



**C O N T E N T S**

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**Chairman: Mr. Santiago PEREZ PEREZ (Venezuela).**

**Report of the Trusteeship Council (A/2427)  
(*continued*)**

[Item 13]\*

1. The CHAIRMAN recalled that, at the Committee's 377th meeting, he had referred to its decision to hear the representatives of seven political organizations from Somaliland under Italian administration and had informed it that those organizations were not in a position to send a representative but would address a memorandum to the United Nations. The Secretariat had received the memorandum; in the absence of any objection, it would be circulated to the members of the Committee.

*It was so decided.*<sup>1</sup>

2. Mr. LYNKOV (Byelorussian Soviet Socialist Republic) said that it was impossible in a short speech to deal with all the information contained in the Trusteeship Council's report (A/2427). He would therefore confine himself to the important points and to the petitions.

3. At its twelfth session, the Council had had 394 petitions on its agenda. To those it had added one written petition, and in addition it had granted three oral hearings. That, however, represented only a minute proportion of the complaints received by the Secretariat. Moreover, if the decisions taken by the Council were examined it would be noted that most of the petitions had not been thoroughly studied and that the work of the Standing Committee on Petitions and the Trusteeship Council was unsatisfactory: it was governed by red tape and showed a lack of common sense. Upon the advice of the Standing Committee on Petitions, the Council had sometimes made recommendations on matters which did not seem to be particularly urgent, while in other cases, where an urgent decision seemed necessary, it had made no recommendation but had merely used the routine formula by which the Trusteeship Council took note of the petition.

4. It was plain that the Standing Committee on Petitions was overwhelmed with minor details, and was concerning itself with such details instead of considering major questions which involved the destinies of whole

groups of people. Thus, in connexion with a petition from a group in the Cameroons under French administration (T/Pet.5/116), the authors of which had complained that their harvest had been destroyed by the Administering Authority, the Council had simply drawn the petitioners' attention to paragraphs 174 to 187 of the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, regarding the need to create forest reserves in the Territory (resolution 775 (XII)). It was of course useful to create forest reserves and to encourage soil conservation, but the Administering Authority should have warned the population before the trees were planted and before it was compelled to destroy harvests which represented a great deal of hard work. In all such cases the Council had sided with the Administering Authority—which had no need of its protection—whereas the petitioners were obliged to defend their own rights.

5. A particularly disturbing case was that of the oral statement made by Mr. Kirilo Japhet on behalf of the Meru Citizens Union. The report indicated on page 6 only that the Council had taken note of that petition, which was connected with the question of the Wa-Meru lands. However, it would be useful to know how that tragic story had ended, for it was surely not enough for the Council merely to take note of such a petition.

6. It was therefore essential that the Fourth Committee should examine the question of petitions closely, with a view to ensuring respect for the relevant provisions and noble principles of the Charter and the trusteeship agreements.

7. Moreover, an examination of the report showed that the Administering Authorities were not respecting the obligations they had assumed. They had of course taken certain steps, if only in their own interests, but what they had done was insignificant in comparison with what they should have done under the trusteeship agreements. After nearly ten years of trusteeship, the peoples of nearly all the Trust Territories were still living an outdated tribal life which the Administering Authorities were encouraging contrary to all democratic principles. Such a policy led to strife and bloodshed, as in Somaliland under Italian administration, where many human lives and large numbers of cattle had been lost. Instead of trying to reconcile the conflicting groups and encouraging them to conquer their surroundings, instead of digging new wells for the much-needed drinking water, and instead of settling the grazing problems, the Administering Authority had confiscated the camels and put the existing wells under police supervision. The petitioner, Mr. Issa, had said in his statement at the 377th meeting that the Administering Authority was practising the policy of "divide and rule" and maintaining laws enacted in the colonial period and during the war.

8. In almost all Territories, the policy of the Administering Authorities was giving rise to land claims

\* Indicates the item number on the agenda of the General Assembly.

