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Trusteeship Council Seventh Session, Roundup Press Release TR/473 21 July 1950

TRUSTEESHIP COUNCIL

ROUNDUP OF SEVENTH SESSION

The United Nations Trusteeship Council wound up its Seventh Session today after seven weeks of almost continous work on a 15-item agenda, dealing with such diversified questions as the draft Statute covering an international regime for the Jerusalem area, the effect of administrative unions on Trust Territories, the unification of the Ewe people now residing in two small Trust Territories on the west coast of Africa--British and French Togoland and in the Gold Coast Colony, the examination of annual reports on Trust Territories and consideration of a record number of petitions emanating from these territories.

As its first major task during the session just completed, the Council decided that, since neither the governments of Jordan or Israel were prepared to collaborate in implementing the draft Statute for Jerusalem, it would submit the Statute to the General Assembly together with the report containing its findings.

On the question of administrative unions with adjacent Trust Territories, the Council established a Standing Committee on the question which will regularly examine the operation of such unions and report to the Council on any union in which a Trust Territory participates.

Discussion of the Ewe problem resulted in the adoption of a resolution taking note of the plan of the Administering Authorities concerned (United Kingdom and France) to ascertain the real wishes and interests of the Ewe people and recommending that the two governments take all necessary and appropriate measures to insure that, until a definite settlement is reached, "the common traits and traditions of the Ewe people in the two Trust Territories be preserved."

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In addition the Council completed examination of annual reports on six Trust Territories over the administration of which it has supervisory authority; considered over 180 petitions from groups or individuals within those Trust Territories; completed arrangements for sending a Visiting Mission to the Trust Territories in East Africa and set up a four-member committee on the Questionnaire to eliminate all duplications and ambiguities from the Provisional Questionnaire sent to Administering Authorities.

The Council also adopted a special report to the General Assembly containing the draft of a Trusteeship Agreement for the Territory of former Italian Somaliland to be administered by Italy under the terms of a General Assembly resolution of 21 November 1949.

Jerusalem Question

In compliance with the General Assembly Resolution of 9 December 1949 requesting the Trusteeship Council to draft, approve and proceed with the implementation of the Statute placing Jerusalem under a permanent international regime, the Council on 4 April 1950 in Geneva approved the Statute and adopted a resolution requesting the President to transmit the text of the Statute to the governments of the States at present occupying the area of the City of Jerusalem. The resolution of the General Assembly also requested from the governments their full cooperation, and asked the President to report on these matters to the Council in the course of its seventh regular session.

On 1 June the Council resumed consideration of the question. Mr. Roger Garreau of France, who had been President of the Council during its fifth and sixth sessions, presented his report (Doc. T/681) on the mission entrusted to him by the Council. He stated that in reply to his invitation to the governments to meet him in order to discuss the conditions for the implementation of his task, he had up to that time received no acknowledgement of any kind from the Hashemite Kingdom of Jordan, and that therefore had been able to undertake consultations only with the Government of Israel.

The latter Government, he reported, had communicated certain new proposals which the Council did not discuss and which he had transmitted to the Council as an annex to his report. Mr. Garreau concluded by saying that the results of his mission had been "disappointing" and that the implementation of the Statute would seem to be "seriously compromised under present conditions."

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The Council on 14 June, by a vote of nine in favor to one against (Iraq) with one abstention (Philippines), adopted a Franco-Belgian resolution on the Jerusalem question (Doc. T/L.85) which first recalls the mission entrusted to the President of the Council and the fact that neither the governments of Jordan nor Israel were prepared to collaborate in the implementation of the Statute as approved by the Council. It then decides to submit to the General Assembly the report (containing findings of the Council on the question) together with copies of the Statute as approved by the Council, the report of President Garreau and the reply of the Government of Israel, dated 26 May 1950.

Administrative Unions Affecting Trust Territories.

The General Assembly, in its resolution 326(IV) of 15 November 1949, stated that Administrative and Fiscal Unions should in no sense compromise the evolution of any Trust Territory towards self-government or independence, and asked the Council to submit a special report on these questions to the Assembly in 1950. The Council, at its Geneva session, decided that the Committee on Administrative Unions should proceed with its study of the problem and report to the Council on its findings during this present session.

