much in suggesting that the same method should be applied to the under-developed Territories which needed it most.

43. Plans were already being carried out to exploit the economic resources of the Trust Territories. There was no reason not to employ the same methods, when they were essentially useful, for the political advancement of the inhabitants of those Territories. The representative of the Philippines had described the brilliant success of political planning in his country (239th meeting). That was a strong encouragement to give the same chance to other countries; if that method was not mentioned in the Charter, as some delegations had stated, it did not contradict the Charter; on the contrary, it was fully in accordance with the spirit of the Charter.

44. Draft resolution VI concerning the United Nations flag was a peaceful measure; there was no need to delay it or to study its repercussions on the Trust Territories, as it would allay the fears of the indigenous inhabitants regarding their future.

45. The other draft resolutions were self-explanatory, and the Egyptian delegation felt it need hardly to emphasize their necessity and utility.

46. The current session of the General Assembly showed every sign of becoming particularly productive, and that was due, in no small measure, to the activities of the Fourth Committee and its diligence in fulfilling its noble task of safeguarding the interests of the peoples of Trust Territories without causing any hardship to the Administering Authorities. The delegation of Egypt sincerely hoped that the General Assembly would adopt the draft resolutions by an overwhelming majority, in order to show once more to the peoples of the Trust Territories the concern of the United Nations for their welfare and political advancement. Those peoples should be reminded every year of its paternal care and sympathy.

47. Mr. PEÓN DEL VALLE (Mexico) said his delegation was aware that the essential purpose of trusteeship was the advancement of the peoples who came within the sphere of action of the United Nations as a result of the International Trusteeship System, and that that progress within the framework of the United Nations could not be achieved unless the United Nations itself, and particularly the General Assembly, also made progress in its attitude to those peoples. The Mexican delegation thought that the work accomplished by the Fourth Committee at the current session was praiseworthy, useful and progressive; consequently it would vote in the Assembly, as in the Committee, for each of the six draft resolutions.

48. Referring to the use of the United Nations flag in Trust Territories, Mr. Peón del Valle said his delegation had been particularly pleased to join those delegations which had proposed the use of that emblem. From the legal standpoint, the decisive element in the position of the Trust Territories was the conjunction of two equally im-

portant factors, namely, the will of the Administering Authority, which had the right to fly its own flag, and the will of the United Nations. The flying of the United Nations flag would symbolize the active participation of the Organization in the life of the Trust Territories. In any case, it would not be a useless gesture, and no one could object to it.

49. With reference to the Australian amendment to paragraph 2 of draft resolution IV on social advancement, Mr. Peón del Valle recalled that a representative of Mexico had been Chairman of the Draft Committee of the Trusteeship Council which had prepared the chapter of the Council's report dealing with the Trust Territory of New Guinea, and that the information received by that Committee had been to the effect that corporal punishment, to which the Australian amendment related, was not practised in New Guinea.

50. With that assurance, therefore, the Mexican delegation accepted the amendment proposed by the Australian delegation.

51. The PRESIDENT recalled that, in accordance with rule 76 of the rules of procedure, decisions of the General Assembly on important questions were to be made by a two-thirds majority of the members present and voting. Specifically mentioned among those important questions were questions relating to the operation of the Trusteeship System.

52. He therefore ruled that a two-thirds majority would be necessary for the adoption of the operative parts of the draft resolutions of the Fourth Committee.

DRAFT RESOLUTION I

53. Recalling that a separate vote had been requested on each paragraph of draft resolution I, the President put the preamble and paragraph 1 to the vote.

The result of the vote was 54 in favour, none against, with one abstention.

The preamble and paragraph 1 were adopted, having obtained the required two-thirds majority.

54. The PRESIDENT put paragraph 2 to the vote.

The result of the vote was 29 in favour, 15 against, and 8 abstentions.

The paragraph was not adopted, having failed to obtain the required two-thirds majority.

55. The PRESIDENT put paragraph 3 to the vote.

The result of the vote was 53 in favour, none against, and 2 abstentions.

The paragraph was adopted, having obtained the required two-thirds majority.

