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AGENDA ITEM 36

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (concluded): *

- (a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter;
- (b) Information on educational conditions;
- (c) Information on other conditions;
- (d) General questions relating to the transmission and examination of information;
- (e) Report of the Secretary-General on new developments connected with the association of Non-Self-Governing Territories with the European Economic Community;
- (f) Offers of study and training facilities under resolution 845 (IX) of 22 November 1954: report of the Secretary-General

**REPORT OF THE FOURTH COMMITTEE
(A/4343) (concluded)**

1. The PRESIDENT (translated from Spanish): Before taking up items 37, 38, 41 and 40 dealing with reports of the Fourth Committee, I wish to inform the Assembly that, in connexion with resolution VII adopted by the Assembly this morning [855th meeting] and entitled "General questions relating to the transmission and examination of information", the Fourth Committee, acting on behalf of the Assembly, has elected the following six States as members of the Special Committee: the Netherlands, the United Kingdom and the United States as States transmitting information under Article 73 e of the Charter, and India, Mexico and Morocco as non-administering Members. If there are no objections, I shall assume that the Assembly confirms these elections establishing the membership of the Special Committee.

It was so decided.

Decision concerning the procedure of the meeting

In accordance with rule 68 of the rules of procedure, it was decided not to discuss the report of the Fourth Committee.

* Resumed from the 855th meeting.

AGENDA ITEM 37

Election to fill vacancies in the Committee on Information from Non-Self-Governing Territories

REPORT OF THE FOURTH COMMITTEE (A/4344)

2. The PRESIDENT (translated from Spanish): The Fourth Committee, acting on behalf of the Assembly, has elected Argentina and Ceylon as members of the Committee on Information from Non-Self-Governing Territories. If there are no objections, I shall assume that the Assembly confirms these elections.

It was so decided.

AGENDA ITEM 38

Question of South West Africa (concluded):*

(d) Election of three members of the Committee on South West Africa

REPORT OF THE FOURTH COMMITTEE (A/4272/Add.1)

3. The PRESIDENT (translated from Spanish): The Fourth Committee reports that, by secret ballot, it has elected Denmark and re-elected Brazil and Ethiopia to fill the vacancies on the Committee on South West Africa and it recommends that the General Assembly appoint these members to serve on that Committee as from 1 January 1960. If there are no objections, I shall assume that the Assembly adopts the recommendation of the Fourth Committee.

It was so decided.

AGENDA ITEM 41

The future of the Trust Territory of the Cameroons under United Kingdom administration (concluded):**

(b) Report of the United Nations Plebiscite Commissioner on the plebiscite in the northern part of the Territory and report of the Trusteeship Council

REPORT OF THE FOURTH COMMITTEE (A/4348)

4. The PRESIDENT (translated from Spanish): The Assembly has before it a note by the Secretary-General [A/4349] on the financial implications of the draft resolution recommended by the Fourth Committee in its report [A/4348].

5. Mr. KENNEDY (Ireland), Rapporteur of the Fourth Committee: I have the honour to present the report of the Fourth Committee [A/4348] on the future of the northern part of the Trust Territory of the Cameroons under United Kingdom administration.

6. It may be recalled that in accordance with resolution 1350 (XIII), a plebiscite was to be held in the northern part of the Trust Territory of the Cameroons under United Kingdom administration. In this plebiscite, the people were to be asked to choose between becoming part of the northern region of Nigeria when Nigeria becomes independent, or deciding their future at a later date.

7. The voting took place on 7 November 1959, and the report of the United Nations Plebiscite Commissioner,

Mr. Djalal Abdoh of Iran, revealed that in a plebiscite conducted by the Administering Authority with efficiency and impartiality, 62 per cent of those voting opted for the second alternative. This result, though unexpected, confirmed the wisdom of the General Assembly in arranging for the plebiscite. It, however, necessitated an effort by members of the Fourth Committee to interpret what had been the motives of the inhabitants of the Northern Cameroons in arriving at their decision. In this respect, the judgement of the Plebiscite Commissioner to the effect that dissatisfaction with the existing system of local government in the Northern Cameroons may have been an important cause of the majority voting in favour of postponing a decision on the future of the Northern Cameroons was duly taken into consideration by the members of the Committee.

8. In a draft resolution unanimously adopted by the Fourth Committee, it is recommended that the necessary measures should be taken without delay for the further decentralization of governmental functions and for the effective democratization of local government as well as for the separation of the administration of the Northern Cameroons from that of Nigeria by 1 October 1960. Whether that separation would be permanent or not would depend on the outcome of a further plebiscite which the Committee has recommended to be held not later than the end of March 1961, in which the voters would be asked to choose between joining the independent republic of the Cameroons or the independent Federation of Nigeria.

9. I am pleased to report that, in the Fourth Committee, there was agreement that in the second plebiscite, unlike the first one, women would have the right to vote. There would thus be in all respects a conformity between this plebiscite and the one which the General Assembly decided earlier in this session [resolution 1352 (XIV)] to hold in the southern part of the Cameroons under United Kingdom administration.

10. In addition, the draft resolution pays a well deserved tribute to the United Nations Plebiscite Commissioner and his staff who operated efficiently under unusually arduous conditions. I am sure that I would be voicing the feelings of the Fourth Committee in expressing our confidence that Mr. Abdoh and his staff will carry out the next plebiscite in the northern part of the Cameroons under United Kingdom administration with the same exemplary efficiency.

11. Since the draft resolution provides for the establishment of democratic institutions among the peoples of the Northern Cameroons and for a free and considered choice as to their future status, I have much pleasure in introducing it to the General Assembly.

12. The PRESIDENT (translated from Spanish): The Fourth Committee unanimously adopted the draft resolution contained in its report [A/4348]. Consequently, if there are no objections, I shall assume that it is also unanimously adopted by the General Assembly.

The draft resolution was adopted unanimously.

13. The PRESIDENT (translated from Spanish): I wish to take this opportunity of expressing to His Excellency Mr. Djalal Abdoh the Assembly's best wishes in the discharge of his important responsibilities.

* Resumed from the 838th meeting.

** Resumed from the 829th meeting.

14. Sir Andrew COHEN (United Kingdom): I should like on this occasion, on behalf of the United Kingdom delegation and, in particular, on behalf of my friends from the Northern Cameroons and Nigeria who are here, to express our appreciation of the action taken by the General Assembly with regard to the Northern Cameroons.

15. This matter came up very late in our agenda and we were indeed fortunate, in spite of the very short time available since the plebiscite, to have a most lucid and comprehensive report from Mr. Abdoh, the United Nations Plebiscite Commissioner [A/4314 and Add.1].

16. Some very complicated issues were before the Fourth Committee in regard to this plebiscite, and when we started our discussions, not all these issues were entirely without controversy. But thanks to the assistance which we and the people of the Northern Cameroons through us received from our many friends in the Fourth Committee, both inside the Committee and in discussions outside it, the Committee was able the other day to adopt unanimously a draft resolution on the subject. This will be a great source of gratification to the United Kingdom Government and to the people of the Northern Cameroons and to the Government and people of Nigeria, who are very much interested in the question.

17. This draft resolution—I need not go into detail—will undoubtedly help the people of the Northern Cameroons forward to the attainment of the objective of the Trusteeship System, namely independence in a very short time in association with one or the other of the neighbouring countries. It will also help, together with the resolution which we adopted at the beginning of this session regarding the Southern Cameroons [resolution 1352 (XIV)], to solve the various practical and legal problems connected with the termination of Trusteeship for this Trust Territory.

18. I would like again to say how very grateful we are to all those who helped with co-operation, advice and discussion in the work which led up to the unanimous adoption of this resolution.

AGENDA ITEM 40

Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia: reports of the Governments of Ethiopia and of Italy

REPORT OF THE FOURTH COMMITTEE (A/4350)

19. Mr. KENNEDY (Ireland), Rapporteur of the Fourth Committee: I now have the honour to present to the General Assembly the report of the Fourth Committee on the question of the frontier between the Trust Territory of Somaliland and Ethiopia [A/4350].

20. It has been a matter of regret to me and, I believe, to all other members of the Committee that the procedure recommended in General Assembly resolution 1345 (XIII) has not led to an agreed solution to the question of the delimitation of the frontier, which has become even more urgent in view of the resolution recently adopted by the General Assembly in accordance with which Somalia will become an independent State on 1 July 1960 [resolution 1418 (XIV)]. A suggestion for the demarcation of the provisional

administrative line without prejudice to the rights of the parties concerned was considered in the Committee, but because the parties concerned were unable to reach a definitive agreement before the Committee was obliged to terminate its work, no formal proposal to that effect was submitted to the General Assembly. I am confident of speaking for the Committee in expressing the urgent wish that the parties concerned may be in a position to agree to this or some other procedure for the delimitation of the frontier, if possible during the course of this plenary meeting of the General Assembly, or, if not, well before the date of independence of Somalia on 1 July 1960.

21. I believe I would also be voicing the feeling of the Fourth Committee in expressing a well-deserved tribute to those representatives who have worked so hard in the Committee in the hope of reaching an agreement. In particular, I should like to mention the patient and sustained efforts made by the representatives of Japan and New Zealand to arrive at an agreed draft which would be acceptable to both parties and which might have enabled the United Nations to serve once more as a forum for the peaceful solution of international political problems.

22. Mr. ORTONA (Italy): In connexion with the report of the Fourth Committee on the question of the frontier between Somaliland and Ethiopia [A/4350], I feel it my duty to ask for the floor as representative of the country which has administered the Trust Territory of Somaliland under United Nations trusteeship for the last nine years. It was only a week ago that I took the floor to underline the auspicious adoption of a resolution by which the General Assembly had agreed on an advanced date for the independence of Somalia. It was a happy occasion for congratulating ourselves, with the new country on the threshold of attaining its independence.

23. Unfortunately, these last seven days have not brought forth similar success, by way of a resolution of this Assembly, on the complex question of the frontier between Somaliland and Ethiopia. It is on the lack of a resolution that I would like this Assembly to allow me to elaborate briefly.

24. First, I would like to point out that the Italian delegation, as was stated last night in the Fourth Committee [1001st meeting], has deeply appreciated and is very grateful for the untiring efforts of some delegations, in particular the Japanese and the New Zealand delegations, which have tried to bring about some concrete results in the way of a resolution. We know, and the Somali representatives also know, that these efforts have been bent to well-meaning purposes and conciliatory objectives.

25. All delegations are certainly aware also of all the endeavours which, with the valuable support and assistance of the General Assembly, have been made during recent years to reach a final, just and equitable solution, to use the words of one of the resolutions adopted by the Assembly.

26. There is no doubt that the Somali representatives had hoped that our debate might achieve some fruitful result. And this is more than understandable. Here we have a young country which, in spite of the substantive steps it has taken and the progress it has achieved, is beset, like every young country, by uncertainties and anxieties. Here is a country which

strongly hoped that the attainment of its independence could be dovetailed with the solution, or at least with the effective prerequisites of a solution, of the most thorny problem that any territory can face, that is, the problem of its frontier, which means the problem of the limits within which it can exercise its sovereignty—the more so because many years of negotiations had been spent in vain, without the attainment of any results.

27. It is undeniable that the absence of a definite frontier in a long stretch of territory covering about 500 miles would be a very serious problem for any country. Moreover, in this case we have an unsettled border with extremely mobile populations and with conflicting claims. All this cannot fail to produce difficulties and uncertainties.

28. We know and we have heard repeatedly of the friendly feelings of the Ethiopian people towards the Somali people and of the intention of the Ethiopian Government of establishing the best possible relationship with Somalia. It is not because we have any doubt about it that we have made reference to the above-mentioned concern felt by the Somali Government. What we have been trying to convey in the meetings of the Fourth Committee, and again here in the Assembly, is that, because of the complexity of the frontier problem, it is only too natural that the Somali representatives regret the unfruitful conclusion of the debate and the fact that, failing previous agreements between the parties, no resolution has emerged from it. This is all the more natural inasmuch as the procedures provided for in General Assembly resolution 392 (V) have been thoroughly tested without the attainment of any of the expected results.

29. In sum, it is a fact that, whatever may have been the circumstances and the causes of it, the long standing expectation of the Somali people could not be satisfied, whereas on the question of the frontier, Somaliland has felt and still feels it necessary to reach a solution so that it may devote itself entirely to its internal social and economic problems.

30. I know that this regret is shared by the Fourth Committee. However, I should also like to point out that, in spite of their negative results, the debates which have taken place in the Fourth Committee might themselves present some positive features, in the sense that they might increase the will of Somalia and Ethiopia to pursue their efforts through any kind of negotiation and with the help of any other instrumentality which might be called upon to give a hand in the matter for the solution of the frontier problem. I know that I express the sentiments of the Somali Government and the Somali people when I say that they hope to reach a mutually satisfactory solution with Ethiopia in the development of friendly relations with that neighbouring country.

31. Moreover, we have two other features to take into account: first, the fact that the debates in the Fourth Committee have developed in a moderate tone and have left no grudge and no bitterness; secondly, that fact that the Secretary-General's forthcoming trip to Africa will include calls both at Mogadiscio and at Addis Ababa.

32. In view of all this I think that, in spite of the apparently sterile results of the formal debates, it is only fitting to express the confidence that a basis is still there for the United Nations to continue to lend

its assistance in order that the new country of Somalia may fruitfully devote itself to the development of its democratic institutions and to the welfare of its people, free from any problem or worry of an external nature. We are sure that the Ethiopian Government and people will lend a responsive ear to these aspirations and expectations of their friendly neighbour.

33. May I conclude by saying, on behalf of the Somali delegation also, that Somalia is deeply grateful to the United Nations to which it owes its independence and that it has complete confidence that that Organization will provide the new State with inspiring advice and untiring help in the future. As we have confidence that the Members of this Organization will constantly give to Somalia their moral support, we have no doubt, knowing as we do the Somali people, that they will face this new responsibility and the heavy burden which accompanies it with great courage and dignity in the years to come.

Sir Pierson Dixon (United Kingdom), Vice-President, took the Chair.

34. Mr. ALEMAYEHOU (Ethiopia): I come to this rostrum with mixed feelings concerning the final report of the Fourth Committee [A/4350] on the question of the delimitation of the frontier between Ethiopia and the Trust Territory of Somaliland, which, happily will so soon become the independent State of Somalia and take its seat in the Assembly at its fifteenth session. I do, of course, greatly regret that, in spite of the best efforts of my colleagues in the Committee, and particularly the representatives of Japan and of New Zealand whose efforts and formulae Ethiopia was prepared to accept, and in spite of the effort of our other friends, an agreed draft resolution was not forthcoming. The invaluable collaboration and assistance of our colleagues in the Fourth Committee, who have given so much of their time and energy during the last week to the extensive efforts to reach agreement on a draft resolution, are deeply appreciated by the delegation and Government of Ethiopia.

35. In the circumstances, there being no draft resolution adopted by the Fourth Committee, I would venture to assess very briefly the reasons for the failure to achieve agreement. Might I emphasize that, notwithstanding past obstacles, a final and stable solution has always been the basic objective of my Government from the inception of the matter in the General Assembly; the persistence of my delegation in seeking to achieve those objectives is the best proof and testimony of our attitude.

36. As in the case of so many other frontiers throughout the world which have remained for decades undelimited on the ground, Ethiopia's persistent efforts over the years to achieve a final delimitation of its frontier with Somaliland have been constantly opposed.

37. From the very moment when the United Nations became interested in the question, Ethiopia drew the attention of the General Assembly to its firm desire to achieve the earliest possible delimitation of the frontier of the Trust Territory. If, at that time, the United Nations did not take up the question, the fault was certainly not Ethiopia's any more than it is today, ten years later, when, notwithstanding Ethiopia's efforts, an agreed solution could not be achieved.

38. During this ten-year period, Ethiopia, in implementation of the basic resolution on the question [resolution 392 (V)], pressed for an immediate and agreed settlement of the delimitation of the frontier. However, that procedure of an immediately agreed settlement on any basis was refused, as indeed would appear to be the case today. On the contrary, it was insisted that negotiations should be entered upon instead. When we agreed to follow the slower course of negotiations, we were almost as promptly confronted with attempts and then demands for terminating those negotiations, even though, it was admitted, they had just started.

39. When the negotiations, pursued only at the insistence of Ethiopia and because of the unanimous decision of the United Nations, were nevertheless terminated at the insistence of the other side, it was again Ethiopia alone which pressed for some procedure that would enable the parties to cut to the heart of the matter so as to resolve the differences which those negotiations had revealed. Ethiopia's insistence was at last rewarded by the General Assembly's unanimous recommendation that the parties have recourse to the procedure of arbitration [resolution 1213 (XII)]. Moreover, in order to accommodate the wishes of the other side, Ethiopia agreed to the proposal that the parties avail themselves of the assistance of an independent person in their negotiations on the terms of reference. However, for the appointment of such independent person on which Italy had insisted so strongly, Ethiopia promptly proposed ten candidates, all from neutral countries, and Italy rejected them. As for the negotiations on the terms of reference as such, I need perhaps only invite the attention of my colleagues to the fundamental support of the position adopted by Ethiopia, as revealed in the proposals of the independent person.

40. But, be that as it may, it now emerges from those negotiations that Ethiopia was confronted with a refusal to allow the tribunal to resolve the differences or even to deal with the problems as posed by the basic resolution of the General Assembly in this matter, resolution 392 (V). In fact, Ethiopia was told that the negotiations and, indeed, even the language of the resolution should be ignored, as well as resolutions 1213 (XII) and 1345 (XIII) proposing arbitration, since the other party insisted that only its views as to the nature and object of the arbitration could be followed. Those views included the claim that the other party could, without the consent of Ethiopia, determine the latter's national territory and boundaries by agreements concluded, not with, but against, Ethiopia.

41. Finally, this resistance to arbitration itself is revealed by the rejection today of Ethiopia's recent acceptance of the disinterested offer of friendly delegations to delimit the present administrative line pending completion of arbitration.

42. It was in these circumstances that Ethiopia again declared itself ready to accept a final frontier delimitation and to meet the desires of the other side without prejudice to the latter's basic positions. It was Ethiopia alone which agreed to the suggestions of certain friendly disinterested delegations to accept a permanent line of arbitration. The other party as emphatically rejected it. At the same time, that party rejected acceptance of the demarcation of the existing line even on a temporary basis if such acceptance should involve in any way the continuation of the established arbitration procedure for the final settle-

ment of the problem. Thus, both permanent and temporary solutions have now been rejected even though they concern a line which the other party has publicly declared should be delimited on the ground.

43. Admittedly, the present circumstances are scarcely what might be considered entirely encouraging. On the other hand, Ethiopia can, with the clarity and composure of conscience with which years of unrelenting efforts have endowed it, take a longer and, I trust, a somewhat more conciliatory view of the problem. Ethiopia realizes that, in the matter of frontier delimitation, it is by no means unusual, if we are to judge by the existence of many similar frontier problems of long standing throughout the world, that settlements are often achieved only at the cost of infinite and sustained patience and goodwill in overcoming the obstacles of time and intransigence.

44. As I explained to the members of the Fourth Committee, the attempts made by Ethiopia, indeed even long before the establishment of the United Nations, to bring about delimitation of this frontier met with failure. It is perhaps not unduly surprising therefore that, in the somewhat shorter interval represented by the decade of trusteeship now nearing its termination, attempts to reach agreement with the same parties with whom difficulties had been encountered for so many years before should similarly have met with failure. It is now apparent that, as a result of the failure at the fourteenth session of the General Assembly, at the end of trusteeship, the particular decade of United Nations efforts to assist the same parties to reach agreement is now marking its close with the same result. However, with the welcome accession of our Somali friends to independence, now, for the first time in the long history of the question, the efforts to agree on delimitation can be continued between two sovereign States and, what was heretofore impossible, on precisely the same basis as that which exists in so many other areas of the world where frontiers still remain to be delimited on the ground.

45. I should like to think that, by adopting a mutually constructive approach and by building upon the common areas of agreement painfully and patiently achieved through the years, we may look forward to an agreed delimitation on the ground of a frontier which should serve as a monument to resolute and sustained efforts to lay the basis for a profound and lasting understanding between two brother States.

46. In spite of our every effort to achieve a final and definitive settlement, or even a temporary settlement without disrupting the already established procedure for the final settlement, these solutions proved unfortunately to be unacceptable to our friends from the Italian delegation. Nevertheless, my Government has no doubt that Somalia, no less than Ethiopia, will be seeking to establish that collaboration necessary to the final delimitation of the frontier and that the co-operation of Ethiopia and Somalia will be deepened and strengthened as they move together to solve their problems through their common efforts.

47. I think, therefore, if I may say so, that this close and paternal collaboration can only bear fruit in a climate of mutual, undeviating and indestructible attachment to and confidence in the success of the efforts of the parties concerned. Any suggestion, whether from within or without, in any way casting doubt upon the firmness or the mutuality of that re-

solve would be viewed as a disservice to that high and important objective. Consequently, any proposal or measure at this time which does not enjoy the agreement of both parties would, in these circumstances, be entirely unproductive and, in fact, would do more harm than good.

48. May I express once again to the President and to the many delegations and colleagues who have laboured with us to achieve a satisfactory solution to our difficulties the very warm appreciation of my Government for their courtesy, collaboration and helpfulness throughout the years.

AGENDA ITEM 17

Election of two members of the Trusteeship Council

49. The PRESIDENT: This item deals with the election of two members of the Trusteeship Council to fill the vacancies which will occur in the Council when the terms of office of Haiti and India expire in December 1959. In this election, all Members of the General Assembly are eligible, including the two outgoing Members, except those Members whose terms of office do not expire at the end of this year.

50. In connexion with this item, two draft resolutions have been distributed, the first submitted by the delegation of the Union of Soviet Socialist Republics [A/L.274] and the second by the delegation of Tunisia [A/L.275/Rev.1]. Since both of these draft resolutions deal with matters touching on the composition of the Council during the coming year, I believe that the Assembly should, in the first instance, take a decision on these draft resolutions and then turn to the election itself. Since there appears to be no objection to proceeding in this way, I propose to put to the consideration of the General Assembly these two draft resolutions.