<sup>1</sup> The text of this memorandum was subsequently circulated as document A/C.4/256.

and almost everywhere the position of the indigenous populations was in many respects inferior to that of the European population. In the Cameroons under French administration there was a dual electoral college system which amounted to racial discrimination in the political field. In Somaliland under Italian administration, the representative organs had no legislative powers and the indigenous inhabitants had scant representation on them. Moreover, they occupied only subordinate posts in the Administration. In Western Samoa, the *Fono of Faipule*, which was only a consultative organ without any legislative power, consisted of members elected only by the *matai*. On the Legislative Council of Papua and New Guinea there were only two indigenous inhabitants to represent the Trust Territory. In New Guinea corporal punishment was still in use, and in Nauru, freedom of movement within the Territory itself was strictly limited. It was very doubtful whether there had been political advancement in all those Territories.

9. Economic advancement was hardly more satisfactory: agriculture and stock-breeding in the Cameroons under French administration, for example, were still in the primitive stage; trade and natural resources were in the hands of Europeans; the indigenous population participated only to the extent of providing cheap labour. The hut tax had not yet been replaced by a progressive income tax.

10. In the field of health and education, an enormous amount remained to be done. In New Guinea, for example, only 3 per cent of the children of school age attended the public schools. He read out the first paragraph on page 107 of the Council's report, in which an effort was made to justify the segregation of indigenous pupils in the schools in New Guinea. He found difficulty in understanding how the Trusteeship Council had been able to approve such an opinion, which was evidence of a reactionary racial theory. The proportion of illiterates in the Cameroons under British administration was over 90 per cent.

11. To sum up, consideration of the Council's report revealed that the Administering Authorities were not taking adequate measures to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, or their progressive development towards self-government or independence, as required by the Charter.

12. The report did state that the Administering Authorities were intending to improve the position in the economic, social and educational fields; that they were preparing plans and programmes; that they were considering measures; that they were formulating projects; that they had begun to prepare reforms; that they were considering the establishment of a new status; and so on. The list of plans and intentions was quite alarmingly long and the report was full of them. But the Byelorussian delegation would prefer to see deeds. It hoped, nevertheless, that all the measures considered and proposed would very shortly result in concrete achievements which would effectively contribute to the development of the populations of the Trust Territories towards self-government or independence.

13. Mr. INGLÉS (Philippines) attributed great importance to the yearly study of the report of the Trusteeship Council, if only because it served to focus world opinion on conditions in the Trust Territories which were, after all, wards of the international community. It mattered little whether the General Assembly was

able to muster a two-thirds majority vote to pass a resolution which would represent, under the Charter, the collective opinion of the United Nations. What did matter was that there should be a full, free and frank discussion and that individual Member States should make an honest effort to help both the Administering Authorities and the inhabitants of the Trust Territories to achieve the purposes of Article 76 of the Charter.

14. With respect to the conditions obtaining in the four Trust Territories in the Pacific referred to in the annual reports considered during the current year by the Trusteeship Council, the outstanding political development was the decision of New Zealand to hold a constitutional convention in Western Samoa before the end of 1954 to consider a constitutional plan for the future state of Western Samoa. The Philippine delegation wished to associate itself with the congratulations addressed to the New Zealand Government on that subject. The progress achieved in that Trust Territory would serve as an example, especially for the Trust Territories in the Pacific.

15. With regard to Nauru, it must be noted that after thirty years of administration, the results obtained did not fulfil the hopes which the Mandatory Power had expressed in its 1927 report to the League of Nations.<sup>2</sup>

16. Another important development would be the election of municipal councils in all the villages of Somaliland, which, it was hoped, would pave the way for elective Residency councils as well as for an elective Territorial Council representing the population of the Territory. That would bring near the goal of an elective legislature with real legislative powers, as envisaged in article 4 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement. There had also been a marked improvement in the economic, social and educational fields, which had elicited praise from individual members of the Trusteeship Council and to which the Philippine delegation was happy to add its voice.

17. As a member of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, the Philippines took the view that the Council should not assume a merely passive role. It should take the initiative in giving advice with a view to a fuller application of the Trusteeship Agreement. The Philippine member on the Advisory Council had made many suggestions to both the Administering Authority and the Trusteeship Council. Some of those suggestions coincided with the constructive proposals made by the representative of the Somali Youth League and some of them were reflected in the recommendations made by the Trusteeship Council at its twelfth session.