56. The PRESIDENT stated that at the request of Mr. MENDOZA (Guatemala), paragraph 4 would be put to the vote by roll-call.

A vote was taken by roll-call.

Thailand, having been drawn by lot by the President, was called upon to vote first.

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

Against: Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Argentina, Australia, Belgium, Bolivia, Canada, Chile, Denmark, France, Liberia, Luxembourg, Netherlands, New Zealand, Norway, Paraguay, Peru, Sweden.

Abstaining: Thailand, Colombia, Dominican Republic, El Salvador, Greece, Nicaragua, Panama.

The result of the vote was 29 in favour, 21 against, and 7 abstentions.

The paragraph was not adopted, having failed to obtain the required two-thirds majority.

57. The PRESIDENT put draft resolution I to the vote as a whole, with paragraphs 2 and 4 deleted.

The result of the vote was 51 in favour, none against, and 2 abstentions.

Resolution I, as amended, was adopted, having obtained the required two-thirds majority.

DRAFT RESOLUTION II

58. The PRESIDENT put draft resolution II to the vote.

The result of the vote was 54 in favour, none against, and one abstention.

Resolution II was adopted, having obtained the required two-thirds majority.

DRAFT RESOLUTION III

59. The PRESIDENT stated that the USSR delegation had requested that each paragraph of draft resolution III should be voted upon separately. A roll-call vote on paragraph 1 had been requested. He put the preamble and paragraph 1 to the vote.

A vote was taken by roll-call.

Lebanon, having been drawn by lot by the President, was called upon to vote first.

In favour: Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Iceland, India, Iran, Iraq, Israel.

Against: United Kingdom of Great Britain and Northern Ireland.

Abstaining: Belgium.

The result of the vote was 55 in favour, one against, and one abstention.

The preamble and paragraph 1 were adopted, having obtained the required two-thirds majority.

60. The PRESIDENT put paragraph 2 to the vote.

The paragraph was adopted unanimously.

61. The PRESIDENT put paragraph 3 to the vote.

The result of the vote was 50 in favour, 3 against, and 5 abstentions.

The paragraph was adopted, having obtained the required two-thirds majority.

62. The PRESIDENT put paragraph 4 to the vote.

The result of the vote was 50 in favour, 4 against, and one abstention.

The paragraph was adopted, having obtained the required two-thirds majority.

63. The PRESIDENT put paragraph 5 to the vote.

The result of the vote was 53 in favour, none against, and 2 abstentions.

The paragraph was adopted, having obtained the required two-thirds majority.

64. The PRESIDENT put draft resolution III to the vote as a whole.

The result of the vote was 49 in favour, one against, and 7 abstentions.

Resolution III as a whole was adopted, having obtained the required two-thirds majority.

65. Mr. BIHELLER (Czechoslovakia) explained that his delegation had been unable to vote in favour of the resolution, and had therefore abstained from voting, because paragraph 4 contained contradictory statements. It said that the General Assembly resolved "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". Either the two Territories were in an excellent financial situation or they were in need of plans laying down a sound economic foundation. Both statements could not be true, and the delegation of Czechoslovakia had therefore been obliged to abstain from voting.

DRAFT RESOLUTION IV

66. The PRESIDENT recalled that the delegation of Australia had submitted an amendment to paragraph 2 of draft resolution IV. If there were no objections to that amendment, it would be considered adopted.

67. Mr. TSARAPKIN (Union of Soviet Socialist Republics), speaking on a point of order, requested that a vote should be taken on the amendment.

68. The PRESIDENT put the Australian amendment to paragraph 2 of draft resolution IV to the vote.

The amendment was adopted by 43 votes to 5, with 6 abstentions.

69. The PRESIDENT put draft resolution IV as amended to the vote. A vote by roll-call had been requested.

Afghanistan, having been drawn by lot by the President, was called upon to vote first.

In favour: Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Iceland, India, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: United Kingdom of Great Britain and Northern Ireland.

Abstaining: Belgium, Canada, France, Luxembourg.

The result of the vote was 52 in favour, one against, and 4 abstentions.

Resolution IV was adopted, having obtained the required two-thirds majority.

