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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.

Examination of the annual report on the administration of the Trust Territory of the Pacific Islands for the year ending 30 June 1950 and of the report of the United Nations Visiting Mission to Trust Territories in the Pacific on the Trust Territory of the Pacific Islands (T/808, T/820 and T/789) (*continued*)

At the invitation of the President, Rear Admiral Fiske, special representative of the Administering Authority for the Trust Territory of the Pacific Islands, took his place at the Council table.

1. Rear Admiral FISKE (Special representative for the Trust Territory of the Pacific Islands), in reply to certain points that had been raised at the 327th meeting, said the 1948 school population figures included students above the normal school age of sixteen. The note on page 59 of the annual report for 1948¹ showed that the figures for Truk included 582 adults, while page 55 of the 1950 report² showed there were only 183 adult students attending the intermediate schools of the whole Trust Territory in 1950. The 1948 figure included mission schools, but those schools were listed separately in the 1950 report.

2. The actual reduction in the number of students had been primarily among the adults above normal school age who had enrolled at the end of the war in order to

acquire a working knowledge of English. The education of another large group had been interrupted and retarded by the war. The school-entrance age had been raised from 6 to 8 years in accordance with the recommendation of the Advisory Committee on Education.

3. The low birth-rate during the war had reduced the number of children normally entering school. That was a temporary situation which would be reversed about 1952 or 1953.

4. The reduction in the number of schools in the Truk and Ponape districts was the result of an administrative effort to achieve efficiency and economy in the school programme. The municipalities which had to bear much of the burden of the cost of education had been materially benefited by a consolidation of schools as it was possible for teachers to teach to larger classes.

5. Mr. Y. W. LIU (China) said his delegation appreciated the patience and co-operation shown by the special representative, who had been of great assistance to the members of the Trusteeship Council. The Administering Authority deserved the congratulations and commendation of the Council for the general progress achieved during the year and a half under review.

6. He was sure that the Council would welcome early action by the Administering Authority on the question of the application to the Trust Territory of international treaties, agreements and conventions. He also hoped that definite information would soon be forthcoming on the submission to the United States Congress of new draft organic legislation for the Trust Territory. He shared the opinion of the Visiting Mission to Trust Territories in the Pacific that the concern of the peoples of the Trust Territory over the uncertainty of their present status should be mitigated and their legal status defined.

7. He was gratified to note that the new civilian High Commissioner had appointed a group of officials to make a survey of the Trust Territory in order that a suitable site might be chosen for headquarters of the administration of the Territory. The transfer of the government of the Territory to a civilian administration was very important. Although his delegation had

¹ See *Information on the Trust Territory of the Pacific Islands transmitted by the United States to the Secretary-General of the United Nations pursuant to Article 88 of the Charter*, Department of the Navy, Washington, D.C., July 1948 (OPNAV P22-100-E).

² See *Report on the Trust Territory of the Pacific Islands for the period July 1, 1949, to June 30, 1950, transmitted by the United States to the United Nations pursuant to Article 88 of the Charter of the United Nations*, Department of the Navy, Washington, D.C., 1950 (OPNAV P22-100-J).

at first shared the concern of the Visiting Mission at the withdrawal of the facilities provided by the naval administration, its anxiety had been relieved on receiving the special representative's assurance that steps would be taken to carry on the tradition of all-round progress established by the naval administration.

8. He had been impressed by the Administering Authority's efforts to promote municipal and regional self-government, and to expand the judicial organization of the Territory.

9. Referring to the fact that the Island Trading Company had been designated as the sole exporter of copra, he hoped that steps would be taken to increase indigenous participation in that company.

10. He thought the Administering Authority should give further consideration to the possible lifting of the ban on Japanese fishermen, and hoped that the question of Japanese bonds, savings and currency held by the indigenous inhabitants would be satisfactorily solved.