On 17 July the Council considered and noted a 95-page report of the Committee on Administrative Unions (Doc. T/L.96) and approved the recommended draft resolution calling on the Council to establish a Standing Committee on Administrative Unions which will "regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory under review participates".

The report and recommendations contained in the resolution cover the Trust Territories of the Cameroons, Tanganyika and Togoland under British administration, New Guinea under Australian administration, and Ruanda-Urundi under Belgian administration.

Resolution on Ewe Petition.

The Ewe petition, presented orally to the Council by Sylvanus Olympio, representative of the All-Ewe Conference, urged the unification under one administration of all Ewe people living in the British and French Togolands and in the British Colony of the Gold Coast.

On 14 July the Council adopted, by eight votes in favor to two against (Philippines and Iraq) with one abstention (China), a joint Argentine-United States resolution (Doc.T/L.100) on the problem. The resolution takes note of a plan put forward by the Administering Authorities (United Kingdom and France,

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Doc: T/702), which has as its purpose the ascertaining of the real wishes and interests of the inhabitants of all parts of the two Trust Territories, and requests the Administering Authorities concerned to inform the Council at its next session of the steps taken to give effect to the plan and to submit a, ... progress report on the deliberations of the Consultative Commission.

It also recommends that the Administering Authorities concerned take all necessary and appropriate measures to insure that, until a definite settlement is reached, the common traits and traditions of the Ewe people in the two Trust Territories be preserved.

Examination of Annual Reports on the Administration of Trust Territories.

Under the Charter; those Members of the Commoil which administer Trust Recritories are required to submit, on the basis of a questionnaire approved by the Council, an annual report on their administration of the territory or territories placed under their trusteeship. On the basis of these reports, the Council periodically reviews and evaluates the manner in which these Powers ere carrying out their trust, in promoting the well-being and progressive development of the peoples of the territories concerned towards self-government or independence, in accordance with the provisions of the Charter and the Trusteeship Agreement for the territory.

The views of the Council in this regard are expressed in the form of conclusions and recommendations, which are included in the relevant sections of the Council's reports on the territories examined.

At its current session, the Council examined six such annual reports. It was assisted by Special Representatives, designated by the Administering Authorties concerned, who were governors or high officials of the local administration, to provide such supplementary oral or written information, in addition to that contained in the annual reports, as was found necessary.

Each of the six annual reports was examined separately, after which the Council drew up its own reports on each of the territories concerned. The Council's reports consisted of three chapters: (1) A factual outline of general conditions in the Territory, as stated in the report of the Administering Authority; (2) the Council's conclusions and recommendations; and (3) the individual views and observations of Council members.

A summary of the Council's respective conclusions and recommendations, as approved, in regard to the administration of the six Trust Perritories examined, are given below:

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(a) Western Samoa administered by New Zealand

The annual report examined covered the administrative year ending 31 March 1949. The Council commended the Administering Authority "for the progress made in the Territory and for fulfilling all its obligations under the Trusteeship Agreement during the year under review".

It noted with satisfaction the election by secret ballet of the additional Samoan member of the Legislative Assembly and expressed the hope that further reforms would be introduced with a view to bringing about, in due course, a system of universal suffrage in the election of the Feno of Faipule.

Noting the "differentiation in status and in legal and social rights between Samoans and Europeans and the possible undesirable tension which may result therefrom," it recommended that efforts to solve this problem be intensified. It also asked to be informed of the results of the various inquiries on the question of the status and jurisdiction of Samoan judges, and expressed the hope that the work of the Commission of Inquiry established to study village and district local government, will contribute to furthering opportunities for the Samoans to acquire the political experience necessary for self-government.

The Council noted with satisfaction the "favorable economic and financial conditions in the Territory", and the attention given to the problem of diversification of the economy and the protection of the copra industry. It asked to be informed of the results of the studies underway on the question of income tax and of preferential treatment accorded to British goods imported into the Territory It suggested that standard of living studies be made.

Other recommendations were: an intensification of efforts to recruit doctors and other medical personnel in the campaign at control of tuberculosis; the introduction, as soon as possible, of elementary social legislation, including labor legislation; and closer co-ordination between government and mission schools with regard to organization, staffing and curricula.

