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Report of the Trusteeship Council (A/1306 and A/1306/Corr.1) (*continued*) 143*Chairman*: Prince WAN WAITHAYAKON (Thailand).**Report of the Trusteeship Council (A/1306 and A/1306/Corr.1) (*continued*)**

[Item 13]*

1. The CHAIRMAN invited the Committee to continue its consideration of section B of the draft contained in the report of Sub-Committee 8 (A/C.4/L.88). He recalled that the Indian representative had presented, at the 165th meeting, a redrafted text of section B.

2. Mr. FLETCHER-COOKE (United Kingdom) said he would like further information as to the status of the initial text of the draft resolution. At the 164th meeting the representative of India had submitted a draft resolution on methods of work in general which dealt with the same matters as section A of Sub-Committee 8's draft and which had been adopted after amendment. India was now submitting another resolution dealing with the matters covered in section B of the Sub-Committee's draft and in his view the new text was a great improvement on the original text. He asked whether the Committee meant to base its discussion on the initial draft or the Indian text.

3. In the opinion of the United Kingdom delegation, paragraph 6 (a) of section B was extremely confused and verbose. To judge from the varying interpretations given to it during the 165th meeting, it would cause considerable disagreement. He hoped and presumed that the Committee would now address itself to the Indian text.

4. He recalled that he had expressed the opinion (164th meeting) that the General Assembly was perfectly entitled to ask the Trusteeship Council to prepare its report in the way which seemed best to the General Assembly. On that question of principle, agreement appeared to be complete. The General Assembly must, however, make its wishes clear, and from that point of view the Belgian suggestion for the interpretation of paragraph 6 (a) of section B of the draft (A/C.4/

L.93) seemed to him to be very sensible and likely to render the Council real assistance.

5. The question of the preamble to section B of the draft was more difficult. The United Kingdom delegation did not raise any objection to the first and second paragraphs of the preamble contained in the Cuban amendment (A/C.4/L.89), although it did not think they were necessary, for they did no more than recognize an existing situation. The first and second parts of the third paragraph were of the same nature; but there seemed to be no need to mention the Trusteeship Council's rules of procedure, for the preparation of annual reports would not necessitate amendment of the Council's rules of procedure. The last part of the third paragraph was the most important; the Charter contained nothing to support the assertion made in that text.

6. At the 165th meeting the representative of Poland and other representatives had made statements on the relations between the Trusteeship Council and the General Assembly. That question, however, did not arise at the moment. The United Kingdom delegation was therefore of the opinion that the whole of the third paragraph of the preamble to the Cuban amendment was superfluous, and that in any case it had no relevance to the draft resolution under discussion.

7. The CHAIRMAN, replying to the United Kingdom representative's request, said that the matter under discussion was section B of the Sub-Committee's draft, and that the Indian proposal should be regarded as an amendment to that text. That proposal was, however, a re-draft of the wording of the draft resolution, and the best method of clarifying and expediting the discussion seemed to be to take that proposal as the basis for discussion and regard the Cuban amendment as an amendment to the Indian draft. If, however, objections were raised to that procedure, he was prepared to take section B of the Sub-Committee's draft as the basis for discussion.

8. Mr. PEREZ CISNEROS (Cuba) said he had only just become aware of the Indian draft, and if it were

* Indicates the item number on the General Assembly agenda.

to be taken as the basis for discussion he would first like to study it in more detail.

9. The representative of the United Kingdom had said that the Trusteeship Council had no need to modify its rules of procedure in order to draw up its reports in the required form. However, rule 101 of the Council's rules of procedure, the rule which dealt with the way in which the general reports of the Trusteeship Council should be drawn up, did not provide for the subsections mentioned in parts (2) and (4) of subparagraph (c) of the amendment submitted to paragraph 6 by the Dominican Republic (A/C.4/L.94). Rule 101 severely restricted the scope of reports, and the General Assembly seemed to be entitled to ask the Trusteeship Council to modify it. He would be glad to know the interpretation placed on rule 101 by those members of the Committee who were also members of the Trusteeship Council.