It was so decided.

51. Mr. Mongi SLIM (Tunisia) (translated from French): This year the election of two members of the Trusteeship Council confronts the General Assembly with a serious problem, since in 1960 two Members representing administering States will cease to be administering States. In view of the difficulty with regard to the composition of the Trusteeship Council which will consequently exist from then on, we considered that it would be helpful to propose a provisional solution which would make it possible for the composition of the Trusteeship Council to be in line with the rules laid down in Article 86 of the United Nations Charter.

52. The Tunisian delegation is happy to submit to the General Assembly a draft resolution [A/L.275/Rev.1] which, if adopted, would solve the important problem now confronting us in a way which, although not ideal, is nevertheless satisfactory both from the legal standpoint and from the standpoint of what is practicable. The Tunisian delegation, in proposing this text, is moved solely by respect for the Charter and for the principles enshrined therein.

53. I will not embark on a detailed analysis of the somewhat thorny problem before us today, with which we are all familiar, but will confine myself to summarizing the situation by saying that the Charter, while prescribing the composition of the Trusteeship Council in terms which are uniformly clear and in

some respects detailed, makes no provision for the procedure to be followed when the time comes to disband the Council, a course which the nature of the Council itself ultimately makes inevitable.

54. The provisions of Chapter XII of the Charter concerning the International Trusteeship System leave no room for doubt on that score. We are now faced with the first stage in the Trusteeship Council's progress towards disbandment. Three of the ten Trust Territories—namely, the Cameroons under French administration, Togoland under French administration and Somaliland under Italian administration—will become independent during 1960 and thus emerge from trusteeship. Consequently, two countries will cease to have the responsibility of administering Trust Territories, and so will cease to belong to the category provided for in Article 86, paragraph 1 a—the category described as "Members administering Trust Territories".

55. France, a permanent member of the Security Council mentioned by name in the Charter, will remain a member of the Trusteeship Council, under paragraph 1 b instead of paragraph 1 a of Article 86; Italy, on the other hand, will leave the Council altogether.

56. It is quite clear that, according to both the spirit and the letter of the Charter, only those States can be members of the Trusteeship Council which belong to one of the three categories defined in Article 86—namely, permanent members of the Security Council, Members administering Trust Territories, or Members elected by the General Assembly. After 1 July 1960, the date on which trusteeship for Somaliland will end, Italy will no longer be administering a Trust Territory; and as Italy is not a permanent member of the Security Council, and has not been elected to the Trusteeship Council by the General Assembly, it will have to withdraw from the Council on 1 July 1960. By virtue of the terms of the Charter itself it will no longer be a member of the Trusteeship Council, and no specific decision to that effect is required. That is self-evident, and we are convinced that no one who has read and studied Article 86 of the Charter could have the slightest doubt on the matter. If any country not a member of the Trusteeship Council took a place at the Council table after the date when it had ceased to be eligible for membership, the meetings of the Trusteeship Council would be, purely and simply, illegal.

57. Then comes into operation the principle of parity—unfortunately so rigidly defined, in Article 86, paragraph 1 c, as to exclude any flexibility of interpretation. One of the countries elected to the Trusteeship Council by the General Assembly must therefore cease to be a member at the time when Italy ceases to be a member, namely as from July 1960. If the Council held meetings after that time without the principle of parity being respected, such meetings would obviously be, under the United Nations Charter, purely and simply illegal.

58. I am sure that our friends on the Italian delegation will forgive us for having dwelt on their case; we have done so because it is the simplest to grasp, so simple, in fact, as to need no elaboration.

59. The case of France is somewhat different, although it is equally clear from the standpoint of principle. France will cease to be an administering Member on 27 April 1960, when Togoland becomes inde-

pendent; there is no argument possible on that point, because Article 86 does not refer to "administering Members", but speaks of "Members ... which administer Trust Territories"; I emphasize those words "Members ... which administer Trust Territories".

60. Article 86 thus refers to a *de facto* situation at the moment when it obtains, and the fact is that on 27 April 1960 France will no longer administer any Trust Territory and after that date cannot be regarded as a State which administers a Trust Territory.

61. Consequently it is out of the question to give France the false label of "administering authority" to justify its presence in the Trusteeship Council after 27 April 1960. France will nevertheless remain a member of the Trusteeship Council, but solely by virtue of Article 86, paragraph 1 b, and solely in its capacity as a member mentioned by name in Article 23 of the Charter as a permanent member of the Security Council.

62. Here again, there is no room for flexibility of interpretation because of the parity principle on the basis of which the Charter instituted the Trusteeship Council and established its composition. Accordingly, two of the elected members must cease to be members of the Trusteeship Council after 27 April 1960. There will be an automatic change. Unfortunately, the skill and clarity with which Article 86, paragraph 1 c, was drafted leaves us no other choice. Furthermore, I would recall that during the proceedings of the Preparatory Commission of the United Nations the United Kingdom delegation set forth, in a memorandum concerning the composition of the Trusteeship Council submitted on 15 September 1945,^{1/} views which may be regarded as supporting the argument put forward by my delegation today with regard to the interpretation of the Charter.

63. According to the United Kingdom memorandum, two possible cases might arise. The first is that of a Member entitled to a permanent seat, and on this the memorandum has the following to say:

"If such a Member ceased to be an Administering State, she would displace two elected members; one because the total number of 'non-administering' members would have to be reduced by one to maintain equality between the numbers of administering and non-administering States, and a second in order to provide her with a seat in the reduced number now available. The decision which elected member should lose her seat would presumably lie with the General Assembly."

64. The second case cited by the United Kingdom memorandum is that of a Member which is not entitled to a permanent seat, and on this question the United Kingdom memorandum makes the following observation:

"If such a Member ceased to be an Administering State, she would lose her seat on the Council unless subsequently elected; and the reduction of the number of Administering States by one would in this case involve only one displacement among the elected members."

65. That is the view explicitly set forth in the United Kingdom memorandum submitted on 15 September

1945. Because the Charter is perfectly clear on the question, the problem would be childishly simple if there were no question of deciding which of the elected members should cease to belong to the Trusteeship Council. This is the problem dealt with in the draft resolution which we have the honour to submit to the General Assembly; the difficulty arising, which will no doubt be mentioned by several delegations, is that of the principle of the three-year term.

66. We shall be told that, whatever method is chosen to designate the members which are to leave the Council, it will conflict with the principle of the three-year term which is also laid down in the Charter, since those members, having been elected for three years, will not have completed the term established by Article 86 of the Charter. This is undoubtedly a difficulty; but in meeting any objection that might be raised on those grounds I shall confine myself to three points, which I will explain briefly and may deal with at greater length later on, should that prove necessary.

67. The first point I wish to make is that the question of the three-year term is not one of principle. Every single word in the Charter does not, in itself, constitute a principle. We have all learnt how to distinguish between a fundamental principle and a mere indication of procedure. But even if we agreed to regard this procedural decision as a principle, it would remain true that this so-called principle would have much less weight than the principle of parity, or the principle that a permanent member of the Security Council must be a member of the Trusteeship Council. However, I will not pursue this argument of pure legal theory, since we all know that, whatever the argument may be, some lawyer can always be found to advance, with talent and eloquence, another thesis. Let us pass on to the "case law" which constitutes the second point of my reply.

68. This second point may be summed up as follows: United Nations practice furnishes abundant proof that the General Assembly has not regarded the so-called principle of the three-year term as a fundamental principle. In the past the Assembly has deliberately—and I stress that word—elected members of the Trusteeship Council for a period of less than three years, as the result of the voluntary resignation of Council members. There have been similar cases in the Security Council. My delegation, within its short experience of the United Nations, has had occasion to take part in the election of a non-permanent member of the Security Council for a period of one year—whereas the Charter, in Article 23, paragraph 2, prescribes that the term for non-permanent members of the Security Council shall be two years, in wording even more specific than that used in Article 86 with regard to the Trusteeship Council. These are incontestable precedents, to which my delegation will, if necessary, revert.

69. I now come to the third point which I wish to make in reply to a possible objection based on the principle of the three-year term. In this connexion I would say that our draft resolution is designed to conform absolutely with the letter of the Charter; and I would emphasize that the procedure we suggest—the drawing of lots—obviates any conflict with the provision for a three-year term, because when we elect two new members of the Trusteeship Council—if we in fact do so—it will be for a three-year period.

^{1/} Preparatory Commission of the United Nations, document PC/EX/TC/4.

If the drawing of lots cuts short the term of office of new members or of members elected previously, that is a turn of events which, while foreseeable, is none the less inevitable. The fact that we do not know how many countries will be unable to complete their three-year term makes it possible to say that the three-year term provision remains the rule. Legally, this situation is more justifiable than that created when the General Assembly, so far as I know without any objection or reservation being advanced, took a deliberate decision—and it is for this reason that I emphasized the deliberate nature of that decision—to elect members of the Security Council and the Trusteeship Council for a period shorter than that prescribed by the relevant Articles of the Charter.

70. I now pass to the text of the draft resolution which we propose in the draft resolution. The first preambular paragraph of the draft resolution calls for no comment since I do not believe that any delegation here present is guided by considerations other than the provisions of Article 86 of the Charter. The second preambular paragraph merely describes a de facto situation. It is a fact that, on the dates mentioned, France and Italy will cease to administer Trust Territories; it is also a fact—in this case a legal one—that the provisions of Article 86, paragraph 1 c, of the Charter call for a change in the composition of the Trusteeship Council. The second preambular paragraph endeavours to describe the situation calling for the solution which we advocate in operative paragraph 1. The third preambular paragraph is based on considerations of a different nature. It is perhaps less "factual", if I may use such an expression; it draws the General Assembly's attention to a situation which might arise sooner than we expect, and which would bring two fundamental principles of the Charter into conflict.

71. It is easy to imagine a Trusteeship Council on which there would be only two Administering Authorities left, side by side with four permanent members of the Security Council, all four of them non-administering States. It would then be impossible to choose, even by the drawing of lots, between two fundamental principles, both established by the Charter: the principle of parity, and the principle that permanent members of the Security Council must be members of the Trusteeship Council. The Trusteeship Council might thus become completely paralysed—which would reflect discredit on the Charter itself.

72. Side by side with this rather bleak prospect, we envisage another, perhaps less serious and not presenting us with so weighty a legal problem—the possibility (and this may happen in the very near future) that the category of members of the Trusteeship Council elected by the General Assembly will completely disappear. This problem is of an altogether different nature, involving as it does the political balance of the Trusteeship Council and the effectiveness of its work. In evaluating the role played by this category of member of the Council, we are simply expressing our own delegation's view, but it is, I am sure, a view shared by many other delegations.

73. The various considerations invoked in the third preambular paragraph, taken as a whole, provide the grounds for the revised operative paragraph 4. Once the General Assembly realizes the far-reaching nature of the problem raised by the future of the Trusteeship Council, it cannot but endeavour to solve it, and for

this reason we believe it highly desirable that this question should be placed on the provisional agenda of the next session.

74. With regard to operative paragraph 1, I think that we have given a sufficient explanation of its purport.

75. I would now like to offer, briefly, a few additional explanations regarding operative paragraph 2. It may be objected that this paragraph provides for the procedure of drawing by lots, which may appear somewhat irregular and somewhat undemocratic; and it may be said that mere chance cannot be allowed to end a term of office for which a member has been duly elected by the General Assembly. We do not consider that such an objection would be valid, since in the present case the "chance" involved in the procedure of drawing by lots would be, as it were, duly endorsed by the General Assembly—and by a majority—before it could take effect, and that is what, in our draft resolution, we propose.

76. Needless to say, we have advocated this solution only in the absence of any other. The ideal solution, in our view, would have been for three of the elected members to announce, officially, their intention to resign voluntarily on the dates concerned; and we have in fact, in the revised version of our draft resolution, alluded to this idea.

77. In the meantime we would recall that the legislation of a number of countries provides for recourse to the drawing of lots at certain stages of procedure; it should moreover be noted that the rules of procedure of the General Assembly—a major document of our Organization—also, in rules 95 and 133, provides for this device.

78. The last point concerns the need to preserve equitable geographical distribution in the Trusteeship Council. There is a real risk that the geographical distribution in the Council may be further impaired; hence the addition of our new operative paragraph 3. We consider it right for the two elected members remaining on the Trusteeship Council to represent, not a single area of the world, but two areas—namely, the Latin American countries and the countries of Africa and Asia.

79. These last observations illustrate the practical nature of the solution we are advocating. Although we have tried to comply as strictly as possible with the legal requirements—and in this we have to a large extent, I think, succeeded—we have not overlooked the practical and somewhat delicate aspects of the problem.

80. Our draft resolution is by no means perfect or ideally desirable, and we do not claim that it has those virtues; but in our humble view it is, if not the best possible, at any rate the least objectionable in the present circumstances.

81. The Tunisian delegation is of course ready to welcome any suggestions or amendments designed to improve the text in form or even in substance, always provided that the principles of the Charter, which we aim to safeguard, are not infringed. We will study all proposals with the closest interest; but we are not prepared to compromise on the principles of the Charter, in so far as we understand them and regard them as fundamental.

82. We intend to request priority for our draft resolution, so that it may be voted on before the draft resolution submitted by the Soviet delegation [A/L.274], which we expect to vote for if our own is not adopted.

83. The PRESIDENT: Before calling on the next speaker on my list, I feel I should perhaps make an observation relating to the time which remains to us. Although I am sure that the Assembly has listened with the greatest attention to the lucid exposé just made by the representative of Tunisia, the author of the draft resolution [A/L.275/Rev.1]. I feel I should echo, indeed recall, the sentiments of our President, whose seat I occupy temporarily, that only two hours remain to us this evening. I recognize the complexity of the subject which is before us, but I feel I should express the earnest hope of the presidency that speakers, in spite of the complexity of the subject, will in the circumstances feel able to make their statements as brief as possible.

84. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): I shall try to be as brief as possible. At this fourteenth session, the General Assembly has decided unanimously that the independence of the Trust Territory of Togoland under French administration shall be proclaimed on 27 April 1960 [resolution 1416 (XIV)], and that the independence of the Trust Territory of Somaliland under Italian administration shall be proclaimed on 1 July 1960 [resolution 1418 (XIV)]. This will mean that France and Italy will cease to be Administering Authorities in the sense of Article 86, paragraph 1 a, of the Charter. France will remain a member of the Trusteeship Council as a permanent member of the Security Council not administering Trust Territories, while Italy will relinquish its membership of the Trusteeship Council.

85. In accordance with the parity principle laid down in Article 86, paragraph 1 c, of the Charter, the change in the status of France should lead to a reduction by two in the number of elected members of the Council, and the withdrawal of Italy should similarly entail the subtraction of one further elected member from the Trusteeship Council. Thus after 27 April 1960 the Trusteeship Council should, according to the Charter, comprise twelve members and, after 1 July 1960, ten members.

86. The question arises how, in practice, this reduction in the membership of the Trusteeship Council, consequent upon the reduction in the number of administering States, is to be effected. One possible way would be to elect two members of the Trusteeship Council for the period up to 27 April 1960, after which the membership of the Council would automatically become one of parity. There would then remain only the question of removing from the Council one further elected member after 1 July 1960.

87. We cannot, however, disregard the views of a number of delegations which are urging the election, at the present time, of elected members of the Council for a three-year period. The Soviet delegation has no objection to the election, now, of two members of the Trusteeship Council in accordance with Article 86, paragraph 1 c, of the Charter. It should, however, be stressed that this paragraph of the Charter mentions both the three-year term and the principle of the equal representation of administering and non-administering States.

88. The Soviet delegation considers it essential to comply with all the provisions of Article 86 of the Charter, and not to violate one of them and give preference to another. In this connexion the Soviet delegation submits, for the General Assembly's consideration, a draft resolution [A/L.274] whereby the General Assembly would decide to elect two members of the Trusteeship Council at the present session, in accordance with Article 86 of the Charter, and at the same time resolve to resume, on 28 April 1960, its fourteenth session with a view to taking a decision on the change in the composition of the Trusteeship Council in connexion with the reduction in the number of States administering Trust Territories.

89. The Soviet delegation considers that the adoption of this draft resolution would make it possible, in the existing circumstances, to comply with the United Nations Charter without violating any of its provisions.

90. Equally, of course, the Soviet delegation would not object to any method which would make it possible, even at the present session, to determine the measures for bringing the composition of the Trusteeship Council into line with the requirements of Article 86 of the United Nations Charter after 27 April 1960, that is to say, after France has ceased to be an administering Power. Such a method is put forward in the draft resolution submitted by the Tunisian delegation [A/L.275/Rev.1]. We consider that this draft resolution takes due account of all the provisions of the United Nations Charter relating to the composition of the Trusteeship Council, and offers a reasonable way out of the present situation. The delegation of the USSR is therefore prepared to yield priority to the Tunisian proposal, if the majority of delegations consider it more desirable to adopt the course suggested by the Tunisian delegation.

91. We recognize that the Tunisian draft resolution has the merit of proposing that a decision be taken immediately, and so of obviating the need for a resumed session of the General Assembly. In the present situation, therefore, the adoption of the Tunisian proposal, and particularly of its paragraph 2, would clearly provide a suitable basis for an agreement making it possible to elect two members of the Trusteeship Council at the present session. It need hardly be said that without such agreement we could in no wise proceed to the elections to the Trusteeship Council, since that would be a clear violation of the United Nations Charter.

92. In this connexion we should like to emphasize that the USSR delegation is categorically opposed to the view that we should defer further discussion of this question to the fifteenth session of the General Assembly.

93. In fact, were we to adopt this course, the Trusteeship Council, from 27 April 1960 to the adoption of a decision at the General Assembly's fifteenth session, would be functioning with a membership not in accordance with the United Nations Charter; and that cannot be permitted. Furthermore, there can be no doubt but that after 1 July 1960 Italy will leave the Trusteeship Council; and of course there is nothing to keep it there, for Italy will no longer be an administering member, it is not a permanent member of the Security Council, and it was not elected to the Trusteeship Council by the General Assembly. Accordingly, after 1 July 1960, Italy can in no wise remain in the Trusteeship Council. And Italy's with-

drawal from the Trusteeship Council will necessitate a change in the Council's composition.

94. Thus, before the General Assembly can proceed to the election to the Trusteeship Council it is essential to settle the question of the change in the Council's composition as a result of the forthcoming reduction in the number of administering States. The Tunisian and Soviet proposals indicate two possible ways of settling this question in conformity with the United Nations Charter.

95. The Soviet delegation is prepared to vote for the Tunisian draft resolution. If that text is rejected by the Assembly, the Soviet delegation will ask for its own draft resolution to be put to the vote.

96. Mr. DORSINVILLE (Haiti) (translated from French): My delegation believes that before a vote is taken to fill the seats which will become vacant in the Trusteeship Council on 1 January 1960, the General Assembly should take a decision on a preliminary question dealing with the duration of the term of office of elected members and the future composition of the Trusteeship Council. Although, in the normal functioning of the Trusteeship Council, the term of office of the elected members as provided for in Article 86 of the Charter, namely three years, would not arouse any controversy, a new element has arisen which creates a serious problem. We refer to the attainment of independence, on 27 April 1960, by Togoland, the second and only remaining Trust Territory under French administration. This new element, the attainment of independence by Togoland, will bring about a change in the status of the Administering Authority, which will automatically become a non-administering member but will retain a seat in the Trusteeship Council by virtue of Article 86, paragraph 16, and Article 23 of the Charter since France is a permanent member of the Security Council.

97. The change in the status of France in the Trusteeship Council involves the displacement of two of the non-administering elected members, since as we know, there is a balance in the Trusteeship Council between members administering Trust Territories, now seven in number, and members not administering Trust Territories, also seven in number. This element of balance is important, as it should be recalled that, unlike the other two United Nations Councils, the Security Council and the Economic and Social Council, the Trusteeship Council was established in accordance with the principle of parity of representation.

[The speaker read Article 86 of the Charter.]

98. If there are in fact three classes of members in accordance with Article 86, paragraph 1, these members are divided into two numerically equal categories. The clear intention which has prevailed and which has been specifically set down in the Charter was to maintain a balance between administering and non-administering members.

99. The principle of parity has been jealously guarded ever since the Trusteeship Council began to function, its membership having successively increased from ten members at the outset to twelve and then to fourteen, the increased number of administering members immediately requiring the election of corresponding new non-administering members.

100. Moreover, the Trusteeship Council has always taken care to maintain strict parity in all its sub-

sidary organs, such as the Standing Committee on Petitions, the visiting missions or even its drafting committees, even though its rules of procedure do not require it to do so.

101. I think it may have been desirable to recall these facts in order to show why my delegation is anxious that the General Assembly should take up the preliminary question of the duration of the term of office of elected members, taking into account the impending new circumstances.

102. In the opinion of my delegation, the three-year term mentioned in Article 86 of the Charter is not a binding and absolute requirement. It is a time-limit, at the end of which the General Assembly regularly either renews the term of office of a non-administering member elected under the terms of Article 86, paragraph 1 c, when that member seeks re-election for a new term, or elects another member.

103. In the contrary case, that is if the three-year term of office were a binding and absolute requirement, an elected member could not resign, as such a resignation would be unacceptable. We know, however, that twice in the past, elected non-administering members have resigned. They were replaced by two new members, not for three years but for the balance of the term of office of the members that had resigned.

104. We inevitably come back to the principle of parity of representation explicitly set forth in Article 86, paragraph 1 c, of the Charter, which in our opinion takes precedence over the question of the three-year term of office and reads as follows:

"as many other Members elected ... as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer Trust Territories and those which do not."

105. In the opinion of my delegation we must understand by this that the number of non-administering members must correspond to that of administering members and not vice versa. For, after all, the United Nations organ responsible for the operation of the Trusteeship System can operate only as long as there are territories placed under that system, therefore only as long as there are members responsible for the administration of those Territories. The composition of the Trusteeship Council necessarily varies in terms of the number of such members exercising de jure and de facto administration over these Territories and of the necessity of maintaining parity of representation.