11. He looked forward with great interest to receiving further information on the studies to be carried out by the economist appointed by the High Commissioner to investigate standards of living, wage levels and taxation systems, and hoped a suitable substitute would be found for the unsatisfactory head tax.

12. The Trusteeship Council should commend the Administering Authority on its efforts to promote the health and welfare of the inhabitants of the Trust Territory and on the appointment of a qualified food and nutrition expert.

13. He shared the favourable impression received by the Visiting Mission as regards education in the Trust Territory and was gratified that the special representative had been able to report the achievement of further progress since the period covered by the annual report. He was certain that with a steady increase in educational facilities the progressive development of the inhabitants towards self-government would be greatly expedited.

14. Mr. KHALIDY (Iraq) said the special representative's co-operation could not be over-estimated. The Administering Authority was carrying out its work in the face of difficulties and, although there was room for improvement, he was confident that, with goodwill, any defects would in time be remedied.

15. Paying a tribute to the naval administration of the Trust Territory, he hoped that the United States Department of the Interior, which was taking over the administration from the Department of the Navy, would carry out its new work with vigour and understanding. The question of the site of the new capital could be settled after the civilian High Commissioner had had an opportunity to study the problem.

16. He was glad to note that the Administering Authority had not exerted any pressure on the local population to relinquish their hereditary traditions of government, but felt that the advantages of modern democratic government should be emphasized. It was heartening to note that self-government had reached its greatest development in the municipalities, although those bodies were, comparatively speaking, still primitive. The powers of the municipalities should be in-

creased and the younger generation should be encouraged to participate in their work.

17. It was gratifying to note that collective violence did not exist in the Trust Territory and that crimes were rare.

18. With regard to economic matters, the fact that the Territory's natural resources were limited made it important that greater efforts should be made to find ways and means of increasing production and of thus ensuring a stable economy. Although light industries were being encouraged and assisted by the Administering Authority, still more small industries should be fostered on the various islands.

19. The Island Trading Company's profits were a little too high. Mr. Khalidy hoped the population did not find that company's merchandise too expensive to buy.

20. Reviewing the various petitions which had been submitted to the Visiting Mission (T/789, annex I), he said he hoped they would be studied by the Administering Authority and improvements made wherever possible. The Administering Authority should be urged to take steps to ensure that the fertile land on the Northern Mariana Islands should again come under cultivation.

21. He agreed with the Visiting Mission's recommendation that the Administering Authority should reconsider the whole question of the exchange of Japanese currency held by the indigenous population, and that everything possible should be done to settle land claims. The Trusteeship Council should ask the Administering Authority to consider revoking the 15 per cent copra tax paid to the Treasury of the Territory and to review the price paid to growers. The participation of Japanese fishermen might help to develop the fishing industry, and he hoped that problem would be solved by a treaty. The Administering Authority should be commended on the phosphate agreement and no time should be lost in making payments to the Angaurese.

22. His delegation was impressed with the work done by the Administering Authority in the health field, especially in the training of the indigenous population in medicine, dentistry and nursing.

23. The people of Bikini deserved special attention and he thought that the Trusteeship Council should make a recommendation to that effect.

24. Reviewing the work done by the Administering Authority in the field of education, he commended that Authority on the great progress made, but considered that the lack of adequately trained teachers should be remedied and more occupational training should be given. The educational awakening of the people of the Trust Territory was a compliment to the efforts made so far by the Administering Authority.

25. Mr. LAURENTIE (France), after paying a tribute to the special representative, said that a study of the economic problems of the Trust Territory was of paramount importance, and that those problems could not be solved if the Territory continued to receive subsidies from the Administering Authority.

26. The Visiting Mission's report showed that the problem which arose everywhere in the Trust Territory

of the Pacific Islands was the inadequacy of the *per capita* income throughout the Territory. The problem was aggravated by the fact that during the occupation period a considerable amount of money had come into the Territory as a result of the presence of foreign armies. The population had hardly begun to enjoy the benefits of that money when they had had to realize that they did not have the means in their own country of continuing to enjoy such benefits.