10. Mr. RYCKMANS (Belgium) pointed out that it was not for the Committee to discuss the Trusteeship Council's rules of procedure, which were exclusively a matter for the Council itself.

11. Mr. GARREAU (France) said the remarks made at the 165th meeting by the representatives of Norway and the Dominican Republic clarified the meaning of section B of the Sub-Committee's draft. The French delegation thought that the suggestions of Belgium and the Dominican Republic with regard to new material to be introduced were very sensible.

12. The amendments moved by India to section B of the Sub-Committee's draft threw much light on the initial text. The French delegation, however, accepted the Indian text only with certain reservations. The operative part of that text might incorporate the suggestions made by Belgium and the Dominican Republic.

13. The French delegation had no objection to the Indian amendment's being made the basis for the discussion.

14. The Cuban amendment did not seem to bear directly on the subject of section B of the Sub-Committee's draft. The latter dealt with the form of the annual reports, a question of procedure, but the Cuban amendment introduced into it a question of substance. Confusion must not be worse confounded: the proposals submitted should either deal with the subject of the draft resolution or constitute independent draft resolutions. For the time being the only question was the way in which the Trusteeship Council might best present its reports.

15. If the Charter must be mentioned in the preamble to section B of the draft, all the Articles of the Charter relating to the International Trusteeship System and the Trusteeship Council should be cited. Article 89 in particular was extremely important. It made clear that the Trusteeship Council was a deliberative body and therefore independent, on the same footing as the General Assembly, the Economic and Social Council and the Security Council. There was no need to clarify the meaning of Article 85 of the Charter, as its wording was perfectly clear and the Trusteeship Council had always recognized the authority of the General Assembly. It did not necessarily follow that the General As-

sembly was obliged to approve all the resolutions of the Trusteeship Council. In that regard the General Assembly bore the same relationship to the Trusteeship Council that it bore to its Committees. There was no reason to include in the preamble a provision implying distrust of the Trusteeship Council. His delegation therefore reserved its position completely with regard to the third paragraph of the Cuban amendment and would be unable to vote for it. On the other hand, it did not object to the first and second paragraphs of that amendment, but would abstain from voting on them.

16. With regard to the amendment as a whole, his delegation would either abstain or would vote against it according to the subsequent course of the discussion on it.

17. The Indian amendment he considered satisfactory, but he would ask the Indian representative to replace the word "requests", which introduced the operative part of the resolution, by the word "recommends", as being more courteous to the Trusteeship Council.

18. Mr. S. RAO (India) agreed to the French suggestion. His delegation thought, moreover, that it might perhaps be better to defer making a decision on the form of the annual reports. There were three proposals before the Committee: the Indian amendment, the Belgian proposal and the Dominican Republic's amendment. The Belgian proposal concerning the interpretation of paragraph 6 (a) of section B of the Sub-Committee's draft could also apply to the operative part of the Indian text, while the Dominican amendment had the same object as the Belgian proposal. He had not had sufficient time to consider those two documents adequately, but he was sure that they were based upon the experience which the representatives of Belgium and the Dominican Republic had acquired in the Trusteeship Council.

19. If the amended draft resolution were approved by the Committee and adopted by the General Assembly, the resolution would be transmitted to the Trusteeship Council, but there was no certainty that the Council would interpret the Belgian and Dominican proposals properly. A whole year would have to pass before it could be known whether the Trusteeship Council was in a position to carry out the recommendations made to it.

20. He therefore felt that it would perhaps be more prudent and also more expeditious to ask those delegations in the Committee which were also members of the Trusteeship Council to meet informally to consider the Indian proposal, the Dominican amendment and the Belgium suggestions in the light of the discussion at the current meeting, and to inform the Committee of their views on the Trusteeship Council's ability to give effect to the proposed measures. The Committee would then be able to make a final decision with full knowledge of the facts. Meanwhile it could continue to consider sections C and D of the Sub-Committee's draft.