(b) New Guinea administered by Australia

The annual report examined covered the administrative year ending 30 June 1949. The Council expressed the opinion that "much remains to be accomplished in the general development of the Territory", although it recognized the backwardness of the Territory in general, the devastation caused by the war, the climate and terrain and the difficulties confronted by the Administering Authority. Noting the

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progress which had been made and the assurances given, it recommended that "the Administering Authority endeavour to quicken the pace of political, economic, social and educational advancement."

The Council urged that consideration be given to the adoption of measures to grant the indigenous inhabitants a distinct national status; that a beginning be made to introduce methods of suffrage designed ultimately to bring about the establishment of a modern electoral system based on universal suffrage; that the number of village councils be increased, so far as possible, with a view to establishing them throughout the territory and to giving them increasing responsibilities.

The Council urged the Administering Authority to give serious consideration to increasing the territorial revenues from the Territory's production of gold; after noting that gold accounted for more than one—third of the value of all exports from the Territory.

It also recommended that the Administering Authority take steps to compile statistical data on capital investment; to encourage the utilization of the Territory's many resources through local industries designed to raise the standard of living of the indigenous inhabitants and to make the Territory as far as possible self-supporting; to continue its study as to the possibility of increasing the minimum wages of the indigenous workers; to speed up, as much as possible, the processes for the ratification and application to the Territory of international conventions, particularly those affecting labor and other social questions, to which the Administering Authority was a party; to take further steps to extend the public health services; and to place appropriate emphasis, in reviewing the educational program for the indigenous inhabitants, on the preparation of the inhabitants for the responsibilities of representative government and eventual independence.

(c) Togoland Administered by the United Kingdem

The annual report examined covered the administrative year 1948. In its report the Courcil noted with appreciation the "evidences of progress in the administration of the Territory during the year under review".

It noted further that there was need for more improvement, and that the difficiences had been recognized by the Administering Authority. The Council reiterated therefore the recommendations it had made at its fourth session in connection with its examination of the 1947 annual report on the Territory.

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The Council noted with satisfaction the selection of a representative of Southern Togoland to the Gold Coast Legislative Council and the selection of Togolanders to represent Southern Togoland on other bodies affecting both the Gold Coast and the Southern Section of the Trust Territory. Nevertheless, it urged that the Administering Authority (1) "take such steps as may be necessary to assure that the representation of Togoland on such legislative and consultative bodies in the Gold Coast is proportionate to the Trust Territory's population or interests", and (2) "continue to develop as rapidly as possible local and sectional representative organs in the Trust Territory."

The Council considered the appointment of a Select Committee to work outdetails of constitutional reform as a "most welcome measure" and stated that it "awaits with great interest the results of their deliberations."

In the northern section of Togoland, the Council urged the Administering Authority to press forward as rapidly as possible with the political education of the inhabitants, so that "they can play their full role in the political advancement of the Territory."

With regard to the southern section, the Council expressed the hope that the newly created separate territorial Council would provide "increasing opportunities to develop the capacities of the inhabitants for self-government."

The Council recommended that "all necessary educative measures be undertaken to prepare the population for the adoption of universal suffrage with the least possible delay."

Recognizing the need for the introduction of appropriate methods to improve communications and to increase agricultural production in order to raise the level of the Territory's economy and the standard of living of its people, the Council recommended that the Administering Authority "explore and make use of every possible means of securing the necessary technical equipment and solvice," and suggested that it "examine the possibility of securing technical assistance under the new United Nations Program for Technical Assistance."

While commending the Administering Authority for the "excellent work" being done at Ho, the larger of the two leper settlements in Togoland, as reported by the visiting mission, the Council stressed the "pressing need" for an increase in medical officers and health services, particularly in the northern section.

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Lestly, the Council recommended that expansion of teacher training facilities be continued; that opportunities for secondary and higher education be increased; and that the start which had been made in adult education be exampled on the widost possible scale.

The smuual report examined covered the administrative year ending 30 June 1949. The Council concluded that the information submitted by the Special Representative indicated a "sincere ettempt" on the part of the Administering Authority to implement the recommendations of an earlier Council session. These recommendations, the Council noted, had been adopted after the close of the administrative year covered by the annual report examined.

While commending the Administering Authority for its intention to reconstitute the Council of Chiefs, the Council invited it "to transform that body into a real organ of self-government and to give it not only consultative and advisory powers but also increasing legislative power."