18. As regards the absence of representation of the Advisory Council at the sessions of the General Assembly, his delegation agreed with the comments made by the delegation of the Dominican Republic (378th meeting); it thought that the Advisory Council should be able to report directly to the General Assembly, which had created it. While there was no specific provision to that effect in the Trusteeship Agreement, owing to differences of opinion that had arisen in the Trusteeship Council when that instrument was drafted, his delegation believed the General Assembly could resolve the doubt by extending an invitation to the Advisory Council.

<sup>2</sup> See Report to the Council of the League of Nations on the Administration of Nauru during the Year 1927, Canberra, Government Printer, 1928.

cil to attend its sessions. His delegation would welcome a decision to that effect by the General Assembly.

19. He was happy to note that the Administering Authority was receiving valuable help from the Technical Assistance Administration and from UNESCO. The report of the Technical Assistance Mission to Somaliland (ST/TAA/K Somaliland/1) contained a real blueprint for development which the Administering Authority would do well to bear in mind if it wished to discharge its responsibilities adequately, and which the Somali people themselves would be well-advised to continue to consult after they had attained their independence. UNESCO had stressed the importance of teacher-training, a view in which the Philippine delegation concurred. However, in its observations on the draft five-year plan for the development of education in Somaliland (T/1061 and Add.1), UNESCO said nothing about the adequacy of the plan of the Administering Authority, in view of the need of an independent Somaliland and the date on which the country would cease to be a Trust Territory. In estimating the future financial resources of the Territory, UNESCO did not appear to have taken into account the conclusions of the Technical Assistance Mission, which had pointed out among other things the potentialities of improved utilization of the Territory's natural resources, the extension of productive areas and increased production in agriculture through simple and inexpensive techniques, and the development of new secondary industries based on local raw materials.

20. The Administering Authority anticipated that 22,080 pupils would be attending day primary schools in the Territory at the end of the five-year period in 1957. UNESCO considered that that figure represented a considerable proportion of the children of the non-nomad population of 250,000. It did not seem, however, that any thought had been given to the plans to encourage the settlement of the nomad population, which comprised two-thirds of the total population. It was certain that the expansion of agriculture and the creation of new secondary industries would attract many members of that population. The Administering Authority had also prepared a programme designed to suppress one of the causes of nomadism: the search for an adequate water supply. The five-year educational plan would not be able to cope with the increase in the non-nomad population which was likely to result.

21. The considerable cuts in the strength of the army and the police force announced by the Administering Authority should not give rise to a reduction of its contribution to the budget of the Territory, but should enable it to raise the proportion of the Somali budget devoted to education. That should lead to a corresponding revision of the general plan for educational development, prepared with the participation of UNESCO.

22. He expressed his concern at the alienation of the Somalis' land. His delegation hoped that the Administering Authority would grant no further land concessions until the Territorial Council had become truly elective and until new land legislation draft in accordance with article 14 of the Trusteeship Agreement, had been adopted by that body.

23. In New Guinea and Nauru, his delegation observed the same refusal on the part of the Administering Authority to abolish corporal punishment and to repeal the restrictions on freedom of movement. In New Guinea, the Administering Authority refused to increase the *pro rata* share of the revenue from gold pro-

duction directly or indirectly payable to the Territory or even to give information on production costs and profits of the gold-mining industry. Likewise in Nauru, the Administering Authority communicated no information on the price of phosphates exported by the British Phosphate Commissioners to Australia in comparison with world market prices.

24. His delegation was glad to note that the Administering Authority, after thirty years, had almost succeeded in extending its control over the entire territory of New Guinea. On the other hand it could but deplore the fact that the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, had considered premature certain discussions which had taken place on the political development of the indigenous people. It was surprised that those areas long under control by the Administering Authority had not progressed beyond the village-council level, so that the visiting mission had thought that the participation of indigenous inhabitants in the work of the joint Legislative Council established in 1951 for the Territories of New Guinea and Papua could have little except educational significance. It was discouraging to note that thirty years of education had not produced sufficiently qualified men to sit on the Council.

