

# TRUSTEESHIP COUNCIL

## OFFICIAL RECORDS



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**President: Mr. HENRÍQUEZ UREÑA (Dominican Republic).**

**Present:** The representatives of the following countries: Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, New Zealand, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

#### **Transmission of the Provisional Questionnaire to the Administering Authority for the Trust Territory of Somaliland**

1. The PRESIDENT recalled that, under rule 68 of its rules of procedure, as soon as a trusteeship agreement came into effect, the Trusteeship Council had to transmit to the Administering Authority concerned, through the Secretary-General, whatever questionnaire it had formulated, in accordance with Article 88 of the Charter, on the political, economic, social and educational advancement of the inhabitants of the Trust Territory involved.

2. On 2 December 1950 the General Assembly had adopted resolution 442 (V) approving the draft trusteeship agreement for the Territory of Somaliland under Italian administration as contained in document A/1294. He accordingly suggested that the Trusteeship Council should adopt the following draft resolution:

*"The Trusteeship Council*

*"Resolves that the Provisional Questionnaire approved by the Council at the 25th meeting of its first session, on 25 April 1947, (T/44) be transmitted to the Government of Italy as the Administering Authority of the Trust Territory of Somaliland."*

*The draft resolution was adopted without objection.*

#### **Revision of the rules of procedure**

3. The PRESIDENT noted that, as a result of the adoption by the General Assembly of the Trusteeship

Agreement for the Territory of Somaliland under Italian administration, it had become necessary to revise the Council's rules of procedure. Additional regulations were needed to govern the special relationship created between the Trusteeship Council and Italy, which was not a Member of the United Nations.

4. The Secretariat had prepared a comprehensive working paper on the question (T/L.114), and it might be advisable to set up a small committee to study that paper and report back to the Council.

5. Mr. SAYRE (United States of America) supported the President's suggestion. Italy's participation in the Council's proceedings was not regulated by the Trusteeship Agreement, and the question would require careful consideration. The Secretariat working paper had been prepared after a careful study of the matter and the committee appointed might, in its report, say whether the suggested supplementary rules of procedure should be adopted or modified.

6. The committee might consist of six members: three chosen from the Administering Authorities and three from the non-administering Powers, and, to allow of expeditious handling of the matter, the President might be asked to make the nominations.

*It was so agreed.*

7. The PRESIDENT nominated the delegations of Argentina, Australia, Belgium, Iraq, the Union of Soviet Socialist Republics and the United States of America.

8. Mr. SOLDATOV (Union of Soviet Socialist Republics) announced that his delegation would be unable to participate in the work of the committee.

9. The PRESIDENT accordingly nominated the delegation of Thailand to replace the Union of Soviet Socialist Republics on the committee.

### Rural economic development of the Trust Territories (General Assembly resolution 438 (V))

10. The PRESIDENT called attention to General Assembly resolution 438 (V) on rural economic development of the Trust Territories. It would be seen that the Council was asked to make a thorough study of the question and it might therefore be advisable to set up a special committee for the purpose.

11. Mr. LAURENTIE (France) announced that he had just handed the Secretariat the text of a draft resolution proposing the establishment of a committee to study the question (T/L.117). Lack of time had made it impossible to consult other delegations in advance; hence, the draft resolution might be regarded more as a basis for discussion than as a final text.

12. The draft resolution contained directives to the committee for studying the question. The study should, of course, be based first and foremost on the general principles clearly set out in sub-paragraph 1 (a) of the operative part of the General Assembly resolution. Further guiding principles of a more practical nature were enumerated in the sub-paragraphs to paragraph 2 of his draft resolution.

13. The committee's attention was also drawn to the need to take into account the effect of the varying economic and social conditions in the Trust Territories on questions relating to land, as well as the effects of physiological factors on agricultural development. Detailed consideration should be given to the question whether the prevailing land system was the one best suited to ensure the optimum economic development of the Territory concerned.

14. The committee should also study not only the land legislation at present in force but any new legislation in course of preparation. For instance, major changes in land legislation in the French African Territories were nearing realization and the discussions on the subject which had taken place both in Paris and in local assemblies would undoubtedly help the committee in its task.

15. Finally, it must be remembered that the Council was not the only international body concerned with the question of rural economic development. The committee should therefore be authorized to get in touch directly with the Economic and Social Council and any of the specialized agencies dealing with the subject. The study to be made by the Trusteeship Council would be no more than a contribution to the total research on the subject; but, as the Council was fortunate in having a clearly defined field of action, namely the various Trust Territories, in which conditions differed widely, it could study all aspects of the problem. There was therefore ground for hoping that it could make a major contribution which would be evidence of the value of its work.