21. Another solution would be to ask the Trusteeship Council to meet in special session to consider the proposals which had been submitted to the Fourth Committee, and to report thereon to the General Assembly.

22. Mr. HENRIQUEZ UREÑA (Dominican Republic) said that the essential requirement was that the Trusteeship Council should bear the General Assembly's recommendations in mind in drawing up its annual reports. His amendment merely made some practical suggestions for improving the form of those reports. When he had submitted that amendment he had been unaware of the Belgian proposal, which he thought preferable to his own; he therefore willingly withdrew his own amendment.

23. Mr. RYCKMANS (Belgium) thought that the Indian representative's interpretation of Article 85 of the Charter was incorrect. Before approving the terms of trusteeship agreements or their alteration, the General Assembly could request the Council to study the draft agreements; it could also request the Council to make a special study of administrative unions. Those were ways in which the Trusteeship Council should assist the General Assembly in accordance with Article 85 of the Charter. The preparation of annual reports, however, did not constitute assistance to the General Assembly by the Trusteeship Council, so that there was no justification for referring to Article 85 of the Charter in the preamble to the draft resolution. If any Article of the Charter had to be referred to in the preamble, it should rather be Article 15; that was the Article which should constitute the legal basis of the draft resolution.

24. He therefore thought that the first paragraph of the Indian draft, containing the reference to Article 85 of the Charter, should be deleted, together with the second paragraph, which wrongly stated that the Trusteeship Council prepared its report for the assistance of the General Assembly. He felt, moreover, that it would be more appropriate if the word "requests" in the operative part of the draft were replaced by the words "recommends".

25. Referring to the Indian representative's proposal that an emergency special session of the Trusteeship Council should be called, he pointed out that the Council was not a sub-committee of the General Assembly and would certainly not agree to hold a special session.

26. It would, he thought, be sufficient if the General Assembly recommended the Council to simplify its annual reports in the light of the discussion in the Fourth Committee. The Council would certainly not fail to consider that suggestion. In that way the problem would be simplified and the Committee would not be submerged in a welter of detail.

27. Mr. PEREZ CISNEROS (Cuba) pointed out that the Indian draft retained the first two paragraphs of the Cuban amendment and deleted the last, which was of particular importance but which his delegation would agree to amend. Sub-paragraphs (a) and (b) of the operative part of the Indian draft resolution constituted an improvement upon the Sub-Committee's draft and his delegation was prepared to accept them. It would, however, be necessary to restore sub-paragraph (c) of the Sub-Committee's draft, which did not appear in the Indian draft, and he asked that a separate vote should be taken on that sub-paragraph.

28. Article 7 of the Charter did not mean that each principal organ of the United Nations was auton-

ous and enjoyed absolute authority; but sub-paragraph (c) of the operative part of the Indian draft implied that the Trusteeship Council could not pass judgment or express an opinion. That was not true. On the contrary, the Council must, as mentioned in sub-paragraph (c) of the Sub-Committee's draft, be invited to state its conclusions on the extent of the action taken by the Administering Authorities and on the measures which in its opinion should be adopted. For that reason the Cuban delegation considered that sub-paragraph (c) of the operative part of the Indian draft should be deleted. With those reservations the Cuban delegation accepted the Indian amendment, which was clearly an improvement on the Sub-Committee's text.

29. It was to be regretted that the representative of the Dominican Republic had withdrawn his amendment, because it contained some excellent suggestions and would have made an interesting basis for discussion. It had in addition clarified certain points on which the Indian draft was vague. The Cuban delegation believed that it would be useful to preserve the text of the proposals made by the Dominican Republic and Belgium and to transmit them to the Trusteeship Council in order to assist it in interpreting the Indian draft. That draft might even state that the General Assembly desired the Trusteeship Council to consider in drafting its annual reports the suggestions made by the Dominican Republic and Belgium. If the Indian draft were taken as a basis for discussion, the Cuban delegation would move an amendment to that effect.