25. No better provision for the political representation of the indigenous population was to be found in Nauru, where the Nauruan Local Government Council had hardly any more power than the Council of Chiefs which it had replaced. In Nauru, despite the hopes to which the Administering Authority's promises had given rise, that Authority had not considered ways of checking or retarding the exhaustion of the phosphate deposits. It had not given Nauruans access to higher posts in industry or public administration. His delegation could not endorse the opinion of the chairman of the visiting mission, who had said at the twelfth session of the Trusteeship Council (471st meeting) that it was a mistake to have placed Nauru under trusteeship and that Article 76 could not be applied to the Territory. The limited area of the island should not prevent its population from aspiring to political, economic, social and educational advancement, or even to self-government such as was enjoyed by the peoples of such States as the Principality of Monaco, the Republic of San Marino and the Principality of Liechtenstein.

26. His delegation bitterly regretted that after having heard a petition as important as that submitted to it orally by Mr. Japhet on behalf of the Meru Citizens Union, the Trusteeship Council could only say that it had noted the petition. After reviewing the history of the eviction of the Meru people and the grievances, he expressed the hope that the Council would reconsider their petition and that it would in future desist from dealing lightly with requests and complaints submitted to it. The Trusteeship Council should construe its rules of procedure in such a way as to assist rather than to obstruct the free exercise of the right of petition.

27. Mr. RODRIGUEZ FABREGAT (Uruguay) congratulated the Council on its report, which informed the members of the General Assembly of its activities and gave them some idea of the situation in the Trust Territories. The report showed the attempts which the peoples of those Territories were making to overcome the obstacles that the frequently outmoded traditions and institutions still placed in the way of their development and to ensure that their culture might develop freely and that their particular social genius might find

expression. The report showed how the more advanced nations were helping the peoples of the Territories under their administration to emerge from their chrysalis and were introducing them to the democratic system, leading them slowly towards independence and self-government. That change in values, achieved in hope and faith, was one of the accomplishments of the International Trusteeship System instituted at San Francisco.

28. Turning to the manner in which the Trusteeship Council and the Standing Committee on Petitions reviewed the oral and written petitions they received, he said he understood and shared the concern of the Philippine representative who had observed that all too often the Trusteeship Council merely "took note" of petitions. The Charter had given the dependent peoples the right to submit petitions. It was therefore inadmissible that an inadequate procedure should be an obstacle to the submission of petitions to the Organization whose responsibility it was to defend the interests of the indigenous people. It was equally inadmissible to try to draw distinctions between petitions. The protection of the United Nations should extend to all human beings, for all were endowed with the same dignity and the same rights. Article 76 of the Charter placed the relations between nations on a new plane and provided legal instruments which enabled the dependent peoples to attain by peaceful means that independence which previously they could not have won without shedding their blood. Respect for the sacred rights of petition became all the more imperative inasmuch as, during the Second World War, the Administering Authorities themselves had agreed to make the greatest sacrifices to safeguard their independence.

29. His delegation welcomed the announcement that municipal councils would soon be elected in Somaliland under Italian administration. The prestige of the democratic system would rise as more human beings acquired the rights due to them. The organization of truly democratic electoral campaigns and elections which would enable the population of a country freely to express its will, showed that that country had reached the stage in its social and political development at which, above and beyond any divergencies of view, the various segments of its population were united in aspiring to a higher ideal, which was the justification of the existence of any community. The election of municipal authorities was not an inferior form of political and social life. Such elections helped to create and maintain a democratic heritage in a country, for they were very closely related to the direct interests and rights of those who were daily defending their home and their community, a defence which was the very cornerstone of democracy.

30. Mr. Rodriguez Fabregat thought that it was necessary to set up certain indices which would enable the Council to judge the economic development of the Territories. Moreover, so great a disparity between the wages of indigenous labourers and the price of the product of their labours both in the domestic and the international market should not exist. Furthermore, the Administering Authority should not despoil the indigenous inhabitants of their best land, for then the mission of civilization undertaken by the Authority would be diverted from its true purposes. An obscure monk, Francisco de Vitoria, had dared to ask the Emperor Charles V, then at the height of his glory and power, whether he was entitled to deprive the Indians of

America of their land. In doing so, he had laid the foundations of modern international law from which the peoples of America had drawn the courage to fight for their independence, and from which today they drew the faith and hope which enabled them to aid peoples who were still dependent.