16. He recalled, too, that a parallel study in respect of Non-Self-Governing Territories would be undertaken by the Special Committee on Information transmitted under Article 73 e of the Charter, which would meet in August. The study made by the Council would be required to serve as a guide to that Committee if the latter was to complete its task in the time available to it.

17. In those circumstances he felt that the Council should undertake the task on a long-term basis with all the means at its disposal, so that the final results would establish the Council as an authority in that particular field.

18. Mr. SAYRE (United States of America) supported in principle the suggestions made by the representative of France. All delegations, he felt sure, would agree that the item under discussion was extremely important. When addressing the General Assembly in September 1950,<sup>1</sup> the United States Secretary of State, Mr. Acheson, had called particular attention to the problem of the use and ownership of land as a source of misery and suffering to millions. Mr. Sayre wished to re-emphasize before the Trusteeship Council the great importance which his government attached to the problem.

19. In approaching the question, his government had borne in mind the fact that one culture should not be forced on another. In agriculture, as well as in all other matters, the Trust Territories should be allowed to develop in the way most suited to local conditions, for the traditions of the past could not be uprooted too suddenly.

20. There were two aspects to the problem — land use and land ownership. With regard to land use, the Council should examine how the manifold blessings of science could best be made available to the Trust Territories in order to increase food production. With regard to land ownership, the Council's study would cover all the legal, political, economic and social factors involved.

21. Administering Authorities had already submitted considerable information on land problems to the Trusteeship Council and the Food and Agriculture Organization. Full use should be made of that material, and the Administering Authorities would certainly be willing to furnish any additional information required.

22. He supported the suggestion made by the representative of France that a committee on rural economic development should be established. The committee should be authorized to analyse the information already submitted; to decide what supplementary information, if any, might be needed; to take steps to obtain such information; and to prepare an analysis of the prevailing land laws, policies and practices, together with recommendations for improvements which would promote the further advancement of the inhabitants of the Trust Territories. It might also be authorized to call upon the specialized agencies for any assistance it needed.

23. The French draft resolution would require considerable study and he suggested that a final decision should be deferred until a later meeting.

24. Sir Alan BURNS (United Kingdom) said that his government would like to co-operate as fully as possible in the Council's work on rural economic development. He agreed that the Council's study of the problem should be as complete as possible, and in principle he supported the proposals made by the representative of France. His government would be glad to make avail-

<sup>1</sup> See *Official Records of the General Assembly, Fifth Session, Plenary Meetings*, 279th meeting.

able to the committee the services of its special representatives for the African Trust Territories, who would be in New York for the Council's summer session. It was also preparing a comprehensive memorandum on the subject which would be useful to the committee.

25. The PRESIDENT suggested that, as the important draft resolution submitted by the representative of France had not yet been distributed, the Council should postpone its discussion of the item until a later meeting.

*It was so decided.*

### Examination of petitions

#### ESTABLISHMENT OF THE AD HOC COMMITTEE ON PETITIONS

26. The PRESIDENT recalled that, in the past, the *Ad Hoc* Committee on Petitions had been composed of six members, three representing Administering Authorities and three non-administering Powers. When selecting the Administering Authorities, the Council had always taken into account the origin of the petitions to be discussed. In the past, petitions had generally originated from the African Trust Territories and the Administering Authorities of Trust Territories in the Pacific had therefore generally been members of the *Ad Hoc* Committee on Petitions. For the current session, however, most of the petitions came from the Trust Territories in the Pacific. The Council would therefore have to decide which Administering Authorities should be members of the Committee. The non-administering Powers on the previous Committee had been China, the Dominican Republic and the Philippines, but the latter was no longer a member of the Council. He asked whether any of the other non-administering Powers would like to volunteer to serve on the Committee.

27. Mr. KHALIDY (Iraq) said the Committee had worked very well in the past and suggested that it should be reconstituted with the same membership as far as possible.

28. Mr. CRAW (New Zealand) and Mr. SAYRE (United States of America) thought it would be better if their countries were not represented on the Committee during the current session, since most of the petitions originated from the Trust Territories in the Pacific. Their places should be taken by Administering Authorities of African Trust Territories.

29. Mr. SOLDATOV (Union of Soviet Socialist Republics) said his delegation would be glad to serve on the Committee as one of the non-administering Powers.

30. The PRESIDENT suggested that the Committee should be composed of Belgium, France and the United Kingdom of Great Britain and Northern Ireland as the Administering Authorities and China, the Dominican Republic and the Union of Soviet Socialist Republics as the non-administering Powers.

31. Mr. SOLDATOV (Union of Soviet Socialist Republics) recalled that his Government regarded the presence of the representative of the Kuomintang clique as illegal since he was not the true representative

of China. Consequently, he objected to the proposal that the representative of the Kuomintang clique should serve on the Committee.

32. Mr. Y. W. LIU (China) said that, as a member of the Council, he was glad to inform the President that China would be delighted to serve on the Committee.