106. We know officially that on 27 April 1960 Togoland, the second of the only two Trust Territories administered by France, will attain independence following the Cameroons, which will have attained independence on 1 January 1960.

107. Resolution 1253 (XIII) of 14 November 1958 ratified in advance the date to be chosen by mutual agreement between France and Togoland for the actual attainment of independence by that Territory. At the last session of the Trusteeship Council, the twenty-fourth, that date of 27 April 1960 was officially brought to the knowledge of the United Nations by the representatives of France and Togoland. There can therefore be no doubt in that respect. These facts are contained in the report of the Trusteeship Council to the General Assembly [A/4100].

108. Consequently, France will no longer be an administering member under Article 86, paragraph 1 a, of the Charter but will become a non-administering member under Article 86, paragraph 1 b displacing two of the non-administering members elected under Article 86, paragraph 1 c.

109. In view of these facts, my delegation is of the opinion that any election to fill the vacancies created by the departure of two elected members on 31 December 1959 should be held when agreement has been reached on the procedure to be followed to preserve the principle of parity after 27 April 1960, the date on which France, having ceased to be an administering member, will remain on the Council as a non-administering member.

110. My delegation, which has always done its utmost to examine objectively the problems before us, does not believe that it is in disagreement with the original drafters of the Charter, who when considering the texts submitted to the United Nations Preparatory Commission, had to give a clear exposition of their Governments' views on the very question now before us.

111. With regard to parity of representation in the Trusteeship Council, the United States representative expressed the view in the Preparatory Commission of the United Nations that in the interests of impartiality and of the effective functioning of the Trusteeship Council, it was important to have such parity.

112. Referring specifically to the reduction in the number of members administering Trust Territories, the United Kingdom representative submitted a memorandum,^{2/} on 15 September 1945, which stated the following regarding a member entitled to a permanent seat on the Council:

"If such a Member ceased to be an Administering State, she would displace two elected members; one because the total number of 'non-administering' members would have to be reduced by one to maintain equality between the numbers of administering and non-administering States, and a second in order to provide her with a seat in the reduced number now available. The decision which elected member should lose her seat would presumably lie with the General Assembly."

113. In discussing the question of elections to the Trusteeship Council, my delegation has been compelled to speak of the future composition of the Council. It should be recalled, Mr. President, that your distinguished predecessor, Mr. Charles Malik, drew attention to this problem last year [775th meeting] and said the General Assembly would have to take a decision on it at its fourteenth session. Therefore we have quite naturally centred the problem on the forthcoming change in the status of France in the Trusteeship Council which will result from the terms of Article 86, paragraph 1 b, of the Charter.

114. The case of Italy, which is different in one respect from that of France, since Italy is not one of the States referred to in Article 23 of the Charter, will, in our opinion, have to be dealt with in accordance with the same principles and resolved in due course.

115. The time will eventually come when the system established by Article 86 of the Charter will no longer

be able to operate unless other territories belonging to Administering Authorities other than those at present members of the Trusteeship Council are placed under that system. Reason and wisdom must eventually join forces to bring about a revision of the Charter, or at least of those parts which are the least likely to meet with an intransigent attitude.

116. Until that time comes, all we can do is appeal to reason. My delegation is making such an appeal to the General Assembly to reach a decision which will not run counter to the Charter.

117. The Haitian delegation will examine draft resolutions, which have been submitted by the delegations of Tunisia [A/L.275/Rev.1] and of the Soviet Union [A/L.274] respectively, in the light of the considerations which it has just expressed. These two draft resolutions are satisfactory to those who believe that elections should take place in any event on a three-year basis, but at the same time they propose two formulae which would enable the Trusteeship Council to avoid the difficulty in which it might find itself on 27 April 1960 as a result of unequal representation.

118. My delegation believes that it might be useful to know the French delegation's views on the question before us. France is one of the parties directly and most immediately concerned. I wonder, Mr. President, if my delegation might not through you request the French delegation to enlighten the Assembly on its interpretation of the status of France in the Trusteeship Council as of 27 April 1960, in order to help the Assembly to take a decision on the matter.

119. Mr. TABIBI (Afghanistan): My delegation welcomes the forthcoming independence of the two Trust Territories of the United Nations, namely, French Togoland and Italian Somaliland. While the duty of France and Italy fortunately ends next year, we are faced with the practical application of Article 86 of the Charter with regard to the composition of the Trusteeship Council.

120. My delegation referred this year to this question and its complication in the Committee on arrangements for a conference for the purpose of reviewing the Charter.

121. We think that this is not a simple matter, and an advance action of the General Assembly on the question of the adjustment of the three categories of Council members will not be advisable at this late stage of our deliberations; we also think that consideration should be given to the matter after the actual fulfilment of the duties of the two Administering Authorities next year.

122. My delegation considers that we should proceed now to the election to fill the two seats in the Council, as usual, and consider the whole question of the adjustment for the composition of the Council at the next session of the Assembly, but between now and the fifteenth session, the Members of the United Nations could negotiate to find a suitable formula for the composition of the Council, until the amendment of the Charter, in accordance with the procedure laid down in Articles 108 and 109 of the Charter, takes place at an appropriate time.

123. With these considerations in mind, we regret, with all due respect to the arguments put forward by the representatives of Tunisia and the Soviet Union, that we are unable to support the draft resolution

^{2/} See footnote 1.

submitted by the USSR [A/L.274] and the draft resolution of Tunisia [A/L.275/Rev.1], but there are some parts of the Tunisian draft resolution which, if they were put to the vote in parts, would be acceptable to my delegation—for example, the preamble, operative paragraph 1 a and operative paragraph 4.

124. We have taken this position in order to be practical and in order to avoid juridical and political complications at this late hour.

125. Mr. SASTROAMIDJOJO (Indonesia): The General Assembly has in the past taken certain measures and has adopted certain procedures to deal with occasions arising from the expiration of the three-year term of some members of the Trusteeship Council. In the years 1955 and 1957, the General Assembly elected two new non-administering members to replace those members of the Trusteeship Council whose terms had expired. At the current session of the General Assembly it is again called upon to elect two new non-administering members. However, the General Assembly now finds itself in an extraordinary situation. On 27 April 1960, with the attainment of independence by the Trust Territory of Togoland under French administration, France will cease to be an administering member of the Trusteeship Council and on 1 July 1960, with the attainment of independence by the Trust Territory of Somaliland under Italian administration, Italy will find itself in a similar position. The problem now arises whether, in view of these two impending events, the General Assembly should act on the composition of the membership of the Trusteeship Council during this session, or on the two dates mentioned, or postpone the matter for discussion at its fifteenth session.

126. I may recall that the General Assembly has in the past already taken certain measures, as I mentioned above, to deal with similar situations, although the then prevailing circumstances were the reverse of what they are now. I am referring particularly to the action taken by the General Assembly in 1947 when, on the admission of the United States, as administrator of the Pacific Islands, as an administering member of the Trusteeship Council, the President of the General Assembly, at the second session, announced [95th meeting] the necessity of electing two additional non-administering members of the Trusteeship Council, in order to restore the balance between administering and non-administering members, as required by Article 86, paragraph 1 c of the Charter. In December 1955, on the admission of Italy, as the Administering Authority for the Trust Territory of Somaliland, as an additional administering member of the Trusteeship Council, the General Assembly elected [559th meeting] Burma to serve as a non-administering member in the Council, in order again to ensure parity of membership on the Trusteeship Council between administering and non-administering members.

127. It has therefore become clear that in order to ensure the parity of membership, as called for by Article 86, paragraph 1 c, the General Assembly has, in a practical manner, dealt with former situations which warranted the application of Article 86 of the Charter.

128. It would therefore be consistent if the General Assembly, in normal circumstances, would act on the parity of the membership of the Trusteeship Council on the two dates I have mentioned. However, it cannot

be denied that on those two dates the General Assembly could be faced with certain practical and technical difficulties. In the first place, the prospective convening of the General Assembly at two special sessions might, in the view of my delegation, involve financial difficulties if Governments found it necessary to send their representatives from their respective home countries. In the second place, and what is more important, these special sessions of the General Assembly might well interfere with the orderly proceedings of the work of the Trusteeship Council itself.

129. In view of the very important and urgent matters to be discussed by the Trusteeship Council next year, it would be only appropriate to hope and to expect that no obstacles might affect the orderly proceedings of the deliberations of the Council. In particular, my delegation cannot subscribe to the procedure of drawing lots, as asked for in operative paragraphs 1 b and 1 c of the original Tunisian draft resolution [A/L.275] for the election of members in order to restore parity between the administering and non-administering members of the Trusteeship Council. This procedure is not provided for in the Charter.

130. My delegation further notes that while recommending the procedure to govern the elections to be held in April and July of next year, the revised draft resolution [A/L.275/Rev.1], in operative paragraph 4, still retains the recommendation that the question of the membership of the Trusteeship Council be included as an agenda item of the fifteenth session of the General Assembly. I would like to state that my delegation will support operative paragraph 4 of the draft resolution.

131. It is for all these reasons that my delegation is in favour of a course to be adopted by the General Assembly in which the question of the membership of the Trusteeship Council would be referred to its fifteenth session. In so doing, the General Assembly would, in our view, be only acting in a practical manner to overcome the present difficulty, in keeping with its procedure governing similar instances in the past and in conformity with the provisions of its Charter.

132. I must confess that despite the changes made in the draft the basic intention remains the same. I must therefore re-emphasize the position of my delegation that it cannot support the procedure of restoring the parity of membership in the Trusteeship Council by resorting to the drawing of lots, an idea which has been maintained by the sponsor of the draft and which now appears in operative paragraph 2.

133. My delegation has also to reserve its position with regard to the second and third paragraphs of the preamble for the reason that the procedure which my delegation has supported is to proceed now with the election of the two new members, and consider the matter further at the fifteenth session of the General Assembly in order to restore the parity of membership in the Trusteeship Council.

134. The change in operative paragraph 4 is only a change in the wording and my delegation would have wished that the original wording could be retained. In conclusion, I should like to state that it is in the light of these observations that my delegation will cast its vote on the revised Tunisian draft resolution.

135. Sir Claude COREA (Ceylon): At this late hour, I shall try to be brief. The item we are now discussing

relates to the election of two members of the Trusteeship Council. There would be no difficulty whatsoever in dealing with this item if it stood alone and had to be considered on its own merits. The two members whose terms of office expire at the end of this year could be replaced by two other members, and there would then be an end to the responsibility which we consider that the General Assembly has at this session. It is true that if we look ahead we can see difficulties and dangers next year, but I submit to this Assembly that all we can do in the terms of the Charter is to discharge the duty we have before us, namely, to go on with the task of electing these members.

136. At the present time there are seven administering members of the Trusteeship Council and seven non-administering members, and thus the requirement of the Charter, namely, the requirement of parity, is fulfilled. The other requirement of the elective principle is already maintained by reason of the fact that the non-administering members, excluding the permanent members of the Security Council, are elected members. We should, therefore, be satisfied with that position.

137. If we look ahead and try to meet the difficulties that will arise, first in April and then in July 1960, we get into a very difficult position. In April, there will be six administering members as against eight non-administering members, and in July there will be five administering members as against eight non-administering members. Thus the condition of parity will not be fulfilled.

138. I submit that, so far as the terms of the Charter are concerned, there is no provision whatsoever to rectify this situation. It may be that the Charter is deficient in this respect. It may be that this situation was not envisaged at the time the Charter was put into effect. But there is no provision in the Charter which can help us. In the circumstances, we must agree that between one session of the General Assembly and the next, different difficulties can arise and new situations can occur. If the Charter is silent on this point and does not provide a way of rectifying the situation, then we must allow the situation to continue until it can be rectified, possibly at the next session of the General Assembly. There are no provisions to enable us to intervene between the sessions. It is true that we can make certain suggestions as *ad hoc* measures for dealing with the difficulties, but then again we get into serious trouble.

139. That is the situation with which we are faced when we consider the two draft resolutions placed before us by the representatives of Tunisia [A/L.275/Rev.1] and the Soviet Union [A/L.274]. Undoubtedly, those representatives are motivated by the best of intentions in order to help us get over the difficulty with which we are faced, but when we try to adopt measures to get over one difficulty, then we are immediately faced with other tremendous difficulties. Therefore, both these measures fall short of what is required at the present time.

140. If, for instance, we examine the Tunisian draft resolution, many questions arise. In operative paragraph 1 (b) it is proposed "that on the date upon which France ceases to be an administering member ... two of the members elected under sub-paragraph c ... shall cease to be members of the Trusteeship Council."

141. Who can say that two elected members shall cease to be members of the Trusteeship Council? Where is the authority for the General Assembly to say that, when these members have been elected, under the terms of the Charter, for three years? We are proposing to adopt a draft resolution which in itself is unconstitutional and certainly illegal. We cannot impose on these members the duty of ceasing to be members. It is, of course, true that they can voluntarily cease to be members, and that is taken into account in operative paragraph 2 which contains the phrase, "in the absence of voluntary resignations".

142. I presume, therefore, that what the representative of Tunisia means is that when France ceases to be an administering member, two members shall offer their resignations. Now, if they do not offer their resignations, what happens? It is proposed, at least, that the Council shall proceed by drawing lots in order to decide which of the seven or eight non-administering members shall cease to be members. But suppose these members refuse to agree to draw lots? There is nothing to compel them; the Trusteeship Council has no authority to compel them to draw lots. The question of deciding an issue by drawing lots is a voluntary matter, just as it is a voluntary matter for members to cease to be members. The drawing of lots must be voluntary. This cannot be done by a resolution of the General Assembly. Therefore, the draft resolution in that respect falls far short of what is a practical solution of the question at issue.

143. I do not want to analyse this draft resolution any further at this late hour, but I do wish to point out that it does not help us at all, although it is intended to help us get over this difficulty. My delegation, for that reason at least, is most grateful to the representative of Tunisia for making the attempt.

144. Now let us take the draft resolution submitted by the Soviet Union. There one finds a very logical approach to the problem, a very correct approach technically, if I may say so, because the Soviet Union takes the stand that we should now proceed to elect two members to the Trusteeship Council and then resolve to resume the consideration of this question on 28 April 1960; that on the first occasion when the change takes place and the principle of parity is disturbed we shall summon the General Assembly, for the resumed fourteenth session, in order to deal with that problem. Now, as far as that goes, it is perfectly legal, constitutional, and if I may say so, a logical way of looking at the problem. But what would be the result of adopting the draft resolution? That is why my delegation is unable to accept it. Much as we appreciate the logicity, the practicability and the constitutionality of the draft resolution, we cannot accept it for two important reasons.

145. One reason is that we do not think that the whole General Assembly should resume for the sole purpose of settling this question of parity which will arise at that time. The expense involved and the inconvenience to Member States are certainly matters which should be taken into account in considering a matter of this kind. Therefore, we submit that both because of the expense and because of the inconvenience, no strong case can be made out for holding a resumed session in April and again in July of 1960.

146. Secondly, quite apart from the difficulty caused by expenditure and inconvenience, we do not think that

anything can be done at such a resumed session. I would like to ask the representative of the Soviet Union what we could do, if we were to resume, to settle this question of imbalance? There will be a lack of parity at that time in April when we meet. What can we do? If the members again refuse to give up voluntarily their seats, what can we do? We will then have to go into the question of revising the Charter, revising this Chapter of the Charter. Personally, I would welcome that. At the meetings of the General Committee when we discussed the question of whether the Charter should be revised and whether we should hold a revision conference to consider this matter, I was insistent, I was a voice in the wilderness pleading that the Charter should be revised and that we should have a conference to consider this matter; but the Soviet Union was the foremost opponent of this idea of revising the Charter, and later, in the Special Political Committee, when we considered certain questions which involved the revision of the Charter, we found very great difficulty in dealing with the situation because of the stand taken by the Soviet Union against revision.

147. Now, the Soviet Union may be quite right in the view it takes with regard to the revision of the Charter, but when we resume our fourteenth session we cannot move a step forward without thinking of revising the Charter; and if the Soviet Union agrees to a revision at that time, as far as my delegation is concerned, we shall be very much relieved. But I know that revision of the Charter will not take place at that time, and therefore this suggestion is unacceptable, because we cannot do anything in April without a revision of the Charter.

148. For those two reasons we are unable to accept the Soviet proposal that we have a resumed session in order to settle this matter.

149. What else is left? The only thing that is left is to adopt our suggestion—a suggestion that has been made by previous speakers—that the Assembly should now proceed to an election so that we shall have a legal and constitutional Trusteeship Council at this session. Any other difficulties that arise—as they must normally arise in all affairs of men—that we cannot foresee or control will be resolved at the fifteenth session rather than at a special session.

150. There is one other point before I conclude. It has been stated that the Trusteeship Council, because of the lack of parity that will exist after April and after July, will become illegal. The question of its legality is a difficult matter to deal with in a few brief moments. I would, therefore, submit only that the question of its legality must depend upon its composition at the present time, at the time when it has to be composed. This is the time when the composition has to be determined, and therefore if it is legal at the present time any changes that take place in the course of the year can be corrected only at the following session. The question of legality, therefore, will not arise. If that view prevails, then we need not be very much concerned about the legality of the composition in the course of the year before the fifteenth session, and we can then proceed to the election. The question of the composition will resolve itself by the time the fifteenth session comes around.

151. Mr. JHA (India): We had not intended to intervene in any debate preceding the holding of the elections to the Trusteeship Council, since India is a

candidate for election and we would have much preferred not to have to speak. But highly important issues have been raised before the Assembly, not only of a legal nature but also of a nature which concerns the whole future of the Trusteeship Council and its continued efficacy and capacity to discharge its supervisory functions on behalf of the General Assembly in respect of Trust Territories and towards the people of these Territories in their preparation for independence. We feel, therefore, that we should place our views before the Members of the General Assembly on these issues. This has no relation to our candidature. As a matter of fact, we would have expressed our views more strongly were India not a candidate.

152. To our regret, we find ourselves in opposition to the views and attitudes embodied in the two draft resolutions submitted by the delegations of the Soviet Union [A/L.274] and Tunisia [A/L.275/Rev.1], for both of whom my delegation has high regard and very friendly feelings. We have been assured by these delegations that the stand they have taken has no reference to our candidature. I can likewise assure them that our views have no reference to our candidature either, and what is more important, should not be construed as in any way hostile to them or to their attitudes.

153. Two proposals have been placed before the Assembly. I do not wish to repeat the facts which have been placed before us by the representative of Tunisia and by the representative of the Soviet Union. These facts are well known and are not in dispute. The proposals, however, are first that there should be a resumed session of the General Assembly after 27 April 1960, when the last of the Trust Territories under French administration, Togoland, becomes independent; secondly, that on 27 April 1960 and on 1 July 1960, when France and Italy, respectively, cease to be Administering Authorities, the composition of the Trusteeship Council should be redetermined either by voluntary retirement or by casting lots, with a view on each occasion to bringing down the number of non-administering elected members, so that parity should be maintained between the non-administering and administering members in the Council.

154. I shall take the second proposal first. The essential element of this proposal is that the Trusteeship Council will decide which of the non-administering elected members will cease to be members, the decision to be taken by drawing lots. With all respect to the delegation sponsoring this proposal I must say that there is no legal basis for it. Elections to the Trusteeship Council are held by the General Assembly, and it is for the Assembly to determine the composition of the Council. The Charter does not permit the Trusteeship Council or any other principal organ itself to determine its own composition. It is the totality of the Members of the General Assembly which must perform this function and there is no provision in the Charter for the delegation of the General Assembly's functions to the Trusteeship Council in this regard.

155. Secondly, there is no provision anywhere in the Charter for membership to be decided by drawing lots. Such a decision could perhaps be taken with the express consent of the Members concerned in any particular drawing of lots, but it would be illegal and unconstitutional either to elect the Member to the

Trusteeship Council or any other body by drawing lots, or to terminate the membership of any country, lawfully elected, by the same procedure without the consent of the parties concerned. If that were possible, then we would not have had the recent repeated deadlock in the election to the Security Council. It would have been easy for the Assembly to decide who should be elected to the Security Council by drawing lots. It is doubtful, even if both candidates are agreed, that is to say, Turkey and Poland, whether the General Assembly would have wished to take recourse to this procedure or indeed whether that procedure would have been legal.

156. Some years ago, when a similar deadlock arose between Yugoslavia and the Philippines in the election to the Security Council, lots were drawn to decide which country should sit during the first year and which during the second year, but this again was with the express consent of both countries and behind the scenes. My delegation, even on that occasion, explained the position that we did not recognize any method of election not expressly authorized by the Charter or outside its scope.

157. My delegation is strongly of the view that a most unhealthy precedent, which will be unconstitutional, will be created if the Assembly gives any kind of endorsement to any proposal to determine the membership of any of the principal organs of the United Nations on the basis of a lottery, irrespective of the objections of the parties concerned.

158. Thirdly, there is the basic objection that there can be no curtailment of the three-year period during which a non-administering member is elected and which is mandatory under Article 86, paragraph 1 c, of the Charter and under rule 149 of the rules of procedure of the General Assembly, again without the consent of the member concerned. This three-year period is not the upper limit or the ceiling, as some delegations have argued. Rule 149 of the rules of procedure of the General Assembly says:

"A non-administering member of the Trusteeship Council shall be elected for a term of three years and shall be eligible for immediate re-election."

The footnote in the rules of procedure, to this rule, says: "Rule based directly on a provision of the Charter."

159. It is clear that the Assembly has already accepted the obvious interpretation of Article 86, paragraph 1 c, namely that the three-year period is mandatory and fixed. No other interpretation is possible. And, if I might remind the representatives, the Assembly's rules of procedure were adopted not in 1945 when the San Francisco conference was being held, and the participants in that conference could not very well foresee what would happen ten years later, or that Trust Territories would gain independence so soon, but it was approved in 1949 when this whole situation was clear, and, as everybody knows, the Assembly's rules of procedure were adopted after a great deal of deliberation in Committees and in plenary meeting.