27. As could be seen from the petitions which had been submitted, fishing and market-gardening enabled the inhabitants of the Trust Territory to live, but did not help them to make any economic progress.

28. Although a certain number of the economic problems had been solved, there were still some outstanding, such as the question of Japanese currency. He felt that the Administering Authority should make an effort to refund that currency in an indirect manner by allowing the yen to be used for the purchase of shares in co-operative societies or other industrial investments controlled by the Administration.

29. The procedure followed in connexion with land claims was slow, and, pending legal settlement, farmers should be granted land on a short-term basis. If indemnities were paid in cash, they should take the form of investments in small industries. If that course were followed, the former landowners would be satisfied and capital for industrial development would be available immediately. Mr. Laurentie thought that the Trusteeship Council should urge the Administering Authority to settle the land question as soon as possible.

30. He agreed with the Visiting Mission's conclusions regarding the copra tax, but did not think that fiscal reform was as urgent as might be assumed from the Mission's report. The Administration was not faced with a general inflation problem. A thorough study of the whole question should be made, however, and fiscal reform should not be considered by itself but in relation to the improvements required in the economy of the Territory as a whole.

31. He supported the Iraqi representative's remarks regarding the fishing industry.

32. The experts appointed by the Administering Authority should make every effort to find means of improving, even partially, the present economy of the Trust Territory.

33. Mr. LESCURE (Argentina) observed that in general the Administering Authority appeared to be fulfilling its task satisfactorily. The Trust Territory had, however, suffered from the excessive funds—substantially greater than the entire resources of the Territory itself—lavished upon it by the Administering Authority. Although the inhabitants derived considerable immediate benefits, those very benefits impeded them from making the necessary efforts towards becoming economically and politically self-supporting. They ought to be given a greater sense of responsibility, perhaps by the introduction of a graduated income tax. The establishment of long-range programmes for the intensification of copra production and the industrialization of fishing would also serve that purpose.

34. The production of phosphates at Angaur was to be welcomed, not so much in itself, but as a source of

fertilizer; but care should be taken lest the island should become uninhabitable.

35. Mr. DE MARCHENA (Dominican Republic) believed that the political liberties granted by the Administering Authority in the municipalities should be further developed and that the existing municipal bodies should be so expanded as to become the backbone of a unified government for the whole Territory. The Palau Congress might be expected to serve as a salutary example. Incidentally, the fact that the membership of that Congress included two women was particularly gratifying.

36. The Territory admittedly was faced with difficulties in the educational field owing to the frequent changes of administration, the recent war devastation and the abrupt change from Japanese militarist indoctrination to United States democratic ideas. The expense involved, although a serious problem, was not so great an obstacle as the lack of trained teachers and the diversity of dialects throughout the area. The fact that illiterates were few and that it had been possible to further education while preserving the indigenous folk culture showed that considerable progress had been achieved.

The meeting was suspended at 4 p.m. and was resumed at 4.25 p.m.

37. Prince WAN WAITHAYAKON (Thailand) felt that the Administering Authority was correct in reserving the fishing rights for the indigenous inhabitants. He could not agree with the Iraqi representative that Japanese fishermen should be allowed to fish in the waters of the Trust Territory if that implied the establishment of Japanese enterprises to be regulated under treaty. On the other hand, experience in his own country had shown that Japanese collaboration in the fishing industry could be extremely useful provided that it was confined to the supplying of individual experts and teachers.

38. Mr. CRAW (New Zealand) said that since the Trusteeship Council at its fifth³ and seventh⁴ sessions had already urged the Administering Authority to press its long-range plans for the establishment of a unified legislative body for the entire Territory, there was no need to make a fresh recommendation at that stage. To set up such a legislative body, even if it had only advisory powers, was admittedly not feasible in existing circumstances, but the Administering Authority might well hold an informal conference of representatives elected by the various congresses currently in existence, such as those at Palau and in the Marshall Islands. Such a conference need have no formal agenda nor pass any formal resolutions, but the representatives should be able to become acquainted personally with the problems of the various areas.