It noted with interest the experiment of appointing the Head Chief as Native Affairs Officer, and expressed the hope that "the success of this experiment, which is limited to only one Nauruen at the present time, will lead to the granting of increased administrative responsibilities to other indigenous inhabitants."

The Council recommended a study of the present judiciary system, with a view to ensuring to the judiciary authority all independence compatible with the circumstances.

It recalled its previous recommendation with regard to the economic future of the Territory after the phosphate deposits have been exhausted, and recommended that the Administering Authority "undertake studies which will enable it to determine whether the Territory will remain habitable or whether the removal of the entire population will have to be envisaged."

The Council noted with satisfaction the decision of the British Phosphate Commissioners to increase the royalty payments from 1 July 1950, and especially the fact that this increase would be devoted to community benefits. However, it pointed out that it "remains handicapped in its appraisal of economic conditions because of the absence of information which would show, in particular, the separate financial operations of the British Phosphate Commissioners in respect of Nauru, and the actual prices received for phosphate as compared with world market prices."

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The Council asked to be informed of the progress of the review being undertaken by the Administering Authority of existing legislation with the object of removing discriminatory provisions therefrom. It requested that the double censorship of films be included in this review.

The Council also recommended that the Administering Authority should continue its study of the cost of living and take such steps as may be necessary to raise where possible the standard of living of the inhabitants; that it should take steps to increase the wages and assure to all the Chinese, Gilbertese and Nauruan workers the most favorable number of holidays possible; that it should study the possibility of facilitating the movement of indigenous inhabitants to other islands; that it should bring the number of medical personnel up to strength; and that it should take appropriate measures to increase the educational facilities in the Territory, including re-establishment of the secondary schools which existed before the war.

(e) Togoland Administered by France

The annual report examined covered the administrative year ending 31 December 1948. The Council endorsed the avowed policy of the Administering Authority for the progressive extension of the rowers of the Togoland Representative Assembly in accordance with its previous recommendation and the observations of its visiting mission.

The Council noted that a Bill had been tabled in the National Assembly which would provide for reforms in the election and composition of the Representative Assembly, and expressed the hope that the policy pursued contemplated a widening of the scope of debate and the granting to the Representative Assembly that part of legislative power now being exercised by the French executive agencies.

It noted with satisfaction the adoption by the Representative Assembly of the District Council's Order under which the Councils of Notables are replaced by elected District Councils, and recommended that the Administering Authority implement its plans for the early establishment of district councils and that these be granted progressively increasing and wider powers.

The Council expressed the hope that the Administering Authority will avoid the necessity of administrative officials exercising judicial functions by intensifying its efforts to recruit and appoint more career magistrates.

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It recommended the institution of an intensive program for land reclamation and conservation to ensure adequate food resources; a constant review of the problem of population pressure; an intensification of the program against drought; increased encouragement to the development of the fishing industry by financial and technical assistance; and continued efforts in encouraging the formation of agricultural co-operatives as a means of providing further experience for the indigenous inhabitants in the management of their own economic affairs.

The Council also urged a continuous campaign of education to raise the status of women and expressed the hope that the labor code under consideration by the French National Assembly will soon be enacted and that its provisions will fully safeguard the rights and interests of labor. It considered that, in determining a scale of minimum wages, laborers should be ensured a decent standard of living and be protected in respect of illness and accidents arising from employment.

The Council commended the progress made in health services and in education. However, it considered that the Administering Authority should give particular attention to the training of African medical personnel in greater numbers; that it afford broader, more complete and widespread education to the inhabitants of the Territory; that it continue its efforts to enroll more girls in schools; that it expand teacher-training facilities; that it establish libraries in as many communities as possible; and that it continue to give increasing attention to the possibility and desirability of employing the vernacular languages for mass education.

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(f) The Strategic Trust Territory of the Pacific Islands Administered by the United States

The annual report examined covered the administrative year ended 30 June 1949. In its report the Council congratulated the Administering Authority on the "substantial progress made in all fields during the year under review," and expressed the opinion that the "progress achieved is all the more notable because of the scattered nature of the islands comprising the Territory and the relatively short time during which they have been under the administration of the United States."