160. Indeed, once a country is elected for a three-year period there is no provision at all in the Charter for premature termination of membership without consent, which would be tantamount to the expulsion of the member or members concerned. The compulsive premature cessation or termination of mem-

bership would indeed infringe on the fundamental right of an elected member under the Charter. It is the view of my delegation that there is no possibility of reducing the term of the elected membership of the Council except by agreement among the elected members themselves, including an agreement as to the manner in which such a decision should be made, and that agreement may very well be the drawing of lots. There is no easy solution and anything that looks like an easy solution would create complications of the most serious nature in regard to the application of the Charter not only on this particular occasion, but on future occasions in different contexts.

161. As regards the proposal for a resumed session, there is no provision in the Charter, as I have just said, for premature termination of membership of those elected under Article 86, paragraph 1 c, even under a resumed session or at a special session. The premature termination of membership without consent, in our view, amounts to expulsion, but expulsion of a member from any of the principal organs of the Organization is a very serious matter, and we do not see how it can be brought about except for the persistent violation of the Charter, as contemplated in Article 6.

162. There is yet another difficulty of a serious nature about any resumed session for the purpose of considering the question of the future composition of the membership of the Council; and I think that has been very eloquently described by the representative of Ceylon. Such a session will come up face to face against what after all is the real problem, namely, the inadequacy of the Charter to meet the present situation, and the need for amending the Charter to meet such a situation now. Actually, it is not a short-term problem we have to deal with. On 27 April 1960, France will cease to be an Administering Authority; on 1 July 1960, Italy will cease to be an Administering Authority; when Western Samoa becomes independent in 1961, New Zealand can be regarded as ceasing to be an Administering Authority; it is arguable that for Nauru, for which New Zealand is a partner in joint trusteeship but which is administered by Australia, it is the latter and not the sleeping partner in the Trusteeship Agreement for Nauru which is answerable to the Trusteeship Council and has the capacity to undertake the obligations of Administering Authority in the Council. I wish to make it clear that I am not pronouncing any definite opinion on this particular matter; I am merely pointing out the difficulty of interpretation that may arise. Later, Tanganyika will be independent, which will mean that the United Kingdom will cease to be an Administering Authority.

163. Indeed, if every time a situation of this nature arises, there is going to be a resumed session and non-administering elected members have to drop out one by one, what sort of Trusteeship Council shall we have left? In the very near future, within one or two years, there may be no non-administering elected member at all. The matter is really an extremely difficult one and there is no easy solution that we can see. Indeed my delegation has every fear that any resumed session such as is contemplated in the USSR draft resolution runs the risk of becoming a session for revising the Charter. There may be a multitude of proposals including those for amending Article 86 of the Charter and we shall get into the same difficulties, many times multiplied, as we faced on the agenda items dealing with the question of an increase

in the membership of the Security Council and of the Economic and Social Council at the present session. These may well give rise to severe pressure of various kinds on various members such as the permanent members of the Security Council, the Administering Authorities and others. That would be most unfortunate and might make such a resumed or special session long, acrimonious and fruitless.

164. My delegation's views on the subject of the revision of the Charter are well known. We are against any over-simplification of the problem and against any such pressures being exercised.

165. So whichever way we turn we come up against serious difficulties both of a legal and of a practical nature. It seems to my delegation that the best thing to do is not to attempt to solve this problem now, but only after the events, which after all still lie in the always unpredictable and mysterious future and which will necessitate a reconsideration of the question of composition, have taken place. The time and occasion for this will be the next session of the Assembly. By then, the members concerned will have engaged in consultations among themselves and with others. At the next session, there will be more time. Foreign ministers will be present, and we hope that we can then settle this matter by unanimous consent.

166. It is also the view of my delegation that, though a trusteeship agreement may be terminated on a particular date, the obligations of the Administering Authority "vis-à-vis" the General Assembly and the Trusteeship Council need not and in fact will not in most cases terminate on the same date. Article 88 of the Charter makes it mandatory for the Administering Authority to submit annual reports to the General Assembly. These reports must necessarily be examined by the Trusteeship Council. For the consideration of the reports, the presence of the Administering Authority in the Council is necessary and even obligatory. In the present situation, the final report in respect of the Cameroons and Togoland under French administration and indeed of Somaliland under Italian administration will not be submitted by the Administering Authority concerned until some time after these dates when the Administering Authority will be able to report definitively on the termination of trusteeship and the attainment of independence by the Territories, including the processes immediately preceding such independence. So far, the General Assembly has received, from the Administering Authorities, reports on Togoland and the Cameroons under French administration and Somaliland under Italian administration only up to 1958 and 1957, respectively. Further reports of the Administering Authorities in respect of these three Territories up to the date of independence are called for under Article 88 of the Charter. We submit that such reports are indispensable, if only for the record and to conform to the requirements, legal and other, necessarily involved in the winding up of the United Nations supervisory functions and of the trust undertaken by the Administering Authorities through the Trusteeship Council right up to the date of independence.

167. Therefore, it seems to us that there will really be no stretching of the Charter if the countries concerned stay on in the Council until the next session of the General Assembly.

168. Now let us see what the position is under Article 86. Article 86 comes into play at the time of the

election of non-administering members falling in its category, and, when the election of such members is to be taken up, the Assembly has to look to parity between the total number of non-administering members elected under Article 86, paragraph 1 c, and those who are members of the Council without election under Article 86, paragraph 1 b, and the administering members under Article 86, paragraph 1 a. It is arguable that, after the election has been held under Article 86, paragraph 1 c, that section must be deemed to lie dormant until the time for the next election comes.

169. Article 86, paragraph 1 c, does not support the contention that the composition of the Council shall be changed during the three-year tenure of office whenever a Trusteeship Agreement is terminated and an Administering Authority ceases to be such. If that were the intention, Article 86, paragraph 1 c, would not have laid down a mandatory three-year election period, and instead would have made specific provision for changes during the three-year period if certain events took place. The Charter could not have intended synchronization of the date of independence of Trust Territories with the date of elections under Article 86, paragraph 1 c, and thus by implication discouraged the emergence into independence of Trust Territories on any intermediate dates. To suggest that each time a Trust Territory becomes independent and an Administering Authority ceases to be such there should be a meeting of the General Assembly to decide upon the future composition which would inevitably mean expulsion or removal of one or other of the members elected for the mandatory three-year period is not a practical proposition, nor is it one strictly warranted by paragraph 1 c of Article 86.

170. It has been argued that the principle of parity in Article 86, paragraph 1 c, is paramount. I do not know what the support is for this proposition. We have read and reread the paragraph and there is nothing in it to show that the principle of parity has to be given precedence over the principle of the mandatory three-year election period.

171. There is an important precedent with a bearing on this issue which has already been referred to by the representative of Indonesia and which should not be lost sight of. A perusal of the record of the 109th plenary meeting will show that in 1947 the United States of America was a non-administering member of the Trusteeship Council under Article 86, paragraph 1 b. Subsequently, with the approval of the Trusteeship Agreement in respect of the Pacific Islands on 18 July 1947, the United States became an administering member of the Council with effect from that date. Consequently, an imbalance was created in the Council's composition in favour of the administering members. If the logic or the line of argument now presented to the Assembly had been held valid at that time, the Security Council or the Secretary-General should have convened a special session of the General Assembly on 19 July 1947 to take measures to restore the balance in the Council's composition, or two of the Administering Authorities should have been ballotted out by the Trusteeship Council. Neither of these steps, however, was taken. The procedure adopted was that the Secretary-General notified the Members of the United Nations in a note dated 25 August 1947 to the following effect:

"... the Trusteeship Agreement for the Pacific Islands having entered into force on 18 July 1947,

the United States of America, which was already a member of the Trusteeship Council, became as of that date a member administering a Trust Territory. In accordance, therefore, with the provisions of Article 86, paragraph 1 (c), of the Charter, which prescribes..., it is necessary to elect two additional members to the Trusteeship Council."^{3/}

Accordingly, on 13 November 1947 [109th meeting], the Assembly elected Costa Rica and the Philippines to the Trusteeship Council thereby repairing the imbalance in the Council's composition at its session succeeding the event. This happened four months after the imbalance was created.

172. Now, as is clear from the precedent which I have brought to the Assembly's attention, in 1947 when the number of administering members of the Council exceeded that of its non-administering members by two for a period of four months, the Assembly did not find reason for undue concern. Why is it then that, when the imbalance is likely to arise in favour of non-administering elected members, there is such a demand for giving paramount importance to the question of parity? This is something which my delegation is unable to understand. We should have thought that if disparity was to be tolerated at all it ought to be tolerated in favour of the non-administering members and not in favour of the administering members. It is also to be remembered that the predominance of the non-administering members in the Council will only be theoretical. For France and Italy, after having been administering members for fourteen years, will not suddenly become non-administering in the sense that the United Arab Republic or Burma or Haiti or Paraguay are such members. They will continue to sit in the Council as Administering Authorities by reason of the annual reports of the Territories in their charge prior to 27 April and 1 July respectively.

173. Having said all this, I wish to make it clear that the principle of parity is important and has to be maintained along with the maintenance of the three-year period elections. I do not mean to suggest that this principle should be given less importance than the other principle of the three-year period election which is consecrated in Article 86, paragraph 1 c. The mutual reconciliation of these principles, which is the real difficulty in this case, is not an easy matter and will require a great deal of mutual consultation and agreement between the members of the Trusteeship Council and the General Assembly. We feel that the best time and auspices for undertaking such consultations and agreements will occur after and not before the events, which bring up the question of future composition, have taken place.

174. The question that has arisen, which is incidental to the election of two new members at this session, is of much greater scope than can be sized up or settled by us at such short notice, or in as little time as we have at our disposal now. We entirely agree with the delegations of the Soviet Union and Tunisia and others that full consideration should be given to the question of the future composition of the Trusteeship Council, in order to maintain the concept of parity envisaged in the Charter, not only in principle but also in effect. A fuller consideration of this matter may necessitate a reduction not only in the strength of the non-administering wing of the Council but, equally probably,

also in the administering membership of the Trusteeship Council through voluntary retirement, or withdrawal or resignation of one or more permanent members who were formerly administering Trust Territories.

175. In the light of these views, my delegation is constrained to say that, while the draft resolution placed before us by the delegation of Tunisia is inspired by the best of motives, it is inopportune and premature. We agree generally with the preamble of this draft resolution, except the second paragraph thereof. We also have some doubts about the third paragraph of the preamble. We agree with paragraph 1 (a) of the operative part, which states that the election of two members to the Trusteeship Council at this session should take place in the normal way for three-year terms. In fact, no other logical or juridical interpretation of the provisions of Article 86 is feasible. We also agree with paragraph 4 of the draft, which purports to include the item in the agenda of the next session of the General Assembly so that a full and careful consideration of the whole question can take place. On the other hand, for the reasons I have already stated, we find ourselves unable to agree with the purpose and possible effects of sub-paragraphs (b) and (c) of paragraph 1 of the operative part and the second paragraph of the preamble.

176. As regards operative paragraph 3, we again find ourselves in great difficulty. That paragraph refers to the principle of equitable geographical distribution, a principle to which the Assembly as a whole has subscribed in the past. There is no objection to that principle itself, but time and again we have found the greatest difficulty in its application. I need not go into the details of that. As constituted, this paragraph means that, out of the remaining elected members, the two main groups would share these two seats, that is, that each would be represented. The "main groups" are not indicated. Possibly it means the Asian-African group and the Latin American group. But it seems to me that any such division has to be thought out very carefully and, speaking entirely for my delegation, we are not in favour of dividing seats on the basis of groups. I do not see why these seats should not be open to a member from the European countries or, for example, a Commonwealth country. So we find also great difficulty in accepting this paragraph which, besides being related to the other two operative paragraphs, has some inherent defects of its own. Therefore we shall also be obliged to oppose this paragraph.

177. Finally, I should like to assure my fellow representatives that we do not regard any decision, if a decision is reached by the Assembly to leave over the matter to the fifteenth session of the Assembly, as in any sense a revision of the Charter or an amendment of the Charter. On that subject our views are well known. We are for the strictest application of the juridical procedure prescribed in Articles 108 and 109 of the Charter. Indeed, it seems to us that the Tunisian draft resolution is the one that by its terms seeks a revision of the Charter, and it is that aspect which I have tried to bring to light. As far as we are concerned, we are not agreeable to an amendment of the Charter without careful consideration, according to the provisions contained in the Charter itself, for such revision. We should like to assure the representatives,

^{3/} See Official Records of the General Assembly, Second Session, Plenary Meetings, Vol. II, Annexes, annex 5 (document A/356), para. 3.

especially the representative of the Soviet Union—who has, I know, strong views on this subject—that whatever we have said does not amount in any sense to any suggestion for any amendment of the Charter.

178. Mr. SALAMANCA (Bolivia) (translated from Spanish): I shall be brief in compliance with the President's request, and also because I think the Assembly is already familiar with the main points of this item.

179. The Bolivian delegation would have liked to be able to vote in favour of the Tunisian draft resolution [A/L.275/Rev.1] but, for reasons which I shall now explain, this draft admits of the possibility of the General Assembly taking an indirect constitutional decision with which we do not agree because in a sense it involves a revision of the Charter.

180. Article 86, paragraph 1 c, of the Charter stipulates that elections should be held every three years and this stipulation, in our opinion, is ineluctable under rule 149 of the Assembly's rules of procedure. Moreover, this provision coincides with certain inalienable rights of Member States.

181. The question of the reorganization of the Trusteeship Council, like that of the reorganization of other Councils should, in our view, be raised at the next session of the General Assembly. On the basis of this legal conviction, we believe that the Assembly cannot discuss a hypothetical case that has not yet occurred. Finally, it is a very dangerous precedent to interpret the Charter by drawing lots. This method is not provided for in the Assembly's rules of procedure. We feel that the Assembly, at its next session, should solve the problem in legal terms, taking into account all the factors involved or any changes that may take place in the composition of the Council.

182. These are the general comments we wanted to make on the Tunisian draft resolution.

183. As one representative has very rightly pointed out, the Soviet Union draft resolution [A/L.274] is technically in order, but at the same time we believe that the Trusteeship Council is fully empowered to state, at any time it thinks fit, when a change should be made in the Charter such as that referring to the membership of the Trusteeship Council.

184. I should now like to explain how my delegation intends to vote on the Tunisian draft resolution. We shall vote in favour of the first but against the second and third paragraphs of the preamble. We shall vote for operative paragraph 1 (a) but against operative paragraphs 1 (b), 1 (c) and 2 and 3. We shall vote in favour of paragraph 4.

185. Only thus can the General Assembly really approach the question of the composition of the Council. In a sense, the Tunisian draft resolution compels us to ignore the Charter. For this reason, the Bolivian delegation suggests this voting procedure as a solution which will enable us to expedite the consideration of this item and to conclude our work.

186. Mr. PACHACHI (Iraq): The rapid and welcome progress of several Trust Territories towards the full attainment of the objectives of the International Trusteeship System, in accordance with Article 76 b of the Charter, has created a problem that no one could have expected to arise so early in the life of our Organization.

187. However, since the decision was taken at the resumed thirteenth session regarding the independence of the Trust Territory of the Cameroons under French administration [resolution 1349 (XIII)] and the agreement last summer between the Governments of France and Togoland regarding the date of the latter's independence, it became quite clear that the problem of the composition of the Trusteeship Council will have to be faced, and faced soon.

188. In the provisional agenda of the fourteenth session [A/4150] distributed by the Secretary-General last July, the attention of the Member States was drawn to this problem. Unfortunately, no serious attempt was made to give the matter the attention it deserves and the detailed study in Committee that it requires. Now, in the final hours of the fourteenth session, we are faced with the problem in all its complexity and urgency.

189. The provisions of the Charter are quite clear. Elections to the Trusteeship Council are conditioned by the principle of parity which had been accepted at San Francisco and became the central feature of the composition of the Trusteeship Council. Elections to the Trusteeship Council are thus different from the elections to the other principal organs of the United Nations, namely the Security Council, the Economic and Social Council and the International Court of Justice, where the number of Member States to be elected has been determined by the Charter and specified by the Charter.

190. This is not the case of the Trusteeship Council where elections were not prescribed to fill a specific number of seats, but merely and exclusively to provide for parity between the administering and non-administering members. When parity is endangered due to the change of status of administering members, then measures must be taken to restore such parity, without which, in our opinion, the Council cannot function without violating the Charter provisions, which, however inconvenient, must be respected and strictly applied.

191. The situation as was described the representative of Tunisia and others arises from the fact that by 1 July 1960 neither France nor Italy will any longer be Administering Authorities. Italy will have to relinquish its seat on the Council on 1 July 1960, that is to say, upon the attainment of independence by the Trust Territory of Somaliland under Italian administration, because the continued presence of Italy in the Council after that date would have no legal basis whatever. France will stay as one of the five members mentioned by name in Article 23 of the Charter.

192. The application of the principle of parity which cannot be violated—and I repeat, which cannot be violated—without violating the Charter, will require the withdrawal of three elected members by 1 July 1960. Now the proper way, in our view, is to elect two members now for a period that will end with the termination of the trusteeship agreements relating to the Trust Territories of the Cameroons and Togoland under French administration, and to recommend that one of the three members elected last year withdraw voluntarily on 1 July 1960 upon the attainment of independence by the Trust Territory of Somaliland under Italian administration.

193. Failing such voluntary withdrawal, we feel that there is no recourse but to draw lots. It might be

said that the General Assembly can only elect members to the Trusteeship Council for a period of three years and no less. If we follow this reasoning to its logical conclusion, then at the next session nothing can be done and no further election can be held on the expiration of the term of the United Arab Republic, Burma and Paraguay at the end of 1961.

194. Such a course, in our view, will serve no useful purpose, will prolong the problem unduly and will violate the Charter. Moreover, it is inconsistent for those who maintain that each elected member must serve the entire three-year term to say that the matter can be reviewed at the next session, since any action taken next year will have to imply that some elected members will relinquish their membership before the three-year term comes to an end.

195. However, it is wrong to say that the General Assembly cannot elect members for a period less than the three years specified in the Charter. This has been done in respect of the Security Council and the Economic and Social Council when they were first established in 1946. Thus the best way, in our view, would be to elect two members for a period ending at the termination of the Trusteeship Agreements on the Cameroons and Togoland. A third elected member should voluntarily withdraw on 1 July 1960, and if no such voluntary withdrawal takes place on that date, then lots would have to be drawn shortly before 1 July 1960.

196. The two draft resolutions before us do not take this view fully into account. Of the two drafts, we are inclined to favour the Soviet draft resolution [A/L.274] which would give the General Assembly the opportunity to devote all its attention at the resumed session to this question and settle it by whatever method it deems fit. It would be much better to discuss the problem at a resumed session than at the next session; first, because postponing the matter to the fifteenth session will inevitably result in a clear violation of the Charter, and secondly, because at a resumed session the Assembly could devote to the problem much more time and attention than at the next session, when it has so many other questions to deal with. Thirdly, a question of this kind should be determined not by the Council, but by the Assembly itself, which has the ultimate authority under the Charter.

197. The Tunisian draft resolution [A/L.275/Rev.1] which shares substantially the aims of the Soviet draft resolution, does not allow the Assembly sufficient time to consider the problem further and gives the Trusteeship Council, rather than the General Assembly, the right to determine the membership of the Council, though this will be done by the harmless method of drawing lots.

198. In our opinion, the more leisurely atmosphere of a resumed session would be more conducive to the solution of the problem than either this session in its final hours or the next session with its heavy load of work. This is the aim of the Soviet proposal, while the Tunisian draft resolution contemplates a decision now. It is for this reason that we prefer the Soviet proposal and will accordingly vote for it.

199. Now, it seems to us that the issue boils down to whether we should consider this question on 27 April at a resumed session, or next September at the fifteenth session. The difference in time involved is

only five months. A delay for such a comparatively short period of time does not, in our view, warrant such a clear violation of the Charter. We fail to see any advantage in discussing this question at the fifteenth session rather than at the resumed fourteenth session. On the contrary, we see every advantage in having a resumed session, which will give us all the time we need to deal seriously and constructively with this question and enable us to overcome this present difficulty and solve the problem without having to circumvent the Charter of the United Nations.

200. For all these reasons, we find the Soviet draft resolution preferable; therefore we shall vote for it and we hope that the Assembly will do likewise.

Mr. Belaúnde (Peru) resumed the Chair.

201. Sir Andrew COHEN (United Kingdom): No one, having heard the speeches that we have heard, could suggest that the problem with which we have to deal is an easy one. I learned at school that even Homer nods, and it seems that when Article 86 of the Charter was drafted, a situation in which administering members of the Council ceased to administer Trust Territories during the term of office of elected members was not foreseen. It seems also from the memorandum submitted by the United Kingdom⁴ on 15 September 1945 to the Preparatory Commission of the United Nations, to which the representative of Tunisia referred, that it was perhaps the United Kingdom delegation which at the time came nearest to thinking of this problem. But even the United Kingdom delegation did not completely foresee the problem which faces us now.

202. It is evident from our discussions that there are two views on this matter. It is also evident from the memorandum, which the representative of Tunisia has quoted and of which, of course, my delegation was aware, that at one time the United Kingdom Government was at any rate toying with one of these views. But circumstances change, and when we are fully faced with the practical issue which we now face, it is perfectly legitimate to take a different view from the view we took then. As far as I am concerned, my withers are completely unwrung.

203. Indeed, when this memorandum was sent by the United Kingdom Government to the Preparatory Commission, not a single delegation, as far as we are aware, even discussed the matter. At that time everyone was interested in one thing and one thing only, namely, the establishment of the Trusteeship System and the setting up of the Trusteeship Council. The memorandum which has been referred to did not deal with the problem which we are now facing, namely, the situation in which a trusteeship agreement is terminated during the three-year term of an elected member. That is the practical situation which we have got to face now, and I am anxious to try to deal with this matter not only briefly but in a practical manner. Our duty is to find a procedure which accords with Article 86 of the Charter.