31. While the report of the Trusteeship Council enabled the Committee to measure the progress made since the inauguration of the International Trusteeship System, it was clear that much still remained to be done. It was the Committee's task to defend the principles laid down in the Charter concerning trusteeship, principles which in the eyes of humanity constituted a new basis of law. His delegation fervently hoped that those principles would be more strongly safeguarded every day and that the Council would be able continuously to note fresh progress through which the aims of the Charter could be realized.

32. Mr. ABOU KHADRA (Saudi Arabia) noted with satisfaction that the Trust Territories had made definite though slow progress under the aegis of the Administering Authorities and the supervision of the Trusteeship Council. The progress achieved should be attributed to the sense of moral responsibility demonstrated by the Administering Authorities rather than to their obligation to account for their stewardship to the United Nations. The evolution of the dependent peoples towards freedom depended on unselfish and sincere respect for both the letter and the spirit of the principles of the Charter.

33. His delegation's comments on the Trusteeship Council's report were based solely on a desire to contribute to international peace and prosperity, to ensure respect for the provisions of the Charter and to defend the interests of non-self-governing peoples. The Saudi Arabian delegation had noted that the indigenous peoples were still too often the victims of discrimination, and the Administering Authorities frequently took measures that were detrimental to the interests of the local inhabitants. In political, administrative and commercial matters the Administrations usually acted against the best interests of the Trust Territories. Thus far, the Administering Authorities of the areas covered by the report had failed to transfer any political authority to the local people, in either municipal or central administration; consequently, they were not fulfilling their obligation to provide for the political advancement of the population. The European inhabitants, though in the minority, were better represented in the councils than the indigenous inhabitants. Another striking feature was the huge amount of property, whether movable or immovable, held by foreign persons, and most of the corporations and companies were controlled by citizens of the Administering Authorities. It was also unfortunate that the Administering Authorities discriminated against the use of the vernacular. It had to be conceded that it was difficult to use the vernacular, in view of the abundance of various dialects in every area, but given good will, such difficulties were not insurmountable. That was true in every sphere, everything depended on the sincerity of the Administering Authorities. It was particularly important to develop education and social security, for ignorance and want were the principal obstacles to progress towards self-government. The suggestion made by the Pakistan representative at the 383rd meeting was very welcome, and the Saudi Arabian delegation would willingly support any initiative that might be taken in that respect.

34. The manner in which petitions were considered was very open to criticism. Frequently the only action the Council took was to postpone the matter, thus pursuing a policy of procrastination which neither assisted in the solution of outstanding problems nor satisfied the demands of the indigenous populations, for whom petitions constituted, apart from visiting missions, the only means of bringing their grievances to the attention of the United Nations.

35. Petitions could be classified in two categories, each of which required a special procedure. The first consisted of individual petitions, which were those at present subjected to the closest examination by the Standing Committee on Petitions. That body faced the delicate problem of deciding exactly where justice and equity lay, on the basis of the contentions of the petitioner and those of the Administering Authority. Too often the Committee decided in favour of the latter, which was in a more advantageous position than the petitioner in that it was represented during the Committee's discussions and actually took part in evolving the recommendations, while the petitioner was unable to elaborate his own arguments. In order to remedy this disparity to some extent, the Standing Committee might, *inter alia*, transmit to the petitioner the observations submitted by the Administering Authority and invite his comments. The Committee might also ask the petitioner to elucidate doubtful points. It would furthermore be useful if the visiting missions were instructed to investigate and make recommendations on petitions received on the spot. It was principally in the West African Territories that closer attention on the part of the visiting missions was most needed.

36. The second category of petitions originated from political parties and other organizations, and concerned general matters of political, economic, social and educational development in the Trust Territories. The Council had a tendency to pay no real attention to those petitions, and either referred the petitioner to its own previous recommendations or theoretically took such petitions into account during its examination of the annual reports on the Territories concerned. It was within the competence and responsibility of the Council to give full weight to the opinions expressed in those petitions, when arriving at its conclusions concerning the progress of the Trust Territories. Furthermore, political parties and other groups should be invited to study in advance the annual report on their Territory, and submit to the Council their opinions on that report. If such a course were followed, the United Nations would be better equipped to evaluate the operation of the International Trusteeship System.