30. Mr. MACAPAGAL (Philippines) wished to clear up a point that had already led to much discussion. The representative of Belgium had asked the Committee not to discuss further the relations between the General Assembly and the Trusteeship Council, because, according to him, that question was settled; and the representative of France had seemed to share that point of view. The Philippines representative regretted that on that point he did not agree with the representatives of Belgium and of France. Article 7 of the Charter had been cited to show that the Trusteeship Council was an organ independent of the General Assembly and that it was not obliged except in certain circumstances to assist the General Assembly in carrying out its functions. However, Article 7 of the Charter was in general terms, whereas Article 85 was specific. According to a well-established principle of law, a specific provision prevailed over a general one. In the circumstances, therefore, Article 85 prevailed over Article 7.

31. It had also been stated that the Trusteeship Council was not obliged to assist the General Assembly unless the Assembly so requested. That was not true. The Trusteeship Council had to assist the General Assembly in all circumstances and not only in certain special cases.

32. Finally, it had been asserted that the Trusteeship Council, in preparing its reports to the General Assembly, was not assisting the Assembly in carrying out its functions. It was true, as the representative of Belgium had said, that the immediate purpose of the reports mentioned in Article 15 of the Charter was to inform the General Assembly of the situation in the Trust Territories as reflected in the reports of the Administering

Authorities and to bring to the attention of the Assembly the suggestions and recommendations which it might adopt in respect of those Territories. However, as indicated also in rule 100 of the rules of procedure for the Trusteeship Council, the principal purpose of the annual reports was to give the General Assembly a comprehensive picture of the activities of the Trusteeship Council and an account of the manner in which the Council had carried out its responsibilities under the International Trusteeship System, and that in turn was to enable the Trusteeship Council to assist the General Assembly in the latter's functions.

33. The Philippine delegation was accordingly of the opinion that the objections of the representative of Belgium to the second and third paragraphs of the Cuban amendment were not valid. In making a report to the General Assembly on its activities, the Trusteeship Council was obliged to show how it had assisted the General Assembly in carrying out its functions with regard to the Trusteeship System. But the conditions in which the Trusteeship Council should assist the Assembly should not be limited to the circumstances mentioned in Article 85, paragraph 1. The Philippine delegation would for that reason support the first and second paragraphs of the Cuban amendment.

34. Mr. RYCKMANS (Belgium) wished to reply to the remarks made by the representative of the Philippines.

35. It had never been his intention to stifle discussion of the relations between the General Assembly and the Trusteeship Council. He had merely pointed out that, in the circumstances, it would be sufficient to cite Article 15 of the Charter, under which the annual reports of the Trusteeship Council were prepared.

36. He had likewise never said that Article 7 restricted the effect of Article 85. On the contrary, he had always maintained that the Trusteeship Council was obliged to assist the General Assembly when the Assembly so requested.

37. Mr. GARREAU (France) also wished to clear up a misunderstanding on the part of the Philippine representative.

38. He had never said that the Trusteeship Council was not obliged to assist the General Assembly. He had objected to the Cuban amendment principally because he considered it inexpedient. The French delegation wished to state that it agreed with the Philippine representative on all points of the latter's statement, except his interpretation of the statements of the French representative.

39. Mrs. FIGUEROA (Chile) was afraid that the discussion of section B of the draft submitted by Sub-Committee 8 was being unduly prolonged. Much light had already been thrown on the matter, but the Committee had several drafts before it which admittedly presented basic differences, especially with regard to the relations between the General Assembly and the Trusteeship Council. The Committee seemed uncertain in that connexion whether the General Assembly could impose its opinions on the Council.

40. She shared the view of the representative of India that section B of the Sub-Committee's text should be transmitted to the Trusteeship Council for examination. If the Council did in fact study that text together with the texts proposed by India (165th meeting), by Belgium (A/C.4/L.93) and by the Dominican Republic (A/C.4/L.94), it could prepare a coherent draft that would take account of the various suggestions and have the advantage of providing the Fourth Committee and the General Assembly with useful guidance. That procedure would save time and eliminate some of the difficulties. The Committee would in any case be free to change any text which the Trusteeship Council might prepare.