39. He agreed with the representative of Iraq that the Bikini people needed help, but no fresh recommendation was required at that stage, as the Administering Authority was doing all in its power to assist them. If they remained dissatisfied, the Council could take the requisite decision at a later date. If the Council followed the suggestion of the Iraqi representative,

³ See document S/1358.

⁴ See document S/1628.

there might be some danger that the Bikini people would be encouraged to become less self-reliant than they might otherwise be.

40. Sir Alan BURNS (United Kingdom) welcomed the fact that the Administering Authority was using considerable discretion in democratizing the tribal system while promoting municipal and local self-government through elected representatives. He himself, as Chairman of the Visiting Mission, had witnessed the sincere efforts of the United States Government to promote the economic and social development of the Territory, evidence of which was provided by requests of the indigenous inhabitants that they should remain under the United States flag (T/789, paras. 14-15).

41. The Visiting Mission had been very favourably impressed by the high standards achieved in public health and the progress maintained in the educational field. The Administering Authority had allocated 29 per cent of the funds for the Territory for education and had made available a considerable quantity of surplus war materials. The increase in the number of teachers was encouraging.

42. He agreed with the representative of New Zealand with regard to the Bikini people.

43. With regard to the redemption of Japanese currency mentioned in paragraph 60 of the Visiting Mission's report (T/789), he said that, while the Administering Authority had no legal obligation in that matter, he was confident that that Authority was giving sympathetic consideration to the question of compensation.

44. The annual report before the Council showed considerable improvement over the previous report and, in particular, its form was greatly to be commended.

45. Mr. HAY (Australia) expressed his gratitude to the special representative for his informative and frank answers to the questions put to him. He was particularly grateful for the detailed information with regard to the machinery for using the Island Trading Company's Economic Development Fund.

46. The emphasis placed by the Administering Authority on research, both preventive and positive, deserved special commendation. He had been glad to see that the results of research had been closely related to development projects.

47. Satisfactory progress had been achieved with regard to political, social and educational problems; as many such problems were long-term, solutions for them would not be expected in the immediate future.

48. Mr. SOLDATOV (Union of Soviet Socialist Republics) said it was clear from the information contained in both the annual report and the report of the Visiting Mission, that the United States Government was not fulfilling its obligations under Article 76 of the Charter, which stated that the main objective of the Trusteeship System was to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence.

49. In the political field, the Administering Authority had taken no measures to ensure the participation of the indigenous population in the Territory's executive,

legislative and judicial departments, or to promote the formation of local organs of government; thus it was retarding the political advancement of the people and violating the very principles of the Trusteeship System. The annual report (p. 13) clearly stated that all powers of government and jurisdiction in the Trust Territory and over its inhabitants, and final administrative responsibility, were vested in the High Commissioner, subject to the direction of the Secretary of the Navy. Those powers were exercised by direction of the High Commissioner through subordinate administrators appointed by him. It was clear that the Trust Territory was governed by a highly centralized system of military government which precluded the participation of the indigenous population in the Territory's administration. All powers belonged, in fact, to the United States Secretary of the Navy. The Visiting Mission itself had been forced to acknowledge (T/789, para. 20) that the change from military government to civil administration had been merely "formal" and that in practice the military and civil functions of the administration under the Secretary of the Navy remained closely linked together.

50. Nor did the indigenous population play any part in the legislative organs of the Territory, if for no other reason than that there was no Territory-wide legislative organ. The annual report (p. 17) made it clear that the Administering Authority had no intention of creating such a body. It merely stated: "A Territory-wide legislative body is included in the long-range plans of the administration. . . ." How "long-range" those plans were, could be seen from the next clause which stated: "... problems of transportation, communication, and, even more important, the problem of ethnocentricity, must be solved before the plan can be carried out effectively". It was obvious that the question had been postponed indefinitely.