37. His delegation regretted that, by reason of a decision taken by the Council at its eleventh session (453rd) meeting concerning the examination of annual reports, the present report of the Trusteeship Council did not deal with the African Trust Territories except for Somaliland under Italian administration. When, in January or February 1954, the Council came to examine the position in the African Trust Territories, it would be working on the basis of the reports of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, and the annual reports of the Administering Authorities covering the same year. Consequently, the Council would have only outdated documents concerning those Territories; which was all the more unfortunate since those Territories were relatively further advanced than others, and they were the most likely

scenes of important developments in the near future. The Committee would remember the statements made before it by the Togoland representatives, who had voiced their misgivings at the recent political developments in the Gold Coast. Similarly, the important constitutional reforms introduced in Nigeria might have far-reaching effects on the Cameroons under British administration, and perhaps also on the Cameroons under French administration. The peoples of the Cameroons seemed hostile to the integration of the Cameroons with Nigeria. The population of the southern part of the Cameroons under British administration had been to some extent calmed down at least temporarily, although the proposal to grant some form of regional autonomy to that part seemed to damage even further the territorial integrity of the country. It was true that the desire for unification was not yet as acute as in the case of Togoland, but there was little doubt that it would grow in force. Consequently, it might be said that that proposal of regional autonomy was contrary to the real aspirations of the Cameroons peoples, who were claiming, as evidenced by the reports of the visiting missions, a greater degree of unity both between the southern and northern parts of the Cameroons under British administration, and between the whole Cameroons under British administration and the Cameroons under French administration. Similarly, no one could foresee what effects the serious events now taking place in Kenya and Nyasaland might have in Tanganyika and Ruanda-Urundi. Nor was it known what had become of the Meru tribesmen who had been dispossessed of their lands. It was consequently not surprising that the Saudi Arabian delegation deplored that the Administering Authorities concerned had not deemed it desirable to submit to the Trusteeship Council any interim report or statement concerning the African Territories. Perhaps they would do so before the next session, and so supply the Trusteeship Council with information more recent than that at present available.

38. In conclusion, the Saudi Arabian representative supported the numerous delegations which had indicated their belief that the General Assembly should take further action to strengthen the operation of the International Trusteeship System. Thus, for instance, it could improve the new scholarship projects for the Trust Territories; determine the time-limits for the attainment of self-government or independence by the dependent peoples; and provide for a more effective dissemination of information about the United Nations. His delegation hoped that the General Assembly would take some positive action as a result of the hearings given to the representatives of Somaliland and the Cameroons. Those representatives could not be altogether blamed for having preferred the General Assembly to the Trusteeship Council, but in any event the choice was entirely up to them.

39. Mr. RYCKMANS (Belgium) pointed out that the Trusteeship Council had not failed in its duty, as certain criticisms seemed to imply, in regard to the question of the Meru lands. Indeed, it was almost at the end of the Council's session, to be exact at its 476th meeting, that Mr. Japhet had read a statement, after having suddenly asked the Council's permission at its 475th meeting. The Administering Authority had not been able to answer that statement, since the question had not been on the agenda for that session. Furthermore, Mr. Japhet, who had not returned to the Territory since the previous session, had only been able

to quote written information sent to him by the parties concerned. The Council, which could not take a decision without hearing the representative of the Administering Authority, had decided to place the text of Mr. Japhet's statement on file, and the question would be examined at the next session.

40. The Saudi Arabian representative had said that the Council would be well advised, in judging between the Administering Authority and petitioners, to transmit the Administering Authority's observations to the peti-

tioners, and ask the latter for their comments. That was in fact the normal procedure of the Council, and it gave the petitioners an opportunity to establish the facts if they considered the Administering Authority's allegation to be false.

41. That rectification would enable the Committee to have a more correct idea of the manner in which the Trusteeship Council was performing its duties.

The meeting rose at 1.10 p.m.