33. The PRESIDENT explained that his proposal had been based on the suggestion made by the representative of Iraq that the Committee should, as far as possible, be composed of the same members as the previous year. The reservation made by the USSR representative would be recorded.

34. If there were no further objections, he would take it that the Council approved of his suggestion.

*It was decided that the Ad Hoc Committee on Petitions should be composed of the representatives of Belgium, China, the Dominican Republic, France, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics.*

### Arrangements for the visiting mission to Trust Territories in East Africa

35. The PRESIDENT reminded the Council that arrangements had to be made for the dispatch of a visiting mission to the Trust Territories in East Africa during 1951. Normally that would have been a perfectly straightforward task and the Council could have followed its usual practice of appointing members of the visiting mission and making all the necessary arrangements, such as determining their terms of reference, itinerary and time-table. In the particular case under discussion, however, the Council had to take into consideration resolution 434 (V), adopted by the General Assembly on 2 December 1950, concerning the organization and methods of functioning of visiting missions, which recommended that the Trusteeship Council should undertake a review of the organization and membership as well as of the methods and functioning of visiting missions. The General Assembly had recommended, *inter alia*, that such a review should take into account the advisability of arranging for visiting missions to remain long enough in each Trust Territory to be able adequately to fulfil their task, and also of reducing the number of Trust Territories to be visited by a single visiting mission.

36. He wondered whether the Council should first appoint the members of the visiting mission to East Africa and then examine the General Assembly resolution in question, or whether it should ask the members of the visiting mission to plan and organize their own work in the light of that resolution.

37. Mr. SOLDATOV (Union of Soviet Socialist Republics) thought that the Council should follow its usual procedure in the matter. It had always been the Council's practice to confirm the membership of a visiting mission and then to define its terms of reference in the form of a resolution. The members of the visiting mission then drafted a programme of work which they referred to the Council for discussion and approval. It had been customary for the Council to take decisions even on such matters as the exact itinerary and time-table of visiting missions. He emphasized that

only the Council could determine the terms of reference of visiting missions and that such matters could not be left to the visiting missions.

38. Mr. LAURENTIE (France) agreed with the USSR representative that it was not for a visiting mission to define its own terms of reference or even such questions as its itinerary and time-table. The only matters left to the discretion of the visiting mission itself were the practical details of the journey and the possibility of introducing a certain flexibility in its itinerary.

39. Sir Alan BURNS (United Kingdom) agreed with the views of the two previous speakers. The Council should, first, determine the composition of the future visiting mission; secondly, in consultation with the Administering Authorities concerned, it should fix the approximate dates on which the mission would visit various Trust Territories; thirdly, the Council should decide on the approximate date of departure of the visiting mission. The exact date of departure and various other practical details, many of which depended on the transportation facilities available, were matters which naturally had to be left to the discretion of the visiting mission itself. Only the Council, however, could determine the mission's terms of reference.

40. Mr. QUESADA ZAPIOLA (Argentina) thought that the Council could not give instructions to a mission without first discussing the recommendations of the General Assembly resolution on the organization and methods of functioning of visiting missions.

41. Mr. RYCKMANS (Belgium) pointed out that the Council had to decide not only who were to be the members of the visiting mission but also what Territories that mission was to visit. It could not do so before discussing the General Assembly resolution which suggested that the Council should reduce the

number of Trust Territories to be visited by a single visiting mission. Consequently, he agreed with the representative of Argentina that the Council should discuss the General Assembly resolution before giving any instructions to the mission. In the meantime, however, nothing prevented the Council from taking a decision on the composition of the visiting mission in question.

42. Mr. KHALIDY (Iraq) suggested that the Council should determine, first, the Territories to be visited by the mission and, secondly, its membership. Those decisions could be modified by the Council at a later stage, if necessary, in the light of the discussion of the recommendations contained in the General Assembly resolution.

43. Mr. DE MARCHENA (Dominican Republic) thought that the Council had taken no final decision on whether the visiting mission should also include Somaliland in its itinerary, because no exact information had been available on the financial implications of such a visit. He wondered whether the Secretariat was in a position to provide that information now.

44. Mr. RYCKMANS (Belgium), Mr. FLETCHER-COOKE (United Kingdom) and Mr. KHALIDY (Iraq) pointed out that a final decision had in fact been taken on that question. On page 64 of document T/794 it was clearly stated that "At the 29th meeting, on 20 July 1950, the Council decided that the next visiting mission, composed of four members to be appointed by the Council at its next regular session, should visit the Trust Territories of Tanganyika, Ruanda-Urundi and Somaliland under provisional Italian administration in 1951..." It was their clear recollection that Somaliland was to be included in the itinerary of the visiting mission.

The meeting rose at 4.10 p.m.