51. It was strange, to say the least, that the headquarters of the High Commissioner of the Trust Territory should be located in Hawaii, which was a United States territory. The Visiting Mission, however, had been told (T/789, para. 27) "that no decision concerning a transfer of the headquarters of government to the Trust Territory had been taken".

52. It was clear that the policy of the Administering Authority was to maintain a colonial system in the Pacific Islands, and it was the duty of the Trusteeship Council to recommend, first, the formation of executive and legislative bodies for the Territory itself; and, secondly, the participation of indigenous inhabitants in their own executive, legislative and judicial bodies.

53. The Administering Authority had taken no measures to foster transition from the old tribal system to self-government on a democratic basis. On the contrary, it was promoting the tribal system and using it for its own administrative purposes. The so-called municipalities were in fact ruled by the tribal chiefs whose powers had been further extended by the Administering Authority. The Council should also recommend the Administering Authority to ensure transition from the tribal system to self-government on a democratic basis.

54. The Administering Authority had also failed to take the necessary measures to promote progress in

the economic and social fields. The Territory's economy was most primitive and was on a subsistence basis. The annual report itself admitted (p. 23) that "the time when the primary aim of the Administering Authority to create a self-sustaining economy can be fulfilled is still in the distant future". The Northern Marianas, for instance, had much fertile land where the Japanese had established a thriving sugar industry. The refineries had been destroyed during the war, and, as reported by the Visiting Mission (T/789, para. 46), the Administering Authority considered for some reason or other that the restoration of the sugar industry was economically unfeasible. It was difficult to agree with that contention, for it was in fact the duty of the Administration to develop industries suitable to the Territory, and sugar was one such industry.

55. The Administering Authority had also failed to take any measures to return alienated lands to the population; it held about 450 square miles, i.e., 65 per cent of the total area of the Territory, as compared with 240 square miles held by indigenous inhabitants. The annual report made it clear (p. 26) that, whenever land was needed for military purposes, it was alienated from the indigenous inhabitants. The lands alienated by the Germans and the Japanese had not yet been returned, despite constant demands to that effect, as evidenced in petitions from the Palau Congress and the Palau Council (T/Pet.10/2) and from the High Council of Saipan (T/Pet.10/6). The Visiting Mission had noted (T/789, para. 65) that "one of the chief requests of the people was for the return to them of considerable areas of land taken by the previous and present administrations and now held by the Administration". Not only had the Administering Authority failed to meet those demands, but it was continuing the same policy of alienation itself, regardless of the interests of the population, and considered only its own selfish interests as determined by the general aggressive policy of the United States. The entire population of some islands had been deported and very little had been done to help the people thus dispossessed. The population of Bikini, for instance, had for years been shifted from one island to another, and the Visiting Mission had noted its sad plight (T/789, paras. 96-97). The USSR delegation considered that all alienated lands should be returned to the indigenous population, and that no further alienation of land should be allowed.

56. The annual report (p. 35) stated that a head tax of two dollars was payable by each male resident between the ages of eighteen and sixty inclusive, and that, on the other hand (p. 31), no income or property taxes were being levied by the Trust Territory Government. That injustice should be remedied without delay.

57. It was clear from the annual report and the additional information supplied by the special representative that no measures had been taken in the field of social welfare, and that in fact the Administering Authority had absolutely no intention of promoting social development. It had limited itself to the vague and hypocritical statement (p. 37) that "there is no apparent need for further extension of social service work in the Trust Territory. So thoroughly is the problem of social security solved by the people themselves, that investigations have uncovered little reason for the Adminis-

tration to enter the field or make plans for its improvement".