41. The CHAIRMAN agreed with the representative of Chile on the importance of saving time. He thought that the members of the Committee should be ready to vote, as the matter had been considered exhaustively. In his opinion all that remained to do was to study the last amendment proposed by the delegation of Cuba, to the effect that the texts submitted by the Dominican Republic and Belgium communicated to the Trusteeship Council. He wondered whether the representative of Cuba would be satisfied if the substance of his amendment were merely incorporated in the Committee's report to the Assembly.

42. Mr. PEREZ CISNEROS (Cuba) said he regarded the texts submitted by the Dominican Republic and Belgium as of particular interest, for they were submitted by the delegations of two countries which were members of the Trusteeship Council, and they contained common ideas which were also shared by several members of the Committee. He therefore thought the proposals in those texts should be brought to the knowledge of the Trusteeship Council. Since the amendment he was proposing to that effect would not add much to the length of the draft resolution, he thought he should press it.

43. Mr. RYCKMANS (Belgium) agreed in principle with the representative of Chile, but thought the Committee should not treat the Trusteeship Council as a mere sub-committee. Moreover, if the Committee wished to communicate certain texts to the Trusteeship Council, it would have to adopt a draft resolution to that effect. He had prepared one which he would submit for the Committee's consideration.

44. Mr. QUESADA ZAPIOLA (Argentina) could not entirely agree with the suggestion of the Chilean representative, which was tantamount to transforming the Trusteeship Council into a sub-committee of the Fourth Committee; he did not think the Council should be placed in such a dependent position.

45. Mr. LIU (China) considered that the proposals submitted by Belgium and the Dominican Republic clarified the scope of the draft resolution under discussion. Moreover, the purpose of the Trusteeship Council's report was clearly to facilitate the work of the General Assembly with regard to the Trusteeship System. He would therefore support the draft resolution if the Committee adopted the Cuban amendment to the effect that the proposals made by Belgium and the Dominican Republic should be transmitted to the Trusteeship Council.

46. The CHAIRMAN proposed that the meeting should be adjourned to allow the new draft resolution submitted by the representative of Belgium to be circulated.

It was so decided.

The meeting was suspended at 4.50 p.m. and was resumed at 5.25 p.m.

47. Mr. RYCKMANS (Belgium) submitted the following draft resolution which he proposed as a substitute for Section B of the Sub-Committee's draft and for the Cuban amendment (A/C.4/L.89):

"The General Assembly,

"Considering that under Article 15, paragraph 2, of the Charter, the General Assembly receives and considers the reports of the Trusteeship Council,

"Considering that the present arrangement of the subject-matter of the report of the Trusteeship Council to the General Assembly might be improved so as to enable the General Assembly to form a clearer understanding of conditions in the Trust Territories,

"Expresses the hope that the Trusteeship Council, in the light of the discussions at the fifth session of the General Assembly, will gather in its report information relating to the circumstances existing in each of the following fields, namely, political, economic, social, and educational, with respect to each Trust Territory, and also information regarding the implementation of the recommendations of the General Assembly and of the Trusteeship Council."

48. The CHAIRMAN proposed that the Committee should regard the Indian draft as the basis of discussion, and all the other texts, including the Belgian draft resolution, as amendments thereto.

49. Mr. GARREAU (France) said the need for choosing between the Indian and Belgian texts put the French delegation in an embarrassing position. He wondered whether they might not simply insert the first paragraph of the Belgian text in the Indian draft, if the Belgian representative had no objection to the Committee's retaining the last part of the Indian draft.

50. Mr. CHARI (India) said he was prepared to accept the French representative's proposal. It must be understood, however, that the first paragraph of his delegation's draft resolution would be retained. If it was proper to mention Article 15 of the Charter, it was no less important to mention Article 85, which established the essential relationship between the General Assembly and the Trusteeship Council.

51. Mr. RYCKMANS (Belgium) observed that the first paragraph of his text was actually intended to replace the first two paragraphs of the Indian draft. He had no objection to the adoption of the French representative's suggestion but would like to retain the whole of his own text.