DRAFT RESOLUTION V

70. The PRESIDENT stated that the USSR delegation had requested that each paragraph of draft resolution V should be voted on separately.

71. He put the preamble and paragraph 1 of draft resolution V to the vote.

The result of the vote was 56 in favour, and none against.

The preamble and paragraph 1 were adopted, having obtained the required two-thirds majority.

72. The PRESIDENT put paragraph 2 to the vote.

The result of the vote was 49 in favour, none against, and 4 abstentions.

The paragraph was adopted, having obtained the required two-thirds majority.

73. The PRESIDENT put paragraph 3 to the vote.

The result of the vote was 53 in favour, none against, and one abstention.

The paragraph was adopted, having obtained the required two-thirds majority.

74. The PRESIDENT put paragraph 4 to the vote.

The result of the vote was 49 in favour, none against, and 6 abstentions.

The paragraph was adopted, having obtained the required two-thirds majority.

75. The PRESIDENT put paragraph 5 to the vote.

The result of the vote was 48 in favour, 5 against, and 2 abstentions.

The paragraph was adopted, having obtained the required two-thirds majority.

76. The PRESIDENT put paragraph 6 to the vote.

The result of the vote was 54 in favour, and none against.

The paragraph was adopted, having obtained the required two-thirds majority.

77. The PRESIDENT put paragraph 7 to the vote.

The result of the vote was 54 in favour, none against and one abstention.

The paragraph was adopted, having obtained the required two-thirds majority.

78. The PRESIDENT put draft resolution V to the vote as a whole.

The result of the vote was 50 in favour, none against, and 5 abstentions.

Resolution V was adopted, having obtained the required two-thirds majority.

DRAFT RESOLUTION VI

79. The PRESIDENT put draft resolution VI to the vote. A vote by roll-call had been requested.

A vote was taken by roll-call.

Lebanon, having been drawn by lot by the President, was called upon to vote first.

In favour: Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic.

public, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Iran, Iraq, Israel.

Against: Luxembourg, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Belgium, France.

Abstaining: Netherlands, New Zealand, Argentina, Australia.

The result of the vote was 48 in favour, 5 against, and 4 abstentions.

Resolution VI was adopted, having obtained the required two-thirds majority.

Administrative unions affecting Trust Territories: Trusteeship Council

REPORT OF THE FOURTH COMMITTEE (A/1065)

80. MR. DE MARCHENA (Dominican Republic), Rapporteur of the Fourth Committee, presented the report of the Fourth Committee and the accompanying draft resolution (A/1065).¹ He said that item 33 of the agenda dealing with administrative unions affecting Trust Territories had given rise to an exchange of opinions and legal interpretations which the General Assembly was bound to consider. The Assembly's conclusions would be of remarkable value and would reflect the sentiments of the various delegations which had taken an active part in the debates.

81. MR. FLETCHER-COOKE (United Kingdom) said that for reasons stated by his delegation in the Fourth Committee, the draft resolution adopted by the Committee was unacceptable to the United Kingdom; his delegation would therefore have to vote against it in the General Assembly, as it had done in the Fourth Committee.

82. To prevent misunderstanding of his Government's position, he would make a statement on behalf of his delegation regarding paragraph 1 of the draft resolution, wherein it was recommended that the Trusteeship Council should complete its investigation of the matter, paying particular attention to certain points.

83. With regard to sub-paragraph (a), wherein it was suggested that the Administering Authorities should inform the Trusteeship Council beforehand when they proposed to create new administrative unions or extend the scope of any existing union or federation, the United Kingdom Government took the view that neither the observation made in that sub-paragraph nor, indeed, any of the observations made in the succeeding sub-paragraphs should be taken to prejudice the investigation to be undertaken by the Trusteeship Council. Thus the United Kingdom claimed, and would claim in the Trusteeship Council, that that sub-paragraph should be construed to mean that the Council should study whether or not it was in fact desirable that the Administering Authorities should inform the Trusteeship Council before they took any further action. Similarly, the other sub-paragraphs should be regarded as questions to be considered by the Trusteeship Council and not as statements of accepted principles. In any case, Mr. Fletcher-Cooke wished to make it quite clear that if his Government were invited to sub-

mit its plans in that or in any other field for the advance approval of the Trusteeship Council, it would regretfully decline the invitation.