204. We in the United Kingdom delegation entirely agree—and I wish to underline this point as much as I can—as to the essential importance of parity as set out in Article 86, paragraph 1 c, of the Charter. Indeed, we could not agree to any procedure which derogated from this. But Article 86, paragraph 1 c,

⁴/ See footnote 1.

also refers, and refers without qualification, to elections for three-year terms, I would be inclined to agree with the representative of Tunisia, when he suggests that if there were a conflict the principle of parity might have to prevail. But in our belief there is no conflict, or there need be no conflict, at any rate at the present time, and our task in the General Assembly is to ensure, if this is humanly possible, that the two requirements I have mentioned are reconciled.

205. There seems to us to be one satisfactory way of doing this. We believe that the best interpretation which the General Assembly could place upon this, if I may say so, not very easy Article of the Charter would be to take the view that the membership of the Council is constituted at the moment of elections. When the terms of elected members expire, we must clearly proceed to elect sufficient members to balance the number of members who, at the moment of election, are administering Trust Territories. This, of course, means, in practical terms, that now we should elect two members. Having made this calculation, the membership of the Council should then, in our view, remain unchanged until the next occasion on which the term of office of elected members expires.

206. The other interpretation which I have heard—and, of course, it is a perfectly arguable interpretation—is the one envisaged by the draft resolution submitted by Tunisia [A/L.275/Rev.1], and I hope I may be allowed to say, submitted in a very lucid and eloquent speech. This interpretation is that at the moment when an administering member ceases to have administering responsibilities, an elected member, or in certain circumstances two elected members, must retire. As I have said, this is arguable, but it seems to us a less good interpretation. It involves, or may involve, curtailment of the term of office of elected members, which is of course for three years, the term which is prescribed in the Charter. In fact, it goes against the three-year principle contained in Article 86, paragraph 1 c.

207. Here I must say that I could not subscribe to the interpretation that "three years" means "not more than three years"; it means, surely, what it says. This interpretation of Article 86 would involve devising some sort of procedure such as that proposed in the Tunisian draft resolution; but I am bound to say that, in the view of my delegation, such a procedure seems likely to be both invidious and embarrassing. This is well illustrated, we feel, by the Tunisian draft resolution, which seeks to establish a procedure for getting three elected members off the Council when, in 1960, two administering members cease to have administering responsibilities. The draft resolution disregards completely the three-year elected term, of which it makes no mention whatever. Can such an absence of mention of this important principle be justified?

208. Precedents have been cited from both the Trusteeship Council and the Security Council, but my delegation does not believe that these precedents can be justifiably adduced in this case. In the case of the Trusteeship Council, the members who were elected to fill the remainder of the term in question were aware of what was happening when they were elected, and, in the case of the Security Council, it was part of a voluntary arrangement. The Tunisian draft resolution seeks to establish a procedure for the Council

itself to conduct proceedings in certain circumstances for its own reduction. What is more, the proposal was introduced at the last moment of our session; it was distributed only this week.

209. It seems to me very pertinent to ask what is the attitude of the five elected members concerned. Do any of them agree to go off the Council in the manner described in the Tunisian draft resolution? As far as I know, none of them do. If I am correct in this, this draft resolution would appear to seek to force them off the Council.

210. I must make it clear at this stage that if—and I repeat: if—an interpretation of Article 86 of the Charter which is contrary to our view is adopted by the Assembly, it might be necessary at some stage, but not, in our view, now, to devise some procedure by which one or more elected members should go off the Council during a three-year term—if, for example, an administering member, on ceasing to have administering responsibilities, were to resign its membership of the Council. But this stage has not, in our view, been reached, and operative paragraphs 1 (b) and 1 (c) of the Tunisian draft resolution, as well as operative paragraph 2, seem to us to be open to objection for this reason. Also, of course, they conflict with our view of the best interpretation of the Charter.

211. Equally, the second preambular paragraph seems to us to be open to objection. It makes no reference, as I have said, to the three-year rule, and indeed it refers twice to modification of the composition of the Council in accordance with Article 86, paragraph 1 c, when in fact that paragraph contains no reference to any such modification as the draft resolution contemplates in its operative paragraphs. Indeed, that paragraph refers, as I have said, to elections for three-year terms.

212. In any case, it is clear that the second preambular paragraph and operative paragraphs 1 (b) and 1 (c) and paragraph 2 go together and should be taken together when the question of voting arises.

213. Operative paragraph 3 seems to us in the circumstances to be superfluous and, in any case, consequential to the two previous operative paragraphs.

214. Before I conclude my remarks on the Tunisian draft, may I simply say this: that we have approached this problem with one thing in mind, which is indeed mentioned in the third preambular paragraph—namely, the importance, in the discussions and debates in the Trusteeship Council, of elected members. These elected members in a sense represent the world as a whole in trusteeship matters, and we would be very sorry to see a premature reduction in the number of these most valuable members of the Council. Of course, this does not in any way derogate from our sense of the importance of the principle of parity.

215. It seems to us that if the parts of this draft resolution which, as I have said, we regard as open to objection can be removed, then it will be possible for the Assembly to proceed to the election of two members of the Trusteeship Council in the ordinary way. There will, of course, be no reason why the matter should not be raised again at the fifteenth session of the Assembly, when further discussion might indeed be useful. Possibly, if this is done, we will then be confronted with a situation which requires some procedure for a reduction in the number

of elected members. But the situation, in our view, is not yet with us, and we feel that for next year the composition of the Council need not in any case be changed. Surely this is the common-sense view. We have had a friendly and, I hope, fruitful discussion of the whole matter. There are some points on which we all agree, namely, that we should proceed with the election, and on the principle of parity. I have heard no disagreement with these two principles. But there are other points on which we do not agree. We are at the eleventh hour of this session of the General Assembly. Surely, the practical and common-sense thing to do is to proceed to the election and then to leave the matter of discussing the composition of the Council until next year.

216. I must say here that we see no reason for a resumed session in April, and what I have already said will indicate why we take this view. We regard resumed sessions at times of year other than the normal one as undesirable on general grounds. In our view, the matter can perfectly well be left until the next regular session. There is no legal or practical reason, in our view, for a resumed session during 1960.

217. Therefore, my delegation will be obliged to oppose the draft resolution submitted by the Soviet Union [A/L.274].

218. Mr. KOSCZIUSKO-MORIZET (France) (translated from French): The French delegation has not spoken until now because it felt it should adopt an attitude of discretion in a matter for which it was partly responsible. However, the circumstances which have given rise to the problem are happy ones, since they are connected with the independence of Togoland and the Cameroons.

219. Our attitude in the matter is a disinterested one, since in any event we are members of the Trusteeship Council. Unlike our Italian friends, we are not leaving the Council, but merely changing our status. Our position in this matter, which is a delicate one because it affects other delegations with which we are equally friendly, is based first and foremost on respect for the Charter and particularly for Article 86. Just as we have called for respect for the rules of procedure in the Fourth Committee so we have always defended the Charter in this Assembly and in other Committees. There is no reason why we should not continue to do so when dealing with a matter concerning the Trusteeship Council.

220. The representative of Haiti, who is the President of the Trusteeship Council and an expert in all trusteeship matters, has asked me a question. That question is what, in the opinion of my delegation, would be the position of France on 27 April 1960 when Togoland becomes independent, the first State under French trusteeship, the Cameroons, having become independent on 1 January 1960.

221. We are accustomed not only to reply to the questions put to us, but to reply to them clearly. On 27 April 1960, France will no longer consider itself an Administering Authority and will be a member of the Trusteeship Council in its capacity as a permanent member of the Security Council. It will therefore accept all the practical consequences of this new situation in its participation in the Council's work.

222. Having clearly stated our position of principle, we have no preference as to the solutions which might

be considered by the Assembly. The solutions proposed in the Tunisian draft resolution [A/L.275/Rev.1] and in the Soviet draft resolution [A/L.274] respectively both seem equally acceptable to us. There are undoubtedly still other possible solutions, for since we have spoken of respect for the Charter, the essential condition we think should be observed in this case is obviously parity. That is clearly set forth in Article 86, paragraph 1 c, which says:

"As many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided ...".

Consequently, equal distribution is the most important legal element. Election for a three-year term is secondary, as the Charter says "as many ... as may be necessary". If it is not necessary to elect a member for a three-year term or to elect one at all, then there is no need to go any further and the Charter has been respected.

223. Another solution might be to elect a member for only four months. There may be other possible solutions but we are not particularly concerned about them. We are, however, concerned about respect for the Charter.

224. Our delegation's attitude to the various draft resolutions which may be submitted will be determined by the position of France on 27 April 1960 and by our respect for the Charter, to which we attach the greatest importance.

225. Mr. COMAY (Israel): My delegation regrets that in the expiring moments of the General Assembly we should be asked to pronounce on far-reaching issues which involve the interpretation of the Charter and which raise the possibility that properly elected members of the Trusteeship Council should be required, against their will, to relinquish their membership prematurely.

226. My delegation has had no proper opportunity to study the implications of the Tunisian draft resolution [A/L.275/Rev.1] and is not venturing an opinion on its substance. We would be opposed, however, to accepting it at such short notice and would prefer to leave intact the position of the elected members until the whole problem has been properly considered in the usual way at the next session of the General Assembly.

227. We shall, therefore, vote against paragraphs 1 (b) and 1 (c) and against paragraph 2 of this draft resolution. From this it follows that we would not support the second paragraph of the preamble.

228. Mr. ORTONA (Italy): As the position of Italy has, from time to time, been brought to the attention of delegations, I shall now make a very brief statement in this connexion.

229. By agreement with the General Assembly and the Government of Somalia, Italy will relinquish its trusteeship on 1 July 1960 and, for Italy, in view of its position in the Trusteeship Council due solely to the trusteeship of Somalia, it will not be a question of a metamorphosis as in the case of France.

230. In the matter now being debated there appears to be some disagreement about the effect which the cessation of our mandate in Somalia should have upon the membership of the Trusteeship Council. Obviously,

some difficulties have arisen because of the different views regarding the correct way of applying the parity principle according to Article 86 of the Charter.

231. My delegation is fully aware of the difficulty of solving this knotty problem and our only desire is to be of service to the Assembly in any way which will be agreeable to it and to all the members of the Council.

232. I might venture to add that, since the question is directly connected with the position of Italy in the Council itself, my delegation cannot but comply with the relevant provisions of the Charter and the agreed interpretation of them.

233. Mr. SHAHA (Nepal): I wish to explain the vote of my delegation on the two draft resolutions before the Assembly.

234. I agree with those delegations which have expressed the opinion that the future composition of the Trusteeship Council requires more thought and consideration than it is possible to give at the very end of the session. If any makeshift measure or expedient, such as that envisaged by the Tunisian draft resolution [A/L.275/Rev.1], may prove to be invidious and embarrassing—to quote the words of one of the speakers who preceded me in the debate—the emergence of the situation in which the Trusteeship Council may have to function in utter disregard of the terms of the Charter will not be safeguarded by the acceptance of the Tunisian draft resolution in part, as suggested by some delegations.

235. To us, the Soviet draft resolution [A/L.274] is based on sounder logic inasmuch as it allows ample time for consideration of this important and rather complex question before the matter of having to circumvent the Charter actually arises.

236. We agree with the representative of the United Kingdom that the precedents cited by some delegations do not apply in this case, which must be considered on its own merits.

237. Accordingly, we shall vote for the Soviet draft resolution, if it is put to a vote, and shall abstain in the vote on the Tunisian draft resolution.

238. Mr. MONGI SLIM (Tunisia) (translated from French): In the first place, I wish to apologize for prolonging this meeting a little, but my delegation was not responsible for the fact that this question—which we regard as very important—is among the last items to be discussed by the General Assembly.

239. Before we proceed to the vote, I should like, on behalf of the Tunisian delegation, to re-emphasize that the primary purpose of the draft resolution [A/L.275/Rev.1] it has submitted to the Assembly for consideration is to ensure observance of the Charter and of the parity principle governing the composition of the Trusteeship Council.

240. I was very glad to hear the brief statements just made by the French and Italian delegations. In keeping with their tradition of respect for the Charter, the former delegation stated that as from 27 April 1960, it would regard itself as a member of the Trusteeship Council solely in its capacity as a permanent member of the Security Council and no longer as an administering member; the latter delegation stated that, as from 1 July 1960, it would consider its functions as an Administering Member terminated and, if

I understood correctly, would consequently no longer regard itself as a member of the Trusteeship Council.

241. Thus, the arguments we have put forward are still valid and we very much regret that statements we have heard have not succeeded in shaking our conviction.

242. I should also like to emphasize that if the composition of the Trusteeship Council remains unchanged after 27 April 1960, we shall regard all its meetings and decisions as illegal. On this point, there can be no doubt whatever. To sum up the situation as it will exist on 27 April 1960 or on 1 July 1960, we consider that if no elected member of the Council resigns in order to restore the balance, the composition of the Trusteeship Council will be contrary to the Charter.

243. The following solutions are therefore open to us: either to proceed now to elect the two members of the Council for a term of less than three years, that is, until 27 April 1960 or 1 July 1960; or to schedule a meeting of the General Assembly for April 1960 to decide which members of the Council shall withdraw in order to restore parity; or to provide for voluntary resignations on 27 April 1960.

244. Thus, the solution we have advocated in our draft resolution is still, in our view, the best one because it does not conflict in any way with the Charter.

245. Another point I should like to stress is that our draft resolution suggests a method—I repeat—a method which, in the absence of any other, or to be more precise, in the absence of voluntary resignations, we regard as the only practical one.

246. Tunisia decided to submit a draft for the Assembly's consideration for the simple reason that, in its view, the very foundations of the Charter—and therefore, of the United Nations itself—are endangered. I would therefore point out that operative paragraphs 1 (b) and 1 (c) of our draft resolution are nothing more or less than a virtually textual reproduction of an Article of the Charter. Consequently, it is our view that, assuming we genuinely wish to ensure observance of the Charter, it would be a flagrant contradiction to vote against the draft resolution, and more particularly, against paragraphs 1 (b) and 1 (c).

247. It has been said that it is illegal to leave it to the Council to decide, by drawing lots, which members should withdraw in order to preserve parity. I would point out that, if our draft resolution is adopted, it will be the General Assembly which will instruct the Trusteeship Council to take a simple procedural measure decided upon by the Assembly itself.

248. To vote on our draft resolution in parts, as has been suggested, will be to mutilate it and wholly distort its meaning. I would point out that our draft resolution constitutes a single whole. If paragraphs 1 (b) and 1 (c) and paragraphs 2 and 3 were rejected, the draft resolution would no longer have any point; it would have lost its practical content. If those paragraphs were rejected, the Tunisian delegation would therefore vote against its own draft resolution.

249. I would particularly remind the General Assembly that we are bound by the Charter and must avoid creating what would be an exceptionally serious precedent.

250. The PRESIDENT (translated from Spanish): The Assembly should vote on two draft resolutions, one submitted by the USSR [A/L.274] and one by Tunisia [A/L.275/Rev.1]. A vote paragraph by paragraph and by roll-call has been requested. In accordance with the rules of procedure, I shall put to the vote first the draft resolution submitted by the Soviet Union.

251. I call upon the representative of Tunisia on a point of order.

252. Mr. MONGI SLIM (Tunisia) (translated from French): I have requested priority for the draft resolution submitted by my delegation and I believe I am right in thinking that the Soviet Union is not opposed to my request. I therefore request that draft should be put to the vote first.

253. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation has no objection to priority being given to the Tunisian draft resolution.

254. The PRESIDENT (translated from Spanish): I would ask the representative of Tunisia if he insists on his draft resolution being put to the vote as a whole.

255. Mr. MONGI SLIM (Tunisia) (translated from French): Naturally, I should like the draft resolution submitted by the Tunisian delegation to be put to the vote as a whole. However, I do not object to a vote paragraph by paragraph if this has been requested by another delegation.

256. The PRESIDENT (translated from Spanish): Since the sponsor is not opposed to a vote in parts, I shall put this draft resolution to the vote paragraph by paragraph.

257. Mr. KING (Liberia): I really do not desire to prolong the discussion this evening; hence I requested that the operative part of the Tunisian draft resolution should be voted on paragraph by paragraph.

258. Mr. JHA (India): I am not very clear on what the President said concerning whether we are going to vote paragraph by paragraph on the operative part or on the preamble also. I should like the first and second paragraphs of the preamble to be voted upon separately, then the third paragraph, and then the operative part paragraph by paragraph and sub-paragraph by sub-paragraph.

[After a procedural discussion resulting from a misunderstanding of the subject of the first roll-call vote, that vote was cancelled and the voting proceeded as follows.]

259. The PRESIDENT (translated from Spanish): I shall now put to the vote the first paragraph of the preamble of the Tunisian draft resolution [A/L.275/Rev.1]. I do not think we need vote by roll-call.

The paragraph was adopted by 79 votes to none, with 1 abstention.

260. The PRESIDENT (translated from Spanish): We shall now vote on the second paragraph of the preamble.

A vote was taken by roll-call.

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

In favour: Poland, Portugal, Romania, Saudi Arabia, Sudan, Tunisia, Turkey, Ukrainian Soviet Socialist

Republic, Union of South Africa, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia, Albania, Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, China, Cuba, Czechoslovakia, Finland, France, Guinea, Haiti, Hungary, Iraq, Ireland, Libya, Luxembourg, Mexico, Morocco, Nepal, Pakistan.

Against: Philippines, Sweden, Thailand, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Afghanistan, Argentina, Bolivia, Brazil, Ceylon, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Ghana, Honduras, India, Indonesia, Israel, Japan, Liberia, New Zealand, Nicaragua, Panama, Paraguay, Peru.

Abstaining: Spain, Austria, Burma, Canada, Ecuador, El Salvador, Greece, Guatemala, Iceland, Iran, Italy, Laos, Lebanon, Netherlands, Norway.

The result of the vote was 35 in favour, 31 against, with 15 abstentions.

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

261. The PRESIDENT (translated from Spanish): I shall now put to the vote the third paragraph of the preamble.

A vote was taken by roll-call.

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

In favour: Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Federation of Malaya, France, Guinea, Haiti, Honduras, Hungary, Iraq, Ireland, Japan, Lebanon, Libya, Luxembourg, Mexico, Morocco, Nepal, Netherlands, Pakistan, Panama, Poland, Portugal, Romania, Saudi Arabia, Spain, Sudan, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Australia.

Against: Bolivia, Brazil, Chile, China, Ethiopia.

Abstaining: Canada, Dominican Republic, El Salvador, Finland, Ghana, Greece, Guatemala, Iceland, India, Indonesia, Iran, Israel, Italy, Laos, Liberia, New Zealand, Nicaragua, Norway, Paraguay, Peru, Philippines, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

The third paragraph of the preamble was adopted by 51 votes to 5, with 25 abstentions.

262. The PRESIDENT (translated from Spanish): I now put to the vote operative paragraph 1 (a). A roll-call vote has been requested.

A vote was taken by roll-call.

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

In favour: Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Spain, Sudan, Sweden, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of

Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan.

Against: None.

Abstaining: Italy.

Paragraph 1 (a) was adopted by 80 votes to none, with 1 abstention.

263. The PRESIDENT (translated from Spanish): I now put to the vote operative paragraph 1 (b).

A vote was taken by roll-call.

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

In favour: Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, France, Guinea, Haiti, Hungary, Iraq, Ireland, Libya, Luxembourg, Mexico, Morocco, Nepal, Pakistan, Panama, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, Venezuela, Albania, Australia.

Against: Bolivia, Brazil, Burma, Cambodia, Ceylon, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Ghana, Honduras, India, Indonesia, Israel, Japan, Liberia, New Zealand, Nicaragua, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Thailand, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen, Afghanistan, Argentina.

Abstaining: Austria, Canada, Ecuador, El Salvador, Greece, Guatemala, Iceland, Iran, Italy, Laos, Lebanon, Netherlands, Norway, Portugal, Spain, Sudan, Turkey, Yugoslavia.

Paragraph 1 (b) was rejected by 35 votes to 28, with 18 abstentions.

264. The PRESIDENT (translated from Spanish): I shall now put to the vote operative paragraph 1 (c).

A vote was taken by roll-call.

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

In favour: Libya, Luxembourg, Mexico, Morocco, Nepal, Pakistan, Panama, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, Venezuela, Albania, Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, France, Greece, Guinea, Haiti, Hungary, Iraq, Ireland.

Against: Liberia, New Zealand, Nicaragua, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Thailand, United Arab Republic, United Kingdom of Great

Britain and Northern Ireland, United States of America, Uruguay, Yemen, Afghanistan, Argentina, Bolivia, Brazil, Burma, Cambodia, Ceylon, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Federation of Malaya, Finland, Ghana, Honduras, India, Indonesia, Israel, Japan.

Abstaining: Laos, Lebanon, Netherlands, Norway, Portugal, Spain, Sudan, Turkey, Yugoslavia, Austria, Canada, Ecuador, El Salvador, Ethiopia, Guatemala, Iceland, Iran, Italy.

Paragraph 1 (c) was rejected by 34 votes to 29, with 18 abstentions.

265. The PRESIDENT (translated from Spanish): I call upon the representative of the Dominican Republic on a point of order.

266. Mr. de MARCHENA (Dominican Republic) (translated from Spanish): In view of the result of the previous votes, the logical course for the Assembly would surely be to decide that there is no point in voting on paragraphs 2 and 3, since they are consequential upon the paragraphs it has previously rejected.

267. The PRESIDENT (translated from Spanish): I think the representative of the Dominican Republic is right.

268. I recognize the representative of the Soviet Union on a point of order.

269. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): Although I am not the author of this draft resolution, so far as I understand it paragraph 2 is quite independent, and if the General Assembly adopted it there would be a definite instruction and a method for effecting the withdrawal from the Trusteeship Council of those members which should leave it because of two of the Administering Authorities ceasing to have administering status. I think, therefore, that we should vote on paragraph 2, as well as on paragraph 3, which is connected with it. I would ask you to put them to the vote.