58. The special representative had admitted that phosphate miners on the Island of Angaur enjoyed no social benefits whatever. If they fell ill, for instance, they received no pay and no attention. That was nothing but shameless exploitation. The annual report (p. 73) showed that 405 workers had mined 134,741 tons of phosphates, representing \$671,578. Thus each worker had mined approximately \$1,657 worth of phosphate. Yet the table on page 73 of the annual report showed that the wages of labourers varied between \$14 and \$28 a month, so that the profit derived from the exploitation of those workers had amounted to over eight times their actual earnings. Taking into consideration the prices prevailing in 1947, the profits at that time had represented between seventeen and eighteen times the earnings of the workers. There was very little they could do with the money they earned, let alone raise families or provide education for their children.

59. In the field of education, the Administering Authority was guilty of gross racial discrimination. Page 56 of the annual report showed that while indigenous teachers and school administrators earned between \$180 and \$1,850 a year, American nationals in the same posts earned between \$3,875 and \$6,750 a year. In other words, a local teacher received twenty-one times less than an American teacher. The Trusteeship Council should request the Administering Authority to put an end to that anti-democratic policy of racial discrimination and violation of indigenous rights.

60. The Administering Authority had failed to take any measures to promote education in the Territory. Indeed, it was clear from both the annual report and the Visiting Mission's report that the number of schools and pupils had decreased, although the total number of the population had, on the contrary, increased. The figures given for the Island of Truk on page 54 of the 1949-1950 report, and on page 58 of the 1947-1948 report, were highly instructive on that point. The special representative had been unable to give any satisfactory explanation of that regrettable state of affairs, while the Visiting Mission had noted (T/789, para. 110) that no indigenous inhabitant had a sufficient elementary or secondary education to receive higher education either inside or outside the Territory. Not only had the Administering Authority failed to provide any additional facilities in the Territory itself, but it had also failed to grant any fellowships to enable at least some students to study abroad. The annual report (p. 54) stated that only nineteen students were studying outside the Territory, and that ten of them were doing so at their own expense. The Visiting Mission (T/789, para. 114) had stated that the great majority of students were unable to pay for education abroad.

61. Furthermore, the Administering Authority had taken no measures to develop the national culture and language of the Territory. On the contrary, any teaching in the indigenous language ceased at about the age of twelve. The Trusteeship Council should recommend an increase in the appropriations for educational purposes.

62. The position in the field of health was also unsatisfactory; there again the Administering Authority should increase the amount of appropriations for that

purpose, and also take steps to improve the situation in general.

63. Mr. RYCKMANS (Belgium) agreed with previous speakers that considerable direct subsidies from the Administering Authority and indirect subsidies in the form of services had gone far to remove the main obstacles to the progress of the Territory, namely, the lack of natural resources and the difficulties of transportation. It had been gratifying to learn from the special representative that the United States Department of the Interior would devote five million dollars in indirect services, which would replace those formerly supplied by the naval authorities.

64. He agreed that Hawaii was too distant from the Trust Territory to be a suitable site for the capital, but the Trusteeship Council should not insist that the capital should be situated on one of the islands of the Territory; it might well approve Guam, if the new civilian High Commissioner thought it suitable.

65. While the retention of experienced naval personnel was to be welcomed, the Administering Authority should attach special importance to the training of the personnel to succeed them.

66. He agreed with the United Kingdom representative that, while the claims of the indigenous inhabitants against the Japanese did not constitute a legal obligation on the Administering Authority, they certainly constituted a moral obligation since the Territory was under trusteeship.

67. He commended the Administering Authority for retaining the municipal system based on the customary tribal system and for not compelling the inhabitants to adopt a new system against their will; it was essential that the excessive influence of the tribal chiefs should be abolished gradually, through education.

68. The so-called excise duties mentioned on page 35 of the annual report appeared to show commercial discrimination in favour of the United States; he would welcome further information on that point in subsequent reports.

69. While social advancement in the Territory was in general satisfactory, three months' training for nurses, who might be the only ones available in the smaller islands, appeared to be too short.