84. With regard to sub-paragraph (b) the United Kingdom delegation had previously stated that it hoped to be able to satisfy the requests of the Trusteeship Council for separate information relating to the Trust Territories, and it therefore hoped that the position envisaged by sub-paragraph (b) would not in fact arise.

85. The representative of the United Kingdom wished once again to make it clear, with all possible emphasis, that his Government could in no circumstances agree to supervision by the Trusteeship Council of any aspect of the administration of Non-Self-Governing Territories which had not been placed under the Trusteeship System.

86. With regard to sub-paragraphs (c) and (d), the United Kingdom would in due course again explain in detail to the Trusteeship Council why it was unable to accept them. Those sub-paragraphs were open to the objection, *inter alia*, that they appeared to run directly counter to the express provisions of the Trusteeship Agreements for the Cameroons and Togoland under British administration, and in fact amounted to an attempt to amend those Agreements by Assembly resolution. Moreover, sub-paragraph (d) would involve the withdrawal of Tanganyika from the East African Central Assembly, a step which the United Kingdom Government did not intend to take.

87. For those reasons, and for others which had been carefully explained in the Fourth Committee, the delegation of the United Kingdom would vote against the draft resolution.

88. MR. LAPIE (France) wished to explain briefly why his delegation would find it difficult to vote for the draft resolution. Neither the French delegation nor the French Government questioned the high purpose underlying the draft and, as Mr. Lapie had previously stated in the Fourth Committee, France would conform not only to the letter but also to the spirit of the Charter. All aspects of the problem must be taken into account, and the question of man and his development which should be the fundamental concern of the United Nations, must be kept in mind.

89. The French delegation had not the least objection to a thorough study of the question of administrative unions. But it would like that study be carried out in a very careful and realistic way, taking into account existing conditions. If the current ignorance of those conditions were to continue, it would eventually stand in the way of any possibility of independence not only for Trust Territories but for humanity itself.

90. The French delegation did not object to the substance of the draft resolution but only to the methods proposed. The draft resolution noted that the Trusteeship Council had not yet completed its investigation of all the questions arising out of administrative unions and recommended the Trusteeship Council to complete its investigation in the light of certain specific criteria. Mr. Lapie doubted whether that procedure was really correct. The investigation should be continued but the persons responsible for conducting it should be left to pursue their task to the end.

91. He recalled that a mission was visiting certain of the Trust Territories. He thought the Assem-

¹For the discussion on this subject in the Fourth Committee see *Official Records of the fourth session of the General Assembly, Fourth Committee, 104th to 108th and 110th to 112th meetings inclusive*,

bly should await its return and then, after its conclusions were examined by the Trusteeship Council, the Assembly could determine the course of action to be followed in the light of those conclusions. The procedure which the Assembly was being asked to adopt appeared somewhat hasty and premature. Among the recommendations contained in paragraph 1 of the draft resolution, there were two concerning which the French delegation was compelled to enter certain reservations and concerning which it would be interesting, in view of the conditions of the Trust Territories, first to know the conclusions of the Visiting Mission. Mr. Lapie was referring to sub-paragraph (c), on separate judicial organizations, and sub-paragraph (d), on separate legislative bodies endowed with increasingly broad powers. The French delegation felt that in view of the conditions prevailing in some of the Trust Territories, those provisions were very premature and did not take sufficient account of the existing state of development of those countries.

92. Nevertheless the French authorities, who had co-operated with the Visiting Mission, would be glad, when the Mission returned, to see how and to what extent they could benefit from its conclusions. In the meantime the French delegation was obliged to make a formal reservation in regard to the matter.

93. It was therefore principally because of the methods proposed that the French delegation, while recognizing the justice of the conception underlying the draft resolution, would most regretfully be unable to vote the draft. The wording of the Trusteeship Council's report on Togoland and the Cameroons under French administration, which was very flattering to that administration, showed that France was in general agreement with the Assembly and with the United Nations and that it well understood the task with which it was entrusted.