52. Mr. PEREZ CISNEROS (Cuba) pointed out that as the Indian draft had become the basic text for the discussion, the Committee must vote on the amendments which it was desired to introduce into that text.

He therefore thought the first paragraph of the Belgian text should be put to the vote as an amendment to the second paragraph of the preamble to the Indian draft.

53. The CHAIRMAN expressed complete agreement with the Cuban representative. As the time had come to proceed to the vote, he asked the Committee to vote first on the first paragraph of the Indian draft, the text of which was as follows:

"Considering that, under Article 85, paragraph 2, of the Charter, the Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out its functions with regard to the Trusteeship System;"

The first paragraph of the Indian draft was approved by 35 votes to none, with 10 abstentions.

54. The CHAIRMAN then asked the Committee to vote on the first paragraph of the text proposed by the Belgian representative, as an amendment to the second paragraph of the preamble to the Indian draft.

55. Mr. MACAPAGAL (Philippines) raised a point of order. The first paragraph of the Belgian text could not be regarded as an amendment to the second paragraph of the preamble to the Indian draft. The two paragraphs dealt with different questions: the former described a factual situation, whereas the latter pointed out what the essential relationship between the Trusteeship Council and the General Assembly should be. Rule 129 of the rules of procedure of the General Assembly specified: "A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal". Consequently, if it were desired to replace the second paragraph of the preamble to the Indian draft by the first paragraph of the Belgian text, it would have to be admitted that the Committee had two amendments before it, the first a deletion and the second an addition, and two successive votes would therefore have to be taken; the provisions of rule 129 of the rules of procedure would thus be observed. Moreover, that course would allow for the possibility that some delegations might wish to delete the second paragraph of the preamble to the Indian draft and to replace it by some text other than that of the first paragraph of the Belgian draft, or perhaps to adopt both paragraphs together.

56. Mr. RYCKMANS (Belgium) pointed out that rule 129 of the rules of procedure, mentioned by the representative of the Philippines, stated: "A motion is considered an amendment to a proposal if it . . . revises part of that proposal". By "revises" must be understood the replacement of one expression or provision by another. That was precisely what the Belgian delegation was asking: the replacement of the second paragraph of the preamble to the Indian draft by the first paragraph of the text which it was proposing.

57. Mr. MACAPAGAL (Philippines) asked for a division of the vote on the Belgian amendment in accordance with rule 128 of the rules of procedure. The Committee would vote first on the deletion of the second paragraph of the preamble to the Indian draft, and then on the adoption of the first paragraph of the Belgian text.

58. After an exchange of views, the CHAIRMAN put to the vote, in accordance with rule 128 of the rules of procedure, the motion for division of vote put forward by the representative of the Philippines.

That motion was rejected by 23 votes to 5, with 17 abstentions.

59. Mr. MACAPAGAL (Philippines) said that, in the circumstances, he would submit an amendment to the Belgian draft; his proposal was that the first paragraph of the Belgian text should be added to the second paragraph of the preamble of the Indian draft rather than substituted for the latter.

60. The CHAIRMAN put the Philippine amendment to the vote.

That amendment was rejected by 17 votes to 12, with 17 abstentions.

61. The CHAIRMAN put to the vote the Belgian amendment calling for the substitution of the first paragraph of the Belgian text for the second paragraph of the preamble of the Indian draft resolution.

That amendment was approved by 26 votes to 17, with 4 abstentions.

62. The CHAIRMAN invited the Committee to vote on the amendment submitted by the Cuban delegation (A/C.4/L.89). In view of the decisions already taken, only the third paragraph of the preamble remained to be decided. If it were adopted, it would become the third paragraph of the preamble of the Indian draft resolution.

63. Mr. PEREZ CISNEROS (Cuba) requested a vote by roll-call.

A vote was taken by roll-call.