270. The PRESIDENT (translated from Spanish): Since there is a request for a vote, I think that operative paragraphs 2 and 3 should be put to the vote. I invite the Assembly to vote on paragraph 2.

Byelorussian Soviet Socialist Republic, having been drawn by lot by the President, was called upon to vote first.

In favour: Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, France, Guinea, Haiti, Hungary, Iraq, Ireland, Libya, Luxembourg, Mexico, Morocco, Pakistan, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Albania, Australia, Belgium, Bulgaria.

Against: Cambodia, Ceylon, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Ghana, Honduras, India, Indonesia, Israel, Japan, Laos, Liberia, New Zealand, Nicaragua, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Spain, Sweden, Thailand, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Afghanistan, Argentina, Bolivia, Brazil, Burma.

Abstaining: Canada, Ecuador, El Salvador, Greece, Guatemala, Iceland, Iran, Italy, Lebanon, Nepal,

Netherlands, Norway, Portugal, Sudan, Turkey, Union of South Africa, Uruguay, Yugoslavia, Austria.

Paragraph 2 was rejected by 37 votes to 25, with 19 abstentions.

271. The PRESIDENT (translated from Spanish): We shall now vote on operative paragraph 3.

A vote was taken by roll-call.

The United States of America, having been drawn by lot by the President, was called upon to vote first.

In favour: Venezuela, Albania, Australia, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, France, Guinea, Haiti, Hungary, Iraq, Ireland, Libya, Luxembourg, Mexico, Morocco, Nepal, Pakistan, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: Yemen, Afghanistan, Argentina, Bolivia, Brazil, Cambodia, Ceylon, Chile, Colombia, Costa Rica, Dominican Republic, Honduras, India, Indonesia, Israel, New Zealand, Nicaragua, Paraguay, Philippines, Saudi Arabia, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland.

Abstaining: United States of America, Uruguay, Yugoslavia, Austria, Canada, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Iceland, Iran, Italy, Japan, Laos, Lebanon, Liberia, Netherlands, Norway, Panama, Peru, Portugal, Spain, Sudan, Turkey, Union of South Africa, United Arab Republic.

The result of the vote was 27 in favour, 23 against, and 31 abstentions.

Paragraph 3 was not adopted, having failed to obtain the required two-thirds majority.

272. The PRESIDENT (translated from Spanish): We shall now vote on operative paragraph 4.

A vote was taken by roll-call.

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

In favour: Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Greece, Honduras, India, Indonesia, Iran, Israel, Japan, Laos, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Spain, Sweden, Thailand, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Afghanistan, Argentina, Austria, Bolivia, Brazil, Burma, Canada, Ceylon, Chile, Colombia, Costa Rica.

Against: Czechoslovakia, Haiti, Hungary, Iraq, Lebanon, Libya, Mexico, Morocco, Nepal, Pakistan, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba.

Abstaining: Finland, France, Guatemala, Guinea, Iceland, Ireland, Italy, Sudan, Union of South Africa, Uruguay, Yugoslavia, Australia, Belgium, Cambodia, China.

Paragraph 4 was adopted by 46 votes to 20, with 15 abstentions.

273. The PRESIDENT (translated from Spanish): The General Assembly will now vote on the draft resolution as a whole, as it now stands.

A vote was taken by roll-call.

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

In favour: Iran, Israel, Japan, Laos, Liberia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Saudi Arabia, Spain, Sweden, Thailand, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Afghanistan, Argentina, Austria, Bolivia, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Greece, Guatemala, Honduras, India, Indonesia.

Against: Iraq, Ireland, Lebanon, Libya, Luxembourg, Mexico, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Albania, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Finland, Guinea, Haiti, Hungary.

Abstaining: Italy, Sudan, Union of South Africa, Yugoslavia, Australia, France, Ghana, Iceland.

The result of the vote was 45 in favour, 28 against, and 8 abstentions.

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

274. The PRESIDENT (translated from Spanish): Since the draft resolution submitted by Tunisia has not been adopted, we shall have to vote on the draft resolution submitted by the Soviet Union [A/L.274]. I would remind the Assembly that a roll-call vote has been requested.

A vote was taken by roll-call.

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

In favour: Czechoslovakia, El Salvador, Finland, France, Guinea, Haiti, Hungary, Iraq, Ireland, Libya, Luxembourg, Mexico, Morocco, Nepal, Pakistan, Poland, Romania, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yugoslavia, Albania, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba.

Against: Denmark, Dominican Republic, Federation of Malaya, Honduras, India, Indonesia, Japan, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Philippines, Portugal, Spain, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Afghanistan, Argentina, Bolivia, Canada, Ceylon, Chile, Costa Rica.

Abstaining: Ecuador, Ethiopia, Ghana, Greece, Guatemala, Iceland, Iran, Israel, Italy, Laos, Lebanon, Liberia, Panama, Peru, Saudi Arabia, Sweden, Turkey, United Arab Republic, Uruguay, Yemen, Australia, Austria, Burma, Cambodia, China, Colombia.

The result of the vote was 29 in favour, 26 against, and 26 abstentions.

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

275. The PRESIDENT (translated from Spanish): I call upon the representative of the Soviet Union on a point of order.

276. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): Since both draft resolutions have been rejected in plenary meeting, a rather complicated situation has arisen. It seems to me that a way out would be to take a decision enabling the General Assembly to meet again to discuss this question and to settle these important matters without stopping the clock. For at present we are working with the clock stopped. Naturally, in such circumstances, we can hardly expect to find a suitable and sensible solution.

277. I wish to suggest, on behalf of the Soviet delegation, that the General Assembly decide now to convene a special session for the consideration of this question, in accordance with rule 7 of the rules of procedure. Under that rule, a decision to convene a special session of the General Assembly may be adopted by a simple majority vote. I propose that the General Assembly decide to convene a special session of the General Assembly on 28 April 1960.

278. The PRESIDENT (translated from Spanish): I would like to draw the attention of the Assembly to the extraordinary situation we have now reached. The representative of the Soviet Union has just proposed that, instead of proceeding with the election of two members of the Trusteeship Council, we should decide tonight, in accordance with the Charter, to convene a special session of the Assembly on 27 April 1960 in order to settle this matter. The Soviet Union representative's proposal is now before the Assembly.

279. I call upon the representative of India on a point of order.

280. Mr. JHA (India): Just before the representative of the Soviet Union came to the rostrum and proposed the convening of a special session, the President made an announcement which meant that the Assembly was seized of item 17 of our agenda, which is the election of two members of the Trusteeship Council. As a matter of fact, that is how, about three hours ago, we began our consideration of this item, if I am not mistaken.

281. Normally, ballot papers would have been distributed and we would have recorded our votes. However, two draft resolutions were submitted in this connexion and we had to discuss them. We have just finished the consideration of those draft resolutions and the Assembly has given its verdict. Therefore, we revert at once to item 17 of the agenda. We must finish the consideration of that item—the election of two members of the Trusteeship Council. It is open to the representative of the Soviet Union or any other representative to make another proposal afterward, such as a proposal for the convening of a special session. But I submit that, while we are seized of item 17, there is no place for the proposal of the representative of the Soviet Union.

282. Therefore, without expressing any views at this stage on the Soviet proposal, I submit that it has to be deferred until after this item has been completed. Accordingly, I respectfully request the President to proceed to the completion of consideration of item 17.

283. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delega-

tion's proposal springs precisely from the need to carry out elections. But I should like to draw your attention to rule 85 of the rules of procedure, which refers specifically to the election of members of the Trusteeship Council. This rule states quite clearly that the election of members of the Trusteeship Council shall be "in accordance with paragraph 1 c of Article 86 of the Charter". It is a question, not merely of elections, but of elections in conformity with paragraph 1 c of Article 86.

284. The position is thus entirely clear. We cannot proceed to elections until we have decided the question of the method for bringing about the right composition of the Trusteeship Council. We must settle this question first, before the elections.

285. Hence the Soviet delegation's proposal amounts to this: we must decide here and now with regard to the convening of a special session of the General Assembly and after taking this decision we can proceed to the elections in accordance with Article 86 of the Charter.

286. Mr. Mongi SLIM (Tunisia) (translated from French): As the representative of India has so rightly pointed out, the agenda item before us now is the election of two members of the Trusteeship Council. Two draft resolutions have been submitted on this item, each containing a paragraph stating specifically that the General Assembly decides to elect two members of the Trusteeship Council at the present session, in accordance with Article 86 of the Charter. Both these draft resolutions have been rejected; the General Assembly did not agree to take the decision called for by the two draft resolutions, namely, to elect two members of the Trusteeship Council at the present session in accordance with Article 86 of the Charter. The Assembly rejected the proposal for the election of two members of the Trusteeship Council. In the circumstances, I think it would be desirable that we should now consider the convening of a special session of the General Assembly for that purpose in accordance with Article 20 of the Charter and rule 7 of our rules of procedure. It is my considered view that the proposal of the Soviet delegation is fully justified.

287. The PRESIDENT (translated from Spanish): My view is that we are bound by the Charter to carry out this election. However, we cannot at this stage embark upon an interminable discussion of procedure. I would prefer the Assembly to decide—after all it is master of its own procedure—whether or not we should proceed immediately with the election of the members of the Trusteeship Council.

288. Mr. ILLUECA (Panama) (translated from Spanish): I should like to help the Assembly to bring its work tonight to a harmonious conclusion. I have no axe to grind in doing so, and I am not taking a stand on one side or the other. I believe that all the proposals which have been made are worth considering. My delegation has no objection to a discussion and vote upon the Soviet Union representative's proposal at an appropriate moment. Nor are we opposed to the substance of what the Tunisian representative has said.

289. However, we do not have to adopt a resolution tonight in order to be able to elect the two members of the Trusteeship Council. The reason is very simple: item 17 of our agenda calls for the election of two members of the Trusteeship Council, not only because

this is envisaged under the Charter and the rules of procedure but also because the General Committee has so decided.

290. Hence, in order to avoid complications, I think that what we should do is to proceed with the election of the two Council members and thus dispose of any suggestion that the adoption of a resolution convening a special session implies postponement of this election until April 1960. In other words, in order to avoid confusion, I think we should hold the election immediately and then give all due consideration to any requests such as that submitted by the Soviet Union representative.

291. Mr. Itaah HUSAIN (Pakistan): I should like to ask what the essential requirements are under the Charter for the constitution of a valid Trusteeship Council. With the President's permission I shall read a passage from the Charter.

[The speaker read out Article 86, paragraph 1, of the Charter.]

Article 86, paragraph 1, clearly means parity between the administering members and the non-administering members, and if that parity is not there, it is not a Trusteeship Council, but something else.

292. Of course, as has been rightly pointed out by some representatives, including the representative of the United Kingdom, there is another essential requirement—the election of members for three years. So there are two things: parity between the administering members and the non-administering members and the election of members for three years.

293. Now, here we have a precedent in the election of members of the Security Council. In this connexion, I would refer the Assembly to Article 23, paragraph 1, which lays down the composition of the Security Council, which is to consist of eleven members, five permanent members and six non-permanent members which are elected every year for two years. Now, what happened when there was a tie vote between the Philippines and Yugoslavia? We elected each of them for one year. Did we not then violate the rule? But there was one merit in that decision, and the merit was that although the letter of the Charter was not strictly complied with, the Security Council was kept intact. It consisted of eleven members and continues to exist and to function.

294. The same situation has arisen at this session and we do not yet know what the result will be. Two requirements are necessary: whether we like it or not, parity has to be maintained between the administering members and the non-administering members. But again, that rule of a three-year term must be violated. In violating that rule, we must choose between two evils. But there is again the same merit: the Trusteeship Council is kept intact. If that procedure is not followed and if there is no parity, whatever the result of the election may be, there will not be a Trusteeship Council.

295. Mr. SALAMANCA (Bolivia) (translated from Spanish): In order to facilitate the debate and with reference to the President's observation that the Assembly is master of its own procedure, I am quite prepared to agree, provided, however, that we respect

the Charter and the rules of procedure. Rule 149 of the rules of procedure states:

"A non-administering member of the Trusteeship Council shall be elected for a term of three years and shall be eligible for immediate re-election."

This rule is based on Article 86, paragraph 1 c, of the Charter. What would the President's position have been if these two draft resolutions had not been submitted to the Assembly? The item would simply have been the election of members of the Trusteeship Council.

296. The representative of the Soviet Union raised a secondary question of great importance, but I think—and the Assembly cannot express a view on this point—that we first have to elect the members of the Trusteeship Council whose election is called for by our rules of procedure. Are we going to ask the Assembly to decide whether it agrees to proceed to an election required by the Charter and the rules of procedure? On this point I would request the advice of the President, who has great knowledge and experience, but I honestly believe that this is not a matter for the Assembly to decide, because in this respect we are governed by the rules of procedure and by the Charter.

297. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): Proposals have been made to us that we should proceed at once to the elections, but this would be contrary to the procedure which the General Assembly has been following ever since 9 o'clock this evening. We have had before us, on the agenda, the question of elections. But we began with a consideration of draft resolutions which constituted both a decision to proceed to the elections and an attempt to solve those preliminary questions which arose in connexion with the elections. Consequently we cannot simply go on to the elections, but must take a decision which will enable us to carry out the elections in full conformity with the Charter and the rules of procedure.

298. The Soviet delegation's proposal has precisely that effect. Its adoption will require not a two-thirds majority but a simple majority vote in accordance with rule 7 of the rules of procedure. In order, therefore, to remove any obscurities in our proposal, I should like to read it, and request that it be put to the vote.

[The speaker read out the new USSR draft resolution (A/L.277).]

I would ask the President to put this to the vote.

299. Mr. LODGE (United States of America): Although in principle it is midnight, by the ordinary man's time it is 1.45 a.m. and we have been sitting all day. In order that we may dispose of the election to the Security Council and have some time to find out just exactly what we are doing on this item, I move that we suspend discussion on this matter so that we may proceed to a vote on that election. That is my first motion. And then I request priority for that motion.

300. The PRESIDENT (translated from Spanish): Since the representative of the United States has introduced a motion for suspension of the discussion, I think, if there is no objection, that we should suspend the debate on item 17 and proceed to elect a non-permanent member of the Security Council.

It was so decided.

AGENDA ITEM 15

Election of three non-permanent members of the Security Council (concluded)*

301. The PRESIDENT (translated from Spanish): As requested by the representative of the United States, we shall now proceed with the election of one non-permanent member of the Security Council.

302. To date, the Assembly has cast fifty-one ballots in an attempt to fill the vacancy on the Council, no candidate having obtained the required majority and there being, apparently, no way out of the deadlock.

303. Although it is not, of course, for the President to express an opinion concerning the differences which have given rise to this situation—and I shall express no such opinion—I regard it as my duty to inform the Assembly that, in view of the deadlock, consultations have taken place among delegations and an understanding has been reached between the two principal candidates for the Security Council vacancy and between the various delegations supporting one or other of them.

304. According to my information, this understanding is subscribed to by the majority of the Members of the Assembly. The understanding or agreement, so to speak, is as follows: Poland will at this time be the only candidate for election as non-permanent member of the Security Council and, if elected, will serve in that capacity during the year 1960.

305. As an integral part of the agreement reached, Poland will withdraw from the Council on 31 December 1960. This would mean that, at the Assembly's fifteenth session, Turkey would be the only candidate to fill the vacancy thus created on the Council and to serve as non-permanent member during the year 1961—that is, during the remainder of the two-year term which we are now considering.

306. We shall now hold another ballot on the basis of the agreement which I have just announced. In the vote, it is understood that the Members of the Assembly will confirm that agreement.

307. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (translated from Russian): All through the fourteenth session of the General Assembly elections have been taking place in which Poland and Turkey have been candidates for one of the seats of non-permanent members of the Security Council. As we know, fifty-one ballots in all have been taken, and in some of them Poland, which was nominated by general agreement among the Eastern European countries, received as many as forty-eight votes.

308. It is gratifying to note that the majority of Member States supported the legitimate demand of the Eastern European countries for the observance of the United Nations Charter and the gentleman's agreement concluded in London in 1946 during the first session of the General Assembly.

309. It is obvious to everyone that the election of Poland as a non-permanent member of the Security Council would help to strengthen the Organization and put an end to the discrimination which has been practised against the countries of Eastern Europe for a number of years.

310. In spite of the large number of ballots, which is unprecedented in the history of the United Nations, the fourteenth session is now in the situation of being almost at the end of its work without having elected one of the non-permanent members of the Security Council.

311. In view of the circumstances and in an effort to avert a situation wherein the Security Council, which is a principal organ of the United Nations, would be short of one of its non-permanent members, the Soviet delegation has decided to support the proposal that the two-year term in the Security Council should be shared between Poland and Turkey. However, we regard this solution merely as a temporary way out of the situation which has arisen.

312. The Soviet delegation feels bound to emphasize that its agreement to this implies no change whatsoever in the Soviet Union's position concerning the election of non-permanent members of the Security Council.

313. The Soviet delegation will continue its efforts to end the discrimination against the Eastern European countries in the election of non-permanent members of the Security Council. These countries are entitled to claim one non-permanent seat in the Security Council. Any other solution would be contrary to the agreement previously reached and would violate the principle of the equitable geographical distribution of non-permanent seats in that body.

314. The United Nations in general and the Security Council in particular will not be able effectively to discharge their functions in maintaining international peace and security unless the rights and interests of all Members are considered and respected in the Organization and unless the policy of discrimination is brought to an end.

315. Mr. LODGE (United States of America): Obviously a deadlock has occurred in the elections to the Security Council during the present session of the General Assembly. Such a deadlock should be avoided in the future and the distribution of the seats in the Security Council should be carried out in accordance with Article 23 of the Charter, which provides:

[The speaker read out Article 23 of the Charter.]

316. There has been some talk about discrimination against Eastern Europe. Let me assure all concerned as emphatically as possible that we will not discriminate against any area or against any nation, including Eastern Europe. We will examine each candidacy in the light of the circumstances prevailing at the time.

317. Mr. MICHALOWSKI (Poland): In connexion with what has just been said, the Polish delegation would like to make a brief statement. Poland's candidacy to the Security Council was put forward in July of this year in agreement with other Eastern European countries. We acted in accordance with the provisions of the Charter and the gentleman's agreement of 1946. We based ourselves on the principle of the geographical distribution of seats in the various United Nations organs as well as on the principles of justice and right.

318. We acted also on the assumption that our efforts and contributions to the cause of peace and the improvement of international relations would enable us to play a positive and constructive part in the framework of the Security Council, the most im-

* Resumed from the 853rd meeting.

portant organ of the United Nations. It seems that all these arguments were understood and appreciated by the majority of the Assembly, and this is shown by the simple fact that in forty-two ballots out of fifty-one, Poland received a considerable majority. We won, in fact, a plebiscite of the Assembly. But, as we know, for election a two-thirds majority is required. A deadlock developed, and a number of delegations which had continued for a long time to give us their friendly and faithful support appealed to us for help in the solution of this impasse.

319. Let me pause for a moment to thank, in all sincerity, all those who so steadfastly voted for Poland time and again.

320. We should like to prove our good will, and we are ready to make certain concessions in order to break the deadlock and come to an agreement, in spite of the fact that our position has been correct throughout. Therefore, we have decided to accept a compromise. This compromise should contribute to a harmonious wind-up of the present session of the General Assembly, which has already made an historic contribution to the cause of peace by the unanimous adoption of resolutions on general and complete disarmament and on outer space.

321. But, on the other hand, we feel that we cannot abandon one of the principles on which the whole functioning of our Organization is based. I speak now of the principle of equitable geographical distribution of seats in the Security Council, a principle which over the last few years has been repeatedly violated. After informal talks and after declarations made from this rostrum, we are convinced now that there exists an agreement that such a deadlock in the election of non-permanent members of the Security Council will never happen again and that in the future there will be no more discrimination against the countries of Eastern Europe in the elections to the Security Council.

322. Therefore, the Polish delegation is prepared to give an assurance that Poland, should it be elected to the Security Council, will hand in its resignation after one year. I repeat, we still feel and know that our position has been just. We do not base our proposal on any precedent, neither do we want to create any precedent. We act only and exclusively in the interest of better international understanding and friendship and in the interest of better co-operation within the framework of the United Nations.

323. Mr. ESIN (Turkey): As one of the candidates in this election, I wish also to confirm the President's statement to the General Assembly to the effect that an agreement has been reached with the aim of finding an acceptable solution to the deadlock which has unfortunately arisen in the election of a member of the Security Council.

324. I have heard the statement which has just been made by the representative of Poland on behalf of his Government. My delegation has taken note of that statement concerning the intentions of the Polish Government with regard to this question for the end of 1960, when Turkey will again be a candidate, as the President has announced. On the basis of the declaration of the representative of Poland which I have just heard, my delegation has decided to withdraw its candidacy to the Security Council at the present.

325. I should like also to state on this occasion that the agreement reached between the Polish delegation

and my own does not extend to the question of principle involved in this election. In other words, my delegation does not commit itself for any election after the end of the two-year term now in question. We understand that the Polish delegation maintains its own position as to how this seat in the Security Council should be allocated after 1961, as my delegation maintains its own position in this matter.

326. In withdrawing our candidature and reaching an agreement, we are happy to have contributed to the general atmosphere of good will and understanding which has prevailed to a large extent during the present session of the General Assembly. I wish to thank all the delegations which have supported my country in these elections. My delegation is most grateful to all our colleagues who have made constant and sincere efforts to find a solution.

327. Mr. NESBITT (Canada): I am delighted, on behalf of the Canadian delegation, to be able to congratulate all the parties concerned who have made it possible to arrive at the very satisfactory result the President has just announced in the settlement of the differences over the elections to the Security Council. It is surely the objective of all of us in the Assembly to provide the means for every organ of the United Nations to operate with the greatest sense of harmony and to have its membership acceptable to the widest range of opinion within the United Nations. Although to the outside world these many votes may have seemed a strange exercise, the outcome has reaffirmed the common desire of all Members of this Assembly to achieve a responsive and representative membership in the Council.