70. He hoped that the Administering Authority would explain in its subsequent reports why the missions on Saipan did not give academic instruction.

71. He agreed with the United Kingdom representative that there had been a great improvement in the form of the annual report; in particular he welcomed the narrative style, which replaced the earlier arrangement of the material as answers to the questions of the Provisional Questionnaire.

72. The PRESIDENT said that the Administering Authority would reply at a subsequent meeting to the statements made in the general debate.

Revision of the rules of procedure (continued)

73. Mr. LAURENTIE (France), referring to the suggestion he had made at the 327th meeting regarding the second paragraph of draft rule K (T/L.123), said that he had thought that there was a general feeling

that the paragraph in question should be revised. He had realized, however, during the last part of the meeting, that his proposal was not acceptable to all members and he therefore wished to withdraw it.

74. Prince WAN WAITHAYAKON (Thailand), supported by Mr. KHALIDY (Iraq), said he was glad that the French representative had withdrawn his amendment to rule K.

75. Mr. RYCKMANS (Belgium) asked for a separate vote to be taken on the second paragraph of rule K, as that paragraph was useless and greatly altered the rule as it appeared in the Trusteeship Agreement. The Trusteeship Council should refrain from voting into its rules of procedure provisions which went beyond the scope of the provisions of the Trusteeship Agreement.

76. Mr. MUÑOZ (Argentina) said that the supplementary rules before the Council had been adopted almost unanimously by the Committee on the Rules of Procedure, of which he had been a member. Members of the Council should remember that the final decision regarding the requests that might be made under the second paragraph of rule K would always rest with the Council itself.

77. Mr. RYCKMANS (Belgium) said it would be unwise for the Council to modify definite provisions of a Trusteeship Agreement which had been approved by the General Assembly by amending its own rules of procedure, which were not subject to approval by the General Assembly. It should be borne in mind that the States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration would always be asked to attend any discussions on any questions specifically relating to the Territory. Furthermore, it would always be open to those States to propose through the General Assembly the inclusion of various items in the Trusteeship Council's agenda. To adopt the second paragraph of rule K would be to establish a very dangerous precedent; indeed, any Member State might ask to be granted the same privilege in the future and it would be difficult to refuse it if it were granted to the States members of the Advisory Council for Somaliland. The Trusteeship Council would then rapidly degenerate into a mere committee of the General Assembly. The aim of the sponsors of the provision in question was to counterbalance Italy's position in the Council as an Administering Authority by providing for the participation of some non-administering Powers. If and when Italy became a member of the Trusteeship Council, another non-administering Power would automatically be elected to the Council to restore the balance between administering Authorities and non-administering Powers. It would, however, be extremely difficult then to withdraw the privilege granted to the members of the Advisory Council for Somaliland.

78. Prince WAN WAITHAYAKON (Thailand) did not think that because Italy was allowed to participate without vote in the debates of the Council the same right should be given automatically to the members of the Advisory Council. That was not a determining factor. The Belgian representative had argued that the Council should in no way change the provisions of the Trusteeship Agreement. Yet the Council had itself

granted Italy wider rights than those provided under article 5, paragraph 2, of the Agreement.

79. The main consideration was that the Council should give the Advisory Council for Somaliland all the facilities necessary for the discharge of its duties under the Trusteeship Agreement. Article 8 of the Agreement stated that the Administering Authority should seek the advice of the Advisory Council on a very wide range of political, economic and social measures. The Advisory Council would be under the obligation to give that advice and, in order to be able to do so properly, it should be allowed to participate in the debates of the Trusteeship Council on those particular points. The final decision, however, as to whether the members of the Advisory Council should be allowed to participate in the debates would rest with the Trusteeship Council itself.

80. The PRESIDENT called for a vote on the second paragraph of rule K.

There were 5 votes in favour and 5 votes against, with 2 abstentions.