94. Mr. Lapie felt that he could speak all the more freely on the subject of administrative unions since France had established such a union in only one case, at the time of the conclusion of a customs convention between the Cameroons under French administration and French Equatorial Africa. It had taken that step, moreover, only because it had been able to create conditions in the Cameroons and Togoland which permitted the political, economic and social development of the indigenous inhabitants. France, therefore, was not directly involved in the current debate, for no one would confuse the establishment of democratic freedoms in the Territories under French trusteeship with the system of administrative unions.

95. Mr. MENDOZA (Guatemala) recalled that by its resolution 224 (III) of 18 November 1948, the General Assembly had asked the Trusteeship Council to study the very important question of administrative unions; the Trusteeship Council had begun but had not concluded that task. During the current session, the Assembly had deemed it advisable to confirm the decision it had taken and to co-operate with the Trusteeship Council with a view to bringing its work to an early and successful conclusion.

96. The Fourth Committee had regarded that item as one of the most important submitted for its consideration; accordingly it had approved,

by the substantial majority of 38 votes to 9, with one abstention, the draft resolution before the Assembly. The purpose of the draft resolution was to assist the Trusteeship Council by establishing certain definite points which the Assembly considered as the principles which should guide the Council's proceedings. Its purpose was not to increase the task of the Trusteeship Council through the presentation of new items for discussion, although some had sought to place that interpretation on sub-paragraphs (a), (b), (c), (d) and (e) of paragraph 1 of the operative part, but rather to establish a criterion with regard to matters which the Council should bear in mind when conducting its investigation.

97. Moreover, the purpose of the draft resolution was not to require the Administering Powers either immediately, or within a specified time-limit, which might be more or less prolonged, effectively to comply with the recommendations of the draft resolution.

98. The purpose of the Fourth Committee had not been to increase the burden on the Administering Authorities, of which the Committee was fully cognizant, but to assist them to carry out in the best possible manner the task entrusted to them by the United Nations.

99. No one who read sub-paragraphs (a), (b), (c), (d) and (e) of paragraph 1 dispassionately could deny the intrinsic value and the deeply human significance of the conviction expressed therein, namely, that certain principles should be observed whenever the question arose of authorizing or approving administrative unions affecting Trust Territories.

100. The Trusteeship Agreements in fact authorized the Administering Authorities to set up such administrative unions. However, they also contained certain safeguards which the Administering Authorities had undertaken to observe and the observance of which the United Nations must ensure.

101. The General Assembly could not disregard the consequences which full and unrestricted administrative unions might have on the future of the Trust Territories.

102. There were certain types of administrative unions that necessarily implied political union and the General Assembly must keep a strict watch in order to prevent any harmful results therefrom.

103. It was for that reason that sub-paragraphs (c) and (d) specifically mentioned the desirability of each Territory's possessing its own separate judicial organization and legislative body; the Fourth Committee regarded it as most important that the Trust Territories should be in a position to achieve self-government and independence as soon as possible.

104. The draft resolution did not contain any systematic criticisms of what the Administering Authorities were doing in the Territories concerned. On the contrary, it recognized the efforts they had made to comply strictly with the provisions of the Charter dealing with the Trusteeship System and the specific and particular provisions of their Trusteeship Agreements.

105. For those reasons the delegation of Guatemala still believed that the draft resolution was a

constructive one which should be adopted by the General Assembly.

106. Mr. PÉREZ CISNEROS (Cuba) said his delegation shared the view of the delegation of Guatemala; in the draft resolution submitted by the two delegations, the Council was asked to complete the investigation which it had been instructed to undertake the previous year and which it had not yet completed, and to do so in a certain order and along certain lines.

107. At first, an attempt had been made to give the Trusteeship Council a series of criteria on which to base its judgment; then, in order to reconcile divergent views, paragraph 1 had been given the wording which appeared in the draft resolution adopted by the Fourth Committee; that wording represented a compromise. The Assembly did not prejudice the case; it simply established a questionnaire to which the Council could reply. The Council would thus fulfil a constructive task on the results of which it could report to the Assembly at the following session.