328. May I congratulate the delegations concerned, particularly those of Poland and Turkey, as well as those of the United States and the Soviet Union, for this midnight wisdom which, after many long and difficult weeks of thought and negotiation in which many of us have shared, has now brought us great pleasure by providing the Assembly with a workable answer to our serious concern about the immediate future of the Security Council. The compromise that has been reached is, in the view of my delegation, fully consistent with the spirit of co-operation which has happily pervaded most of our proceedings during this session, and provides a fitting climax to our deliberations.

329. Mr. DE FREITAS-VALLE (Brazil): Fortunately, we see an agreement now reached when an agreement seemed impossible. The French, wise as they are, say that when a situation becomes inhuman, one has to find a human solution for it. Poland and Turkey have just shown this kind of common sense by arriving at an agreement on the election to the Security Council. We should be glad. I do not think that the splitting of a mandate is an ideal solution. The Charter has to be respected and mandates established by it have, consequently, to be respected. However, above all, the example given us today by Poland and Turkey commands respect because it denotes the quality of negotiation that has to govern our course of action here. May God help us, and may future difficulties be easily resolved.

330. Sir Pierson DIXON (United Kingdom): The United Kingdom delegation would like to express its pleasure at the satisfactory arrangement which has been proposed as a settlement of the disagreement

within the Assembly on the election of a non-permanent member of the Security Council to hold the seat at present held by Japan. We have all, I think, been disturbed that repeated ballots, spread over many weeks, have failed to produce a result, inevitable though this may have been, considering that, as the President has pointed out, the Charter does not provide for a procedure for resolving a deadlock of this kind. A solution in such a case can be found only through private consultation and agreement among delegations. The Assembly as a whole, I feel sure, will appreciate the efforts of the delegations that have helped to bring about the satisfactory solution now proposed, which I hope will commend itself to the Assembly. In particular, I would like to voice a word of appreciation to the representative of Turkey. We have always thought that Turkey's qualifications to sit on the Security Council were beyond question, and it was an act of statesmanship on the part of the delegation of Turkey to accept, under the proposed arrangement, the second place.

331. In the confident expectation that this arrangement will be adopted, I should like to take this opportunity of saying that the United Kingdom looks forward to working with Poland on the Security Council during the forthcoming year in a spirit of co-operation.

332. The PRESIDENT (translated from Spanish): We shall now proceed to the election of a non-permanent member of the Security Council.

At the invitation of the President, Mr. Vitsaxis (Greece) and Mr. Kestler (Guatemala) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	80
Invalid ballots:	0
Number of valid ballots:	80
Abstentions:	4
Number of members voting:	76
Required majority:	51
Number of votes obtained:	
Poland	71
Turkey	3
Greece	1
Yemen	1

Having obtained the required two-thirds majority, Poland was elected a non-permanent member of the Security Council.

AGENDA ITEM 17

Election of two members of the Trusteeship Council (concluded)

333. The PRESIDENT (translated from Spanish): Reverting to the item which we were previously discussing—the election of two members of the Trusteeship Council—I would remind the Assembly that it now has before it a new draft resolution submitted by the Soviet Union.

[The President read out the new USSR draft resolution (A/L.277).]

334. As is clear from the discussion which preceded the election just held, the Assembly was on the verge of becoming involved in a lengthy and complicated procedural debate. Consequently, in view of

the discussion which has already taken place, and since the Assembly has a specific proposal before it, I would suggest that we proceed forthwith to vote on the new USSR draft resolution.

335. Following the vote on that draft resolution, we shall proceed to the election of members of the Council. In that connexion, I would recall that the Assembly, by a vote of 80 to none, with 1 abstention, approved sub-paragraph (a) of operative paragraph 1 of the Tunisian draft resolution [A/L.275/Rev.1], under which it was decided to hold that election. I repeat: it is a ruling of the Chair that, following the vote on the new Soviet draft resolution, we shall proceed to elect two members of the Trusteeship Council.

336. I call upon the representative of India on a point of order.

337. Mr. JHA (India): I am extremely sorry to have to come to the rostrum again and again, but I must say frankly that I do not know what the draft resolution is. I have no text before me. I do not think it is possible to vote on a proposal of this kind without having it in writing and studying it. My delegation will find it extremely difficult to vote on a proposal which we do not have before us and the precise terms of which we have not studied.

338. I very respectfully request the President, if he intends to put to the vote this draft resolution, to take a few minutes to let the text be circulated to all the Members.

339. The PRESIDENT (translated from Spanish): The point made by the representative of India is well taken. Of course, this is an exceptional situation: it is almost three o'clock in the morning and we have to complete our work.

340. I would remind the representative of the Soviet Union that we actually voted, by 80 votes to none, with 1 abstention, in favour of proceeding in the normal way to the election, in compliance with the Charter. I should like, however, to amend what I said previously and to ask you to take into account the suggestion which I am about to make, provided, of course, that the Assembly has no objection: namely, that we proceed, in compliance with the Charter, to elect two members of the Trusteeship Council.

341. Otherwise, we should become involved in a very serious procedural debate, since in the first place the Charter requires us to hold this election and, in the second place, from a procedural standpoint we are required to hold it because the item is on our agenda.

342. Consequently, if there is no objection, and amending my previous ruling, I shall ask the Assembly to proceed forthwith to elect two members of the Trusteeship Council.

343. I call upon the representative of Tunisia on a point of order.

344. Mr. MONGI SLIM (Tunisia) (translated from French): I apologize for speaking once again, but I cannot regard the adoption of a single paragraph by a strong majority as equivalent to the adoption by the General Assembly of the contents of the draft resolution or even of the paragraph in question.

345. At this session, we had another draft resolution on another subject all the paragraphs of which were adopted by a majority of more than two-thirds; however, since the resolution as a whole did not obtain

a two-thirds majority, it was rejected with all that it contained. I can only consider the two draft resolutions submitted by Tunisia and the Soviet Union as having been rejected by the General Assembly. Both those draft resolutions—or at least the Tunisian draft which forms a single, cohesive and logical whole—contain, inter alia, a decision by the General Assembly to proceed to elect members of the Trusteeship Council, in accordance with Article 86 of the Charter.

346. As the Tunisian draft resolution has been rejected, all its paragraphs have been rejected. The General Assembly has therefore decided not to elect two members of the Trusteeship Council. Under rule 83, General Assembly decisions may not be reconsidered unless there is a formal request for their reconsideration. I do not believe that any delegation has formally requested that we should reconsider this particular decision. The General Assembly would then have to decide by a two-thirds majority to reconsider the decision taken on the Tunisian draft resolution. That is how things stand; I think I have made the position sufficiently clear.

347. The PRESIDENT (translated from Spanish): I would reply to the representative of Tunisia that I based my statement on the following consideration: it cannot be said, merely because two draft resolutions concerning the method of settling possible problems connected with the election of members of the Trusteeship Council have failed of adoption, that the item has been withdrawn from the agenda. On this point I should like, quite frankly, to express my considered opinion. An item of the agenda cannot be disposed of as a direct or implied result of the rejection of two proposals concerning the method of coping with problems which might arise in connexion with the Council's future composition.

348. Accordingly, without making a ruling or a formal decision, the Chair deems it desirable to advise the Assembly that we must complete our agenda.

349. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): A few minutes ago the President quite rightly decided to take a vote on the new Soviet draft resolution [A/L.277]. That is exactly what the General Assembly should do. Subsequently, the representative of India made a statement requesting that the vote should be postponed—apparently because the draft proposal had not been circulated in writing.

350. In this connexion we have rule 80, which states:

"Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

It goes on to state:

"The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day."

In other words, the President may do so immediately. The Soviet Union's proposal is precisely a motion as

to procedure and is based on rule 7 of the rules of procedure.

351. The PRESIDENT (translated from Spanish): I call upon the representative of Bolivia on a point of order.

352. Mr. SALAMANCA (Bolivia) (translated from Spanish): The Bolivian delegation is sorry to have to intervene in this procedural question at the very end of the session. The President will recall that, prior to the previous motion submitted by the United States delegation, I requested that we should simply apply rule 149 of the rules of procedure, which I read out. Then the representative of the Soviet Union, also quoting the Charter, put forward the idea of convening a special session of the Assembly. Of course this is a right which every representative may exercise at any time. My point of view is quite simple. Without prejudice to the previous discussion and to the importance and validity of the new USSR draft resolution [A/L.277], I feel I must request priority for rule 149 which applies to this case.

353. The idea of convening a special session to settle the question of parity—which will arise but has not yet done so—is also legally valid. I have no wish to challenge Mr. Sobolev on this point, but as the draft resolutions submitted by Tunisia and the Soviet Union have been disposed of, there is no draft resolution before the Assembly—none at all. Hence there is no problem.

354. Priority must of course be given to my delegation's proposal because it was a good deal earlier than the Soviet Union's request to consider the convening of a special session to deal with the question of parity.

355. Thus I do not think that the problem is very complicated. Both the Trusteeship Council and the General Assembly itself—since we can vote immediately afterwards on the new Soviet Union draft resolution—can deal with the necessity of settling this question. Meanwhile we have rule 149, which is based directly on Article 86, paragraph 1 c, of the Charter. I do not see how we can evade the fundamental obligation we have at this moment, namely to hold the election. This is the first thing to be done. It is the first time that a representative has had to ask that priority be given to the rules of procedure.

356. Mr. SCHWEITZER (Chile) (translated from Spanish): The first item on today's agenda is the election of two members of the Trusteeship Council. This was the subject of the two draft resolutions which were not adopted by the General Assembly. Their rejection means that they do not exist as far as item 17 of the agenda, namely the election of two members of the Trusteeship Council, is concerned. Furthermore, the purpose of the drafts was to link the pending election to a specific interpretation of situations which will arise during the forthcoming year, and the Assembly on two successive occasions has declined to go along with this. Thus the election of the members of the Trusteeship Council is still hanging fire, though it is provided for in the Charter, in the rules of procedure and in the agenda we ourselves have drawn up for this fourteenth session of the Assembly.

357. The Assembly did not decide against holding the election; in fact, even if it had done so its decision would be illegal and could not prevent the President

from asking the Assembly, as he is bound to do, constitutionally and under the rules of procedure, to elect the members of the Trusteeship Council who will take office on 1 January 1960. If we do not do this we shall not only be violating the Charter and the rules of procedure and disregarding the agenda we have drawn up for the present session, but we shall be ignoring the agenda of today's meeting as well. If, for any reason, this election were not to take place, the question would then arise of considering the oral proposal submitted by the representative of the Soviet Union.

358. So long as the item outstanding on our agenda has not been disposed of and the Assembly has not concluded its work, we can and must carry out this election still in suspense. This is a more logical, not to say a more common sense procedure than to spend the remaining time deciding to hold the election at an extraordinary session of the Assembly. Accordingly, I support the suggestion made along these lines by the representative of Bolivia and the President of the Assembly, and I request that no further speaker be given the floor until after the election, which must have priority.

359. The PRESIDENT (translated from Spanish): I would do what the Chilean representative asks, because I am convinced—and I must be frank with the Assembly on this point—that we must abide by the rules of procedure and that we cannot change our agenda; however, the representatives of Guinea and India had already asked to speak, and consequently, as a matter of courtesy I feel I must call upon them.

360. Mr. TOURE (Guinea) (translated from French): I should like to inform the General Assembly that my delegation supported the draft resolution which was submitted by Tunisia. This shows that we had very definite views on the question currently under discussion here.

361. We should like to state our position clearly, whatever the General Assembly's decision may be. First of all, we should like to draw attention to a fact which has apparently escaped the notice of certain delegations and which arose during the vote paragraph by paragraph on the Tunisian draft resolution.

362. In the course of that vote, the Assembly altered the sense of the original Tunisian draft by deleting some of its operative paragraphs, particularly towards the end. Only a single useful paragraph remained in the operative part—paragraph 1, or at least its subparagraph (a), which provided that two members of the Trusteeship Council should be elected at the present session, in accordance with Article 86 of the Charter.

363. Both subparagraphs (b) and (c) of operative paragraph 1 were deleted, and then the General Assembly retained paragraph 4, in which it was decided that consideration of the whole question of the membership of the Trusteeship Council should be resumed at the next session.

364. Thus a majority emerged at a certain moment which favoured holding the elections immediately and waiting until the next session to discuss the question as a whole. That majority existed, but I must stress that the conditions for translating this view into a decision of the General Assembly were not fulfilled, since in the vote on the draft resolution as a whole, that majority was ultimately defeated. The result of

the vote was 45 in favour, 28 against, with 8 abstentions.

365. This final vote which led to the rejection of the draft resolution, or at least of the revised draft resolution, needs interpretation. The original draft resolution was in fact so much altered that it came to represent very nearly the opposite of Tunisia's initial position and in that form was adopted by a certain majority. If the General Assembly respects its final decision which is the only valid one, it must now recognize that it has decided to reject a draft resolution which purely and simply requested it to hold elections immediately without examining the substance of the problem and to wait until the next session to discuss the problem as a whole. We are prepared to accede to any request by the President of the General Assembly to hold elections immediately, provided it is clear that the Assembly has taken a definite decision to the contrary procedure.

366. And then, I should like to point out the error of those who maintain that, because all the draft resolutions have been rejected, we should now turn to the real issue, namely, the election of two members of the Trusteeship Council. Two draft resolutions have been submitted in connexion with item 17 of our agenda—the USSR draft resolution, and the Tunisian draft resolution. Neither of these two draft resolutions denies the necessity of holding elections; but both of them specify the conditions under which these elections should be held in order to ensure that due consideration is given not only to the composition of the Trusteeship Council, but also to the principle of parity—that principle and the composition of the Council being integral parts of the Charter. Let no one try to tell us that elections must be held, automatically and unconditionally, every three years, for that would be completely absurd and unrealistic. Actually, two Trust Territories will accede to independence in 1960. It would obviously be absurd to maintain that when all the Trust Territories have gained their independence, the holding of elections will still be necessary. Each year a different problem arises. Each year the elections have to be considered not only in the light of the principles concerning parity and the composition of the Trusteeship Council laid down in the Charter, but also in the light of the local conditions prevailing in that year.

367. My delegation has followed the vote attentively. It approved the Tunisian draft resolution and was also prepared to vote in favour of the Soviet draft resolution, since both of them had the merit of raising the real issue and proposing solutions. We cannot admit that, by proceeding immediately to the vote, we should be acting in accordance with the Charter, for that is not at all the case. I repeat, that out of courtesy to the President, we are prepared to proceed to a vote if requested by him to do so. But we should only do so for such a reason as to save time, and not in order to conform with the Charter.

368. I wished to say all this on behalf of my delegation, which is convinced that the problem of the election of two members of the Trusteeship Council is still at issue. However, it seems to us that the General Assembly has indicated by its vote that it does not wish to vote immediately on this problem, which is a very important one, as we are aware.

369. I should also like to stress that, in our opinion, the parity rule should have priority over all other

considerations. As the Tunisian representative so rightly said, the number of administering members must be the starting point for determining the rest of the membership of the Trusteeship Council, since this number reflects the number of Territories involved. No one can conceive of a Trusteeship Council when there are no more Trust Territories. Its total membership is based on the number of administering members with an equal number of other members. That rule should never be lost sight of.

370. Consequently, my delegation is prepared to accede to a formal request by the President to hold elections immediately, because of the late hour or for any other reason. But we are not prepared to vote on the ground that it would be in accordance with either the Assembly's decision or with the Charter.

371. The PRESIDENT (translated from Spanish): My intention was to allow representatives to speak on a point of order and not so as to re-open the discussion on the draft resolution submitted by Tunisia. The debate on this is closed.

372. I now call upon the representative of India on a point of order.

373. Mr. JHA (India): I will take just a few minutes to clarify what was a misunderstanding by the representative of the Soviet Union. When I came to the rostrum last and said that I did not have the text of the new Soviet draft resolution [A/L.277], I did not know exactly what it was. I was not unaware of rule 80 of the rules of procedure. The representative of the Soviet Union has quite rightly pointed out that the President can dispense with the circulation of written proposals and twenty-four-hour notice.

374. But the point I wish to make is that we were requested to vote on a proposal which, quite frankly, I did not understand properly. I did not have the text before me. I could judge its implications, and I felt that it was only fair, considering my responsibilities to my own Government whom I represent, that before voting I should see the proposal. I hope that this privilege, which belongs to any member, will not be denied either by the President or by any other member of the General Assembly.

375. The PRESIDENT (translated from Spanish): I now call upon the representative of the United States on a point of order.

376. Mr. LODGE (United States of America): I think it is clear that the most expeditious thing is to elect the members of the Trusteeship Council first, as required by the Charter and by the rules of procedure. That is something of which we can be sure. Therefore, the United States supports the Bolivian motion for priority, which we understand is the pending motion. After we have taken a decision on that motion, we can then proceed to the election. I therefore ask that the Bolivian motion for priority be put to the vote immediately.

377. The PRESIDENT (translated from Spanish): The Bolivian representative has submitted a motion that we should proceed forthwith to the election of two members of the Trusteeship Council and has requested priority for this motion. I therefore put to the vote the question of priority for this motion.

It was decided by 54 votes to 3, with 7 abstentions, to give priority to the Bolivian motion.

378. The PRESIDENT (translated from Spanish): I now put to the vote the Bolivian motion that the Assembly proceed to the election of two members of the Trusteeship Council.

The motion was adopted by 57 votes to 14, with 6 abstentions.

379. The PRESIDENT (translated from Spanish): We shall now proceed to the election of two members of the Trusteeship Council.

At the invitation of the President, Mr. Vitsaxis (Greece) and Mr. Kestler (Guatemala) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	80
Invalid ballots:	0
Number of valid ballots:	80
Abstentions:	2
Number of members voting:	78
Required majority:	52

Number of votes obtained:

Bolivia	69
India	61
Japan	12
Cuba	3
Burma	1
France	1
Greece	1
Guinea	1
Haiti	1
Portugal	1
Tunisia	1

Having obtained the required two-thirds majority, Bolivia and India were elected members of the Trusteeship Council.

380. The PRESIDENT (translated from Spanish): The new draft resolution submitted by the Soviet Union [A/L.277] has been circulated.

381. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): The Soviet draft resolution consists of two paragraphs. The action proposed in paragraph 2 has already been taken. Therefore, it will, of course, only be necessary to vote on paragraph 1. I request the President to put this paragraph to the vote.

382. The PRESIDENT (translated from Spanish): We shall now vote on paragraph 1 of the Soviet draft resolution [A/L.277]. I would remind the Assembly that a roll-call vote has been requested.

A vote was taken by roll-call.

The United Kingdom of Great Britain and Northern Ireland, having been drawn by lot by the President, was called upon to vote first.

In favour: Venezuela, Yugoslavia, Albania, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ecuador, El Salvador, Finland, Ghana, Guinea, Haiti, Hungary, Iraq, Mexico, Morocco, Nepal, Pakistan, Poland, Romania, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America, Argentina, Australia, Belgium, Bolivia, Canada, Ceylon, Chile,

China, Colombia, Costa Rica, Dominican Republic, Ethiopia, Federation of Malaya, Greece, Honduras, Japan, Laos, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Philippines, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa.

Abstaining: Yemen, Afghanistan, Austria, Burma, Cambodia, Denmark, France, Guatemala, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Lebanon, Panama, Peru, Saudi Arabia, United Arab Republic.

The paragraph was rejected by 32 votes to 26, with 20 abstentions.

Completion of the work of the fourteenth session

383. The PRESIDENT (translated from Spanish): This concludes the work of the fourteenth session of the General Assembly. Now that we have completed our work, I should like to say a few words and to perform a pleasant duty towards you, my dear colleagues, our distinguished Secretary-General and his excellent helpers.

384. At the end of my inaugural address I prayed to God that this Assembly would pass into history as the Assembly of Peace. The general feeling is that it will do so. We have adopted unanimous resolutions on disarmament, on outer space, and on vital matters relating to social and economic order and the solemn duty of trusteeship. The discussions, generally speaking, have been marked by objectivity and by praiseworthy moderation and dignity. The help of Providence has been seconded by the human effort which Providence requires, indeed demands. I am happy to acknowledge this from the rostrum of this Assembly. In accepting the honour of my office, I drew encouragement from the assurance that I could rely on full and whole-hearted co-operation from all of you; I have received it in generous measure; and in the name of the cause we all serve, and with the deepest emotion, I express my undying gratitude.

385. The Vice-Presidents have served splendidly in my place when required. The Chairmen, Vice-Chairmen and Rapporteurs of the Committees have worked ably and faithfully. A tribute is also due to Mr. Hammarskjöld, the Secretary-General, to Mr. Cordier, the Executive Assistant to the Secretary-General, and to the members of the Secretariat, including all those who work in the various divisions and have thus helped to ensure the success of this session.

386. My experience this year has strengthened my conviction that the Secretariat is a decisive factor in the life of the United Nations. Objectivity in the presentation of facts, scrupulous accuracy and discretion have been its characteristic merits. It has been my rule never to put personal preferences or subjective views before the Secretariat's findings, which are based at all times on the Charter, the rules of procedure and the lofty purposes of the United Nations. This may be summed up in the axiom that: "The United Nations must examine all questions sub specie humanitatis."

387. For myself I must say, in all sincerity, that all I have brought to the discharge of my presidential duties has been my good will. If there has been anything else, put it down to the cultural tradition of my country, the faith in the United Nations which I share

with my fellow Latin Americans, and the common heritage of spiritual values which we owe to Spain.

388. When Spain discovered the New World, it also laid down the rules of international law. Its founders, with prophetic vision, spoke of a civitas maxima which would be a sort of family of nations. We now see this concept gaining strength, and it is only right that we should remember with deep feeling the homeland of Vitoria and Suárez, who propounded it in all its splendid universality.

389. Allow me to refer briefly to the work accomplished. The unanimous adoption of the resolutions on disarmament and outer space creates an atmosphere of understanding and co-operation which is propitious for the study and solution of these problems, and the hope of better days for mankind rests on such solutions. The committees will be working under the auspicious emblem of this unanimity. I should like to single out the efforts of Mr. Lodge and Mr. Kuznetsov, the felicitous architects of this unanimity, and to congratulate them warmly on the Assembly's behalf.