81. The PRESIDENT said that, under rule 38 of the rules of procedure for the Trusteeship Council, if a vote other than for an election was equally divided, a second vote had to be taken at the following meeting or, by decision of the Trusteeship Council, after a brief recess. Unless at the second vote there was a majority in favour of the proposal, it would be deemed to be lost.

82. Mr. MUÑOZ (Argentina) said that a compromise might be reached through the insertion of the words "connected directly or indirectly with the Trust Territory of Somaliland under Italian administration" after the words "International Trusteeship System" in the second paragraph of rule K.

83. Mr. KHALIDY (Iraq) supported the Argentine representative's suggestion. He also said that since the question concerned directly the three members of the Advisory Council for Somaliland, he would request that the second vote on the second paragraph of rule K should be taken by roll-call.

84. Mr. MUÑOZ (Argentina) thought that it might help members of the Council if, before making a final decision, they were to hear the views of the Italian observer to the United Nations on the question under discussion.

At the invitation of the President, Mr. Mascia, observer of the Italian Government to the United Nations, took his seat at the Council table.

85. Mr. MASCIA (observer of the Italian Government to the United Nations) thanked the members of the Trusteeship Council for the friendly spirit in which they had approached the difficult position with which Italy had been faced in the United Nations. He welcomed in particular the proposals submitted by the representative of Argentina.

86. Italy had been disappointed to find that, in spite of a pledge by the four great Powers which had been parties to the Treaty of Peace with Italy and for reasons which had nothing to do with its qualification

for membership, it had been prevented from becoming a Member of the United Nations.

87. Italy had, however, been chosen by the General Assembly as the Administering Authority for the Trust Territory of Somaliland and had willingly and whole-heartedly accepted the requisite obligations. In his opinion, it would be unfair if Italian participation in the work of the Trusteeship Council was not fully equal to that of other countries sharing similar responsibilities.

88. His government was fully aware that Article 86 of the Charter could not be interpreted in such a way as to grant Italy the right to vote in the Trusteeship Council so long as that country was excluded from the United Nations. The authors of the Charter had obviously been unable to foresee a situation in which a government fully qualified to become a Member of the United Nations could be prevented from doing so by conditions not mentioned either in Article 4 or any other Article of the Charter, that that government might be chosen by the General Assembly to become an Administering Authority in the full meaning of Article 81, and that that government might undertake under a trusteeship agreement to designate a representative who would attend all sessions of the Trusteeship Council.

89. Article 108 of the Charter permitted the amendment of that document to bring its provisions into line with changed political circumstances; it might be usefully applied to the question under discussion, which was an important question of principle.

90. However that might be, Italy would continue to carry out the task—long incumbent upon it and now resumed—of bringing the population of Somaliland to full independence. At the same time, it would scrupulously respect all the obligations it had undertaken under the Trusteeship Agreement and would collaborate fully with the Trusteeship Council in all matters relating to Somaliland. Such collaboration would, however, be a great deal more enthusiastic if Italy's desire for equality of rights in the Council was given due consideration.

91. It was to be hoped, therefore, that the Council would carefully and sympathetically consider that problem in the light of the interpretation of Articles 81, 86 and 89 of the Charter, taking into account the spirit of Article 1, paragraph 4, which stated that the United Nations should be a centre for harmonizing the actions of nations in the attainment of their common ends.

92. Mr. MUÑOZ (Argentina) said that he had listened with great attention to the statement made by the Italian observer. The supplementary rules of procedure provided for a limited participation by Italy in the work of the Council. In view of the statement made by the Italian observer and of the desirability of ensuring the full participation of the Italian Government in the work of the Trusteeship Council, he proposed that the Council should request the General Assembly to include in the agenda of its sixth regular session the question of Italy's participation in the work of the Trusteeship Council, and submitted a draft resolution to that effect (T/L.132).

The meeting rose at 6.10 p.m.