In favour: Afghanistan, Brazil, Burma, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Egypt, Guatemala, Haiti, India, Indonesia, Iraq, Lebanon, Mexico, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Netherlands, New Zealand, Norway, Sweden, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Chile, Dominican Republic, Ecuador, Ethiopia, Greece, Iran, Israel, Pakistan, Venezuela.

That paragraph was approved by 25 votes to 13, with 10 abstentions.

64. Mr. CHARI (India) explained why he had voted for the Cuban amendment. The adoption of the Belgian amendment to the second paragraph of the preamble of the Indian draft resolution had made it indispensable to adopt a paragraph in the preamble such as that proposed by the Cuban delegation, which emphasized that the rules of procedure of the Trusteeship Council must

include all the provisions required to assist the General Assembly in carrying out its functions with regard to the Trusteeship System.

65. The CHAIRMAN put to the vote the second paragraph of the Belgian text, as an amendment to the third paragraph of the preamble of the Indian draft resolution.

That amendment was rejected by 19 votes to 17, with 11 abstentions.

66. The CHAIRMAN put to the vote the third paragraph of the preamble of the Indian draft resolution, as the French representative had requested a separate vote on that paragraph.

That paragraph was approved by 39 votes to none, with 7 abstentions.

67. The CHAIRMAN invited the Committee to vote on the operative part of the Belgian draft, which was designed to replace the operative part of the Indian draft resolution.

68. Mr. PEREZ CISNEROS (Cuba) requested a vote by roll-call.

A vote was taken by roll-call.

In favour: Australia, Belgium, Canada, Denmark, France, Greece, Iraq, Israel, Lebanon, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Egypt, Guatemala, Haiti, India, Indonesia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yemen, Yugoslavia.

Abstaining: Afghanistan, Argentina, China, Dominican Republic, Ethiopia, Iran, Peru, Thailand.

That amendment was rejected by 23 votes to 17, with 8 abstentions.

69. The CHAIRMAN noted that in the operative part of the Indian draft resolution, the word "requests" should be replaced by the word "recommends", that substitution having been accepted by the author of the draft.

70. The CHAIRMAN put to the vote the Cuban amendment calling for the insertion, between sub-paragraphs (c) and (d) of the operative part of the Indian draft resolution, of sub-paragraph 6 (c) of section B of the draft submitted by Sub-Committee 8 (A/C.4/L.88).

That amendment was approved by 36 votes to none, with 9 abstentions.

71. The CHAIRMAN invited the Committee to vote on the amendment submitted by the Cuban delegation calling for the addition of the following text as a second paragraph to the operative part of the Indian draft resolution:

"*Recommends* also that the Trusteeship Council, in preparing its future annual reports, should take into consideration documents A/C.4/L.93 and A/C.4/L.94, the texts of which will be of assistance in making clear the structure of the annual reports of the Trusteeship Council which the General Assembly hopes will be adopted."

That amendment was approved by 45 votes to none, with 2 abstentions.

72. At the request of the CHAIRMAN, Mr. BUNCHE (Secretary of the Committee) read the draft resolution submitted by the Indian delegation as amended by the previous votes:

"1. *Considering* that, under Article 85, paragraph 2, of the Charter, the Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out its functions with regard to the Trusteeship System;

"2. *Considering* that under Article 15, paragraph 2, of the Charter, the General Assembly receives and considers the reports of the Trusteeship Council;

"3. *Considering* that certain rules of procedure of the Trusteeship Council relate to the preparation of the annual report; that under Article 90 of the Charter the Council adopts its own rules of procedure; and that in so doing the Council is at all times bound to consider the inclusion of all provisions required to assist the General Assembly in carrying out its functions with regard to the Trusteeship System as provided in the Charter;

"4. *Considering* further that the present arrangement of the subject-matter of the report of the Trusteeship Council to the General Assembly which conforms strictly to the various functions of the Council, might be improved so as to enable the General Assembly to form a clear understanding of conditions in the Trust Territories;

"5. *Recommends* that the Council, accordingly, in its future reports to the General Assembly shall:

"(a) Present in separate sections all the relevant data examined by the Trusteeship Council concerning the political, economic, social and educational conditions in each Trust Territory, so that each section may provide the General Assembly with a comprehensive account of such conditions in each of the above-mentioned fields;