390. From the practical point of view, the committees will have at their disposal the valuable assistance of studies, suggestions and drafts transmitted by the Assembly.

391. After the items already mentioned, the subject which has aroused most interest at this Assembly has been economic and technical assistance to the less developed countries. I associate myself with the relevant conclusions drawn by the Executive Chairman of the Technical Assistance Board.

392. Let me add that if we have succeeded today in carrying out the task I have outlined with the limited resources left over after the economic potential of many countries has been absorbed by the arms race, why should we not look forward confidently to the day when the wealth created by man's genius and labour can be devoted essentially to improving the living conditions of all peoples?

393. Civilization, in the material sense, is the outcome of work prompted by necessity, self-interest and in some historical cases, unfortunately, coercion. Culture, on the other hand, is the result of work undertaken out of a sense of vocation or duty, or out of religion, patriotism or a social sense. It should be added that material progress itself is the outcome of the truths which man has discovered in the disinterested efforts of culture, later turned to good account by technology, often without realizing whence they came.

394. Our technical assistance programmes are based on the idea of fostering a sense of vocation and encouraging effort, in a word of mobilizing the energies of youth and directing them toward mastery over nature, while not forgetting the cultivation of spiritual values. The increasing growth of population and the justifiable desire for a better life make it imperative to arouse in each new generation a zest for work and a pioneering spirit not for utilitarian ends alone, but in their mysterious and fruitful transmutation into vocation, duty and destiny.

395. As I have stated on many occasions, the United Nations not only provides a means for political "rapprochement" and economic aid; it can also serve research, investigation and the dissemination of knowledge. It should seek in its debates to discover

the truth so that equitable principles may be applied. Consequently, the basic principles of our discussions must be complete objectivity and the triumph of reason and prudence over passion and feeling, although these are frequently justified and praiseworthy. It was in San Francisco that this great world forum for the collection and dissemination of world opinion was conceived. It would be impossible for us to perform our task of enlightenment and dissemination without the assistance of the Press. We are not a sounding board but rather the instrument itself whose notes need the echo and reverberation of the organs of information of civilized society. The excellent correspondents of the international Press have made a most valuable contribution in this direction, and I wish to congratulate them and to express our gratitude. However, something more is needed, namely the systematic and judicious co-operation of all the newspapers of the world. I urge them fervently, from the rostrum of this great Assembly, on behalf of mankind to support the United Nations whole-heartedly, not with stereotyped words of praise and an occasional pat on the back, but by an impartial evaluation of its work and, where necessary, by free, constructive criticism.

396. Indifference, scepticism and belittlement, which were understandable while the United Nations was growing to maturity, should now cease in the light of the work being done by the Organization and the magnitude of the programmes it has in hand. Governments, free institutions and, in particular, cultural organizations have a duty to give the United Nations full and unconditional support.

397. In the political field, while maintaining scrupulous respect for the sovereignty of States, the United Nations is performing the function of a permanent watch-dog and a constant promoter of better relations. It now has an additional task which it alone can fulfil, namely, to be on the spot where its presence is essential. The principles of justice, peace and harmony, while still part and parcel of the conscience of mankind, individually and collectively are personified in the presence of the United Nations in the flesh at the trouble spots of the world; and where the United Nations is present, conflicts appear to subside and peaceful solutions begin to take root.

398. There is one matter to which I must refer at this crucial moment for mankind. The desire for peace is growing daily stronger and more widespread among the peoples of the world. No distinction need be made, and the origin of the desire as a psychological phenomenon matters but little. There is a rising tide of feeling throughout the world which must inform the policies of the leaders of all nations. Perhaps Providence desires not only that the man in the street should wish for peace, but that his will, enlightened by the disastrous consequences of all wars, should demand it.

399. Since I have used the term "family of nations", I should like to refer to the domestic, almost paternal role performed by the United Nations with respect to those countries which are still in the process of evolution or are preparing for independence, as well as to those which have achieved this independence and are at once welcomed here and made to feel at home, under the protective wing of the Charter and amid the warmth and friendliness of all their sister nations.

400. The new nations which attained statehood during the nineteenth century could only count on the limited support of some great Power or the influence of shaky alliances. Today new nations find a home, a family atmosphere, a fellow-feeling in this house. During their difficult swaddling-clothes stage, they are able to work here in absolute equality with other States, and what they have to say is listened to as attentively as that of the most powerful nations on earth—if not at times even more attentively.

401. May the closing of this Assembly of Peace be the best augury for the work to be done by the great Powers at the meetings they are to hold on vital problems. These meetings will be followed anxiously by all mankind. May these words be received by the peoples of the world as a brotherly message at this time of Christmas which God has ordained as a time of joy and hope for all men and all nations.

402. Prince Aly KHAN (Pakistan): We have heard a great many speeches on many different subjects during the past several days; weeks and months. And, if I may borrow a metaphor from my meagre stock of proverbs, I shall refrain from adding the last straw to the camel's back.

403. This fourteenth session of the General Assembly was hailed at its beginning last September as the Assembly of Peace. As we look back in retrospect on this last day of the session, I think we may fairly say that the term was well chosen.

404. There have been differences among us, many of them sharp and some of them bitter, but it is, of course, the whole basic purpose of the United Nations to be a centre for harmonizing relations among nations. The United Nations is also, in a sense, a mirror which reflects what goes on in the world outside the United Nations. This year, the visit of Premier Khrushchev to the United States and the talks which he had with President Eisenhower at Camp David have been reflected in our deliberations here. There has been a greater spirit of accommodation to one another's point of view and a wider range of agreement reached, particularly with regard to a number of very important and difficult issues.

405. I should not like to suggest that we do our work only with mirrors in the United Nations, or that what we do is only a shadow from the image of reality. What we have done at this session, the understandings and the agreements that we have reached are real enough with regard to such subjects as, for example, disarmament and outer space. To be sure, we have made only a beginning, but certainly a very happy beginning and one which we are confident will bring forth abundant fruit.

406. Despite the remaining difficulties which time, patience, tolerance and good sense will clear away, there are warm and inseparable ties that bind all of us closely together in the friendly companionship of toilers in the vineyard of peace. If it be judged by history that we have reaped a fruitful harvest, this judgement will be due in largest measure to the fact that you, Mr. President, have been such a faithful steward in watching over and guiding our labours. We all hold you in deep, abiding and very respectful affection. To you, we owe a debt of profound gratitude. May I therefore offer to you, on behalf of the Asian-African group of Member States, on behalf of the Pakistan delegation and on my own behalf, our very warmest thanks for all you have done to make the

fourteenth session of the General Assembly the success it has been. The Asian-African countries enjoy the strongest and closest ties of warm sentiment and common ideals with the Latin American countries of which you are such a distinguished and eminent representative. It is rare indeed that one finds embodied in an individual human being such an extraordinary combination of all those exalted virtues and high qualities that we associate with the Latin American countries.

407. May we also offer through you, Mr. President, our thanks to the Secretary-General and to all the members of his staff who have laboured so arduously on our behalf and to all the representatives of the various media of public information who have tried so assiduously throughout the session to find out what we are doing, when we ourselves do not always quite know? Knowledge and understanding are not always easy to achieve, and we are deeply grateful to all our colleagues who have been so patient in explaining their views to us throughout the session and who have been so tolerant and perceptive in trying to understand ours.

408. In this process of groping towards a better understanding of one another, we have now passed another milestone on man's long road towards peace and harmony among nations. If that road is obscure and still beset with many obstacles and difficulties, then the challenge, the responsibility and the obligation that we all share are all the greater, and if we are now closing one chapter in this great book of human destiny, we must not fail to devote ourselves with humility, but also with inspired energy and vigour, to the tasks that lie ahead, that we may remain faithful in our duty to the peoples of the world.

409. Mr. MATSCH (Austria): We have now concluded our work, and it is an honour and a great privilege for me to express to you, Mr. President, on behalf of the European group, our appreciation, gratitude and, indeed, our admiration for the excellent way in which you have guided our debates. Your skill as a diplomat, your objectivity and tact, and, above all, your patience and good humour have endeared you to all of us. We all remember you saying that if punctuality is the courtesy of kings, patience and tolerance is the courtesy of presidents. And you certainly have lived up to this rule. If this Assembly has been a peaceful one, if our debates have on the average been carried out in a moderate and conciliatory atmosphere, if, finally, this Assembly did prove to be, according to your desires, an Assembly of Peace, we owe all this to no small extent to your never-failing amiability and wise leadership. I feel sure that I speak the mind of all of us if I thank you wholeheartedly for your work and your indulgence with us.

410. I also wish to convey our gratitude to Mr. Hammarskjöld, the Secretary-General, and to Mr. Cordier, his Executive Assistant, who have sat with you at our meetings and assisted us in our work. Last, but not least, our thanks go to all the other staff of the Secretariat, the interpreters, the précis-writers, the press officers and the verbatim reporters who contributed so efficiently to the success of our deliberations.

411. Once more, I thank you, Mr. President, and may our best wishes for a happy future accompany you.

412. Mr. DELGADO (Philippines) (translated from Spanish): My delegation is honoured to join in the well-deserved praise of the magnificent work of our beloved President, Víctor Andrés Belaúnde. One of the founders of the United Nations, an eminent politician, a consummate statesman, a peerless patriot, a learned professor, a brilliant orator and, above all, a faithful friend, Mr. Belaúnde has left an indelible mark on the history of the United Nations through his splendid achievement as President of the General Assembly at its fourteenth session.

413. May the Divine Providence give him many more active and vigorous years of life, for the greater honour and glory of his noble country and for further service to the United Nations and to all mankind.

[The speaker continued in English.]

414. Just a word more of appreciation to the Secretary-General, Mr. Dag Hammarskjöld, to his Executive Assistant, Mr. Andrew Cordier, and to their entire staff. Their efficiency is unquestionable and their patience unlimited. To them my delegation wishes to say, "Well done, ladies and gentlemen, and our deepest gratitude for all your assistance and forbearance."

415. To my dear and distinguished colleagues, their families and their countries, my best wishes for a very merry Christmas and a happy New Year.

416. Mr. DE FREITAS-VALLE (Brazil) (translated from Spanish): On behalf of Peru, Brazil and the other Latin American countries, I wish to express our gratitude for the masterly way in which you have presided over our work in the General Assembly.

417. The experience we have in common as being among the very few here present who signed the Charter of the United Nations and have since continued to work for the ideals of our Organization strengthens our brotherhood of ideals. Apart from this, in 1933 I remember you with Alberto Ulloa, now the head of the Peruvian delegation to this Assembly, on another successful peace mission carried out in Brazil. Since then, I have been aware of you always as one of those fighters for peace of whom the world stands in need. You have demonstrated this once again on the present occasion, and we owe you our thanks for it.

418. I should like to express our appreciation to Mr. Hammarskjöld, Secretary-General, to Mr. Cordier, the veteran Executive Assistant, to the Secretariat staff, and to the interpreters, whom I knew at San Francisco and described once to the representatives as our chief victims. They have done much in this Assembly to facilitate our task.

419. Mr. TSIANG (China): On behalf of the delegation of China and on my own behalf, I wish to thank you most heartily, Mr. President, for your leadership of the fourteenth session. During all these strenuous weeks you have been uniformly fair and courteous to all of us on all occasions. Among the ideals which you cherish are those of moderation and harmony. The United Nations has had fourteen sessions of the General Assembly of which I have attended thirteen, and I can truthfully say that this fourteenth session is among the most moderate and harmonious. We owe much of this achievement, Mr. President, to your leadership and inspiration. My delegation is particularly grateful for what you have achieved for us.

420. I wish also to thank the Secretary-General for his constant, quiet and wise help in our work. Mr. Cordier always carries a heavy part of the burden of the Assembly. Fortunately, he has very broad shoulders. This time, as on previous occasions, he has performed his part with his usual competence.

421. Numerous members of the Secretariat have also worked for the success of this session, and to them all, on behalf of my delegation I express our thanks.

422. Mr. BRUCAN (Romania): On behalf of the delegations from Eastern Europe, I would like to join the previous speakers in praising, Mr. President, your very remarkable tenure of the presidency. Everyone here remembers with gratification the well-known sentence of your opening statement expressing the hope that this session would go down in history as the Assembly of Peace. The highest tribute we have paid to you has been our hard and unrelenting fight to defend your forecast and make it come true. This, Mr. President, is a tribute by deed which I am sure is most heartening to you. There were, as you know better than we, some attempts to make you unhappy on that score. However, by and large, the Assembly has succeeded in saving the major part of your forecast, and if you bear in mind your philosophical approach, that we all live in a world short of perfection, you have reason to be content with the record of this session.

423. I would like also to pay tribute to the Secretary-General, to his Executive Assistant, to the very able secretaries, stenographers, interpreters and the whole staff for their highly skilled work and for the smooth functioning of all the Assembly's operations. It has proved indeed to be a most efficient machine that fully deserves our praise tonight.

424. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (translated from Russian): Each of our sessions has its own distinctive features and peculiarities. The fourteenth session will go down in the history of the United Nations as marking a significant step towards the establishment within the United Nations of an atmosphere of constructive co-operation and patient search for just and generally acceptable solutions.

425. The establishment of a more constructive atmosphere in the United Nations, as compared with previous sessions, has undoubtedly been facilitated by the improvement which has begun to appear in the international situation. In this connexion, it should be stressed that the most important step towards the liquidation of the cold war, which is abhorrent to the peoples, was the visit to the United States by the Head of the Soviet Government, Mr. Khrushchev, his talks with President Eisenhower and his address to the General Assembly.

426. We are glad to note that, thanks to this business-like co-operation among countries, the work of the fourteenth session of the General Assembly has proved fruitful, and a number of decisions have been adopted with a view to strengthening peace and promoting the peaceful coexistence of countries with different social systems. In this respect, special reference should be made to the unanimous adoption of the resolution on the question of general and complete disarmament, which all delegations joined in sponsoring. The Soviet delegation sincerely hopes that the proposals for general and complete disarmament, put forward on

behalf of the Soviet Government from this rostrum by the Head of the Soviet Government, and the unanimous adoption of the resolution on this item will mark the beginning of a new phase, which, as it proceeds, will lead to a lasting peace in which human society will for all time renounce war as a means of settling international disputes. Reference should also be made to the resolution on the suspension of nuclear tests by all States, adopted at the proposal of India.

427. A significant contribution to the cause of peace was the unanimous adoption at this session of the resolution on the establishment of a Committee on the Peaceful Uses of Outer Space and the convening of an international scientific conference for the exchange of experience in this field. Great importance also attaches to the resolution calling for the development of international trade and to the resolutions concerning the international co-operation in the development of the petroleum industry in the under-developed countries and concerning the development of scientific and technical co-operation. We are also gratified to note the spirit of co-operation which prevailed in the deliberations of a number of Committees and which made possible, in particular, the introduction by the Soviet Union, the United States and the United Kingdom of important proposals on administrative and budgetary questions and their unanimous adoption by the General Assembly.

428. This all goes to show that the trend towards business-like co-operation among countries on the basis of mutual understanding and efforts to achieve acceptable solutions is making increasing headway in the work of the United Nations. This gives hope to all nations who wish to see the Organization become an authoritative and effective instrument for peaceful co-operation among States with different social and political systems. It is the duty of the United Nations to fulfil this hope which is shared by ordinary people all over the world.

429. We should be failing in our duty if we did not, at the same time, express our disappointment that, at the present session of the General Assembly, attempts were made to envenom the atmosphere, to force upon the Assembly a discussion of questions belonging to the cold war period, to introduce discord and exacerbate relations among States.

430. It should be pointed out that the attempts made by certain circles to check the new trend towards a relaxation of international tension did not produce the results which their instigators had hoped for. This is one of the special features of the present session, and we feel that it should not be overlooked by those who have attempted to bring discord into our midst and to divert the Assembly's attention from the genuinely urgent international problems which have an important bearing on the maintenance of peace.

431. We leave this Assembly fully convinced that the cause of peace will be strengthened and furthered, that the cold war will ultimately be banished, that the idea of peaceful coexistence will become the firm basis for the foreign policy of all States, and that the present thaw will be followed by a blossoming spring which will gladden all mankind. We hope that the United Nations will make a worthy contribution to the strengthening of general peace and security.

432. As far as the Soviet Union is concerned, the Soviet people and its Government will spare no efforts

to achieve a further relaxation of international tension, to promote good-neighbourly relations among all States, and to give effect to the idea of general and complete disarmament and the establishment of lasting peace on earth.

433. Allow me, in conclusion, to express on behalf of the Soviet delegation my sincere gratitude to the President for the hard and conscientious work he has done in presiding over the fourteenth session of the General Assembly.

434. I should also like to voice my gratitude for the kind words he has spoken about me. I interpret them as a tribute to our great Soviet country and to our Government, which is striving indefatigably to ensure a stable and unbroken peace.

435. The Soviet delegation also expresses its appreciation to the Secretary-General of the United Nations, to his deputies, to his Executive Assistant, Mr. Cordier, and to all members of the Secretariat, who have ensured that the work of our session has proceeded smoothly.

436. Mr. LODGE (United States of America): The United States is certainly happy that we have been able to finish the work of the fourteenth session of the General Assembly in such a harmonious spirit.

437. Let me give special mention to Turkey's candidacy for the Security Council which we supported so vigorously. We look forward to the day when Turkey will become a member of the Council and we also look forward to serving on the Security Council with Poland. I greatly admire the unfailing dignity and steadfastness with which my able friend, the representative of Turkey, Mr. Esin, guided Turkey's candidacy from start to finish.

438. On behalf of the United States, I would like to give my very warm and hearty thanks to all members of the Secretariat—the guards, the interpreters, who are one of the marvels of the world, all of the clerks and experts and professional personnel and this whole great Organization that exists to serve the cause of world peace.

439. I want to pay a tribute to our Secretary-General who lives a life of such immense usefulness, who is tireless and unselfish and who gives constantly of himself to the cause of peace.

440. Perhaps I may pay a compliment, too, to the members of what, in the United States, we call the fourth estate—the ladies and gentlemen of the Press who carry our proceedings to the four corners of the world.

441. Finally, Mr. President, I would like to say to you that we love you in this country. We think of you as a delightful man, an intelligent man, a good man. Those of us who have served with you in the United Nations will never forget you. Whatever success this General Assembly has achieved would not have been possible without your leadership and your influence.

442. Mr. SHANAHAN (New Zealand): I believe that I am almost the last speaker. In these circumstances, I am reminded of the German symphony of which, as the symphony ended, all of the players except two violinists had moved off the stage.

443. I come to the rostrum to speak on behalf of the Commonwealth—Australia, Canada, Ceylon, the

Federation of Malaya, Ghana, India, Pakistan, the Union of South Africa, the United Kingdom and my own country.

444. I do not propose at this stage to enter into any review of the proceedings of this session of the General Assembly except to say that I found much that was most interesting in your own sensitive and penetrating analysis of our proceedings, Mr. President, over this period of three months. It has indeed been a time of considerable achievement in terms of agreement. While we have had some disagreements, I think one of the remarkable features of this Assembly is that they have been compounded in a very amiable spirit. We are sensible in the Commonwealth of that very unique contribution which you have made to the success of these proceedings. You have paid tribute to the culture to which you belong, but it is a wider culture which I think is indeed the property of the world. You have brought to your office in the discharge of your duties qualities of judgement, tact, good sense, good humour and, above all, charity. You have in a particular way made a special contribution to the success of this Assembly.

445. We in this chamber and in the Committees are very conscious of those members of the Secretariat who are immediately associated with us and do so much to contribute to the success and the pleasantness of our proceedings. We in the Commonwealth group particularly thank the Secretary-General, Mr. Cordier and the many other members of the Secretariat. But, like the part of the iceberg that is under water, there are many whom we never see. To all of those who make a contribution however humble to the success of our proceedings, we are indeed most grateful.

446. I think that at this stage it would be proper if I were to wish on behalf of the group in the Commonwealth peace to you, Mr. President, and to all our neighbours.

447. Mr. ORTONA (Italy): Before I knew that Ambassador Matsch was going to speak on behalf of the European group, I had already inscribed my name with the Secretariat in order to say a few words. Therefore I think that, with my sentiments towards you, Mr. President, it is only fitting that I do not withdraw the request I placed with the Secretariat and that I express the warmest words of praise for all that you have done to make this Assembly not only a constructive gathering but a gathering of men dedicated more than ever to the ideals of peace. The achievements have been very great and can be matched, Mr. President, only by the greatness of your personality. In your address, you have used the word "humanitas". Let me turn the word around a little bit and say that, as the representative of a country in which "humanitas" has had its roots, we could not have found a more humanistic President than we found in you. And when I say "humanistic", I mean a man with the broadest culture, especially of that Latin culture which is the greatest link between your country and my country, and a man inspired by the greatest wisdom. You have conducted our work with forbearance, experience and dedication.

448. If I may inject a concept of esthetics in this diplomatic gathering of ours, I would like to add that you have conducted our work with pleasantness, courtesy and elegance—elegance of deeds, elegance of behaviour, elegance of words. We are grateful to you for all of these qualities that you have exposed

to us because they have made our proceedings so constructive with such a moderate and friendly tone.

449. Let me also thank all those who have worked with you and for us—the Secretary-General and Mr. Cordier, and the members of the Secretariat and the Press.

450. In conclusion, let me convey to you, Mr. President, a friend of Italy as you are, the appreciation and the warmest thanks of the Italy that I represent in this Organization.

AGENDA ITEM 2

Minute of silent prayer or meditation

451. The PRESIDENT (translated from Spanish): I should like to ask all representatives to stand and observe a minute of silent prayer or meditation.

The representatives stood in silence.

Closing of the session

452. The PRESIDENT (translated from Spanish): I declare the fourteenth session of the General Assembly closed.

The meeting rose on Sunday, 13 December, at 4.15 a.m.