108. The aims of the draft resolution were very simple. First, it would ensure that the administrative unions permitted under the Trusteeship Agreements did not stop the flow of information from the Administering Authorities to the Trusteeship Council. Such information had been made obscure by the existence of those administrative unions, and there often were grounds for thinking that the Fourth Committee was right in saying that the administrative unions recognized in the Trusteeship Agreements had never been intended to prevent the Trusteeship Council from obtaining information from Administering Authorities. It was therefore necessary in the first place to ensure that clear and accurate information was received.

109. There was a second point, which was also very important. Administrative unions might have administrative, financial and other aspects, but they should never result in political unions. It was therefore important that the Assembly should approve the fourth paragraph of the preamble to the draft resolution, the basis for which was the declaration made by the Administering Authorities themselves in 1946¹, when the Trusteeship Agreements had been concluded. At that time it had been doubtful whether the paragraphs dealing with administrative unions would be accepted; consequently, in order to overcome the hesitations of the Assembly, the Administering Authorities had stated that such administrative unions could in no circumstances be interpreted as authorizing any form of political association involving annexation of the Trust Territories or the extinction of their status as Trust Territories.

110. At the current stage of the work of the United Nations, that unilateral declaration should become a general principle, unanimously recognized by all Members, so that the fundamental idea expressed in the fourth paragraph of the preamble might become the only possible interpretation of the Trusteeship Agreements and might be incorporated in a General Assembly resolution.

111. That was why sub-paragraphs (d) and (e) of paragraph 1, which were very important in

¹ See *Official Records of the second part of the first session of the General Assembly, Fourth Committee, Part I, page 300.*

that connexion, had been included in the draft resolution. Sub-paragraph (d) expressed the desirability of establishing in each Trust Territory a separate legislative body with ever-increasing powers, whose headquarters would be within the Trust Territory itself; there were indeed legitimate grounds for fearing that the existence of legislative bodies might lead to the establishment of political associations, a measure which would be at variance with the declaration made by the Administering Authorities themselves. Sub-paragraph (e) expressed the desirability of taking into account the freely expressed wishes of the inhabitants of the Trust Territories concerned before any administrative, customs or fiscal union was established.

112. The draft resolution recommended that the Trusteeship Council should investigate all aspects of the administrative unions and should establish criteria so as to prevent an administrative union from becoming a means of territorial annexation.

113. The representative of Cuba did not believe, as had been suggested, that the Assembly was seeking to prejudge an investigation by the Trusteeship Council. But even if that were so, it should be recalled that paragraph 2 of Article 85 of the Charter clearly stated that the Trusteeship Council, operating under the authority of the General Assembly, should assist the Assembly in carrying out its functions with regard to Trusteeship Agreements.

114. It should not therefore cause any surprise that, on a specific occasion, the Assembly should use that authority with regard to the Trusteeship Council.

115. The PRESIDENT called upon the General Assembly to vote upon the draft resolution submitted by the Fourth Committee. In accordance with the request of the French delegation, each paragraph of the operative part would be put to the vote separately.

116. He put the preamble and sub-paragraph (a) of paragraph 1 to the vote.

The preamble and sub-paragraph (a) of paragraph 1 were adopted by 47 votes to 3, with 5 abstentions.

117. The PRESIDENT put sub-paragraphs (b), (c), (d) and (e) of paragraph 1 to the vote in succession.

Sub-paragraph (b) was adopted by 43 votes to 12, with one abstention.

Sub-paragraph (c) was adopted by 42 votes to 10, with one abstention.

Sub-paragraph (d) was adopted by 42 votes to 9, with 3 abstentions.

Sub-paragraph (e) was adopted by 51 votes to one, with 2 abstentions.

118. The PRESIDENT put paragraph 2 to the vote.

The paragraph was adopted by 48 votes to 4, with 3 abstentions.

119. The PRESIDENT put the draft resolution as a whole to the vote.

The resolution was adopted by 44 votes to 9, with one abstention.

The meeting rose at 5.35 p.m.