"(b) Include in each such section the observations, conclusions and recommendations of the Council on the topic under review, as well as such relevant observations of its individual members as the Council may consider useful;

"(c) Give in each case in the appropriate section an account of the manner in which the Administering Authority has carried out each recommendation of the General Assembly or the Trusteeship Council;

"(d) State also in the same section its conclusions on the extent of the action taken by the Administering Authority and on the measures which in its opinion should be adopted in view of those conclusions;

"(e) Include, wherever practicable, maps of the various Trust Territories;

"6. *Recommends* also that the Trusteeship Council, in preparing its future annual reports, should take into consideration documents A/C.4/L.93 and A/C.4/L.94, the texts of which will be of assistance in making clear the structure of the annual reports of the Trusteeship Council which the General Assembly hopes will be adopted."

73. Mr. MANTILLA (Ecuador) thought that it would be logical to invert the order of paragraphs 1 and 2 of the preamble. Paragraph 1 of the preamble referred to Article 85 of the Charter, whereas paragraph 2 referred to Article 15; since Article 15 should be regarded from the point of view of the General Assembly and Article 85 from that of the Trusteeship Council, Article 15 should undoubtedly be mentioned first.

74. Mr. GARREAU (France) supported the suggestion of the representative of Ecuador. He was prepared, if necessary, to submit an amendment for the reversal of the order of paragraphs 1 and 2 of the preamble.

75. Mr. MACAPAGAL (Philippines) stated that he would have to vote against such an amendment. In his opinion the existing order of paragraphs 1 and 2 of the preamble was perfectly logical, in view of the fact that Article 85 emphasized that the Trusteeship Council operated under the authority of the General Assembly whereas Article 15 stated only that the General Assembly received and considered the reports of the Trusteeship Council. Article 85, therefore, dealing as it did with an important question of substance, should be mentioned before Article 15, which dealt only with a question of procedure.

76. Mr. GARREAU (France) said that he would not press his point, because he had no serious objection to the existing order of paragraphs 1 and 2 of the preamble.

77. The CHAIRMAN called upon the Committee to vote on the Indian draft resolution as a whole, as amended during the meeting and as just read by the Secretary of the Committee.

78. Mr. PEREZ CISNEROS (Cuba) requested a vote by roll-call, in view of the importance of the draft resolution.

A vote was taken by roll-call.

In favour: Afghanistan, Argentina, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Ethiopia, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Israel, Lebanon, Mexico, Netherlands, Norway, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Australia, Belgium, Canada, Dominican Republic, France, Greece, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was approved by 38 votes to none, with 10 abstentions.

79. Mr. QUESADA ZAPIOLA (Argentina) explained his vote. He had voted for the Belgian amendment which was a quotation from Article 15 of the Charter because the Committee would have been in an embarrassing position if the text had been rejected. He had abstained on the Cuban amendment with which he agreed, because it drew the attention of members of the Trusteeship Council to Articles of the Charter and rules of procedure of which the Argentine delegation was perfectly aware.

80. Mr. RYCKMANS (Belgium) said that he would have been glad to vote for the draft resolution; he had abstained following the adoption of a paragraph of the

preamble which presented the question of the relations between the General Assembly and the Trusteeship Council in a manner not in conformity with the provisions of the Charter.

81. Mr. FLETCHER-COOKE (United Kingdom) said that his position was identical with that of the Belgian representative. Although he did not agree with an idea contained in a part of the preamble, he was in sympathy with the general idea contained in the draft resolution and would have voted for it if the preamble had been different.

82. Mr. GARREAU (France) had abstained for reasons similar to those of the representatives of Belgium and the United Kingdom. He would have voted for the text submitted by the Indian delegation.

83. Mr. CHARI (India) wished to reiterate that he had voted for the Cuban amendment as a result of the deletion of the second paragraph of the preamble in the text submitted by his own delegation.

The meeting rose at 6.40 p.m.