Noting that the Administering Authority was studying the question of the application to the Trust Territory of international treaties, agreements and conventions, including International Labor Organization conventions and recommendations, the Council expressed the hope that the results of this study would soon be made smallable.

The Council also expressed the hope that the organic legislation for the Territory, including a definition of the legal status of the inhabitants, would soon be enacted, after noting this was the subject of renewed study.

It noted with gratification the establishment of a field headquarters on Truk, and requested the Administering Authority to continue to give consideration to the possibility of placing the seat of government within the Territory itself, in accordance with the Council's recommendation adopted during its fifth session.

The Council commended the Administering Authority for "its progressive development of regional and local organs of self-government" and recommended that it "press forward with its long-range plans to establish a territory-wide legislative body and that it proceed progressively to democratize the municipalities."

Noting the steps taken to foster indigenous fishing enterprises and indigenous-operated shipping, the Council recommended that the Administering Authority "continue its efforts to diversify the economy of the Territory."

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The Council also recommended ultimate abolition of the head tax and its replacement by a more progressive system of taxation; adoption of such steps as may be possible to ensure that the existing system of customery tributes to indigenous chiefs of headmen are not abused; encouragement of increasing participation by the women of the Territory in the discussion and management of island affairs; and consideration of the possible greater use of radio for mass education.

Other Petitions

At its seventh session the Council had before it a total of 188 petitions. All of them exceptions concerned Trust Territories in one Africa. The exception was a petition from Nauru. The General Assembly at its last session recommended to the Council that it should take such measures as it may deem appropriate with a view to facilitating and accelerating the examination and disposal of petitions. At its sixth session the Council made several changes in its rules of procedure concerning the handling of petitions. One such change provides for the setting up at the beginning of each Council session of an ad hoc Committee on Petitions to do all the ground work necessary for the examination of the petitions.

During the seventh session, the petitions were examined by the first instance, by the Ad Hoc Committee. The eight reports of the Committee (Docs. T/L.88, 91, 93, 101, 103, 104, 106 and 107) were later approved by the Council substantially as presented.

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With regard to the petitions which raised certain general questions, other than those related to the Ewe petition, the Council decided to inform the petitioners that their petitions had been or would be examined during the Council's regular examination of the annual reports on the Territories concerned.

In respect to those petitions which raised specific questions of a limited or personal nature, the Council approved, upon the recommendation of the Ad Hoc Committee, separate resolutions on each of them. The resolutions are contained in the reports of the Committee approved by the Council.

Revision of the Provisional Questionnaire.

A provisionnal questionnaire was approved by the Council at its fifth regular session to serve as the basis for the preparation of annual reports which the Administering Authorities submit on their administration of the Trust Territories under their charge. This provisional questionnaire consists of 247 questions concerning the status of each Trust Territory and its people in the political, economic, social and educational fields, and the measures taken by the Administering Authorities concerned to promote the progress of the peoples of the Territories towards self-government or independence.

At this session the Council set up a four-member Committee on the Question-naire composed of Belgium, Dominican Republic, United Kingdom and Iraq, to undertake revision of the questionnaire with a view to eliminating all duplications and ambiguities, taking into account all comments and suggestions made by the Economic and Social Council and its Commissions, specialized agencies, members of the Council and suggestions made by the individual members during the second session of the General Assembly (Doc. T/54, A/C.4/SR34, and T/63).

Report to the Security Council.

All functions of the United Nations relating to Trust Territories in strategic areas are exercised by the Security Council. But, under the Charter, the Security Council avails itself of the assistance of the Trusteeship Council in matters relating to economic, social and educational questions in Trust Territories in strategic areas. On the basis of the annual report of the United States for the year ending 30 June 1949, relating to these matters for the Pacific Islands Trust Territory, the Trusteeship Council adopted a report for submission to the Security Council.

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Report on the Former Italian Colony of Somaliland to the General Assembly.

In its decision on the disposal of the former Italian colonies, the General Assembly decided that Italian Somaliland would become an independent sovereign state ten years after the General Assembly has approved a Trusteeship Agreement for the Territory and that in the interim period Somaliland would be administered by Italy as a Trust Territory. The Assembly directed the Council to "negotiate with the Administering Authority the draft of a Trusteeship Agreement for submission to the General Assembly..not later than the Fifth Regular Session." At its session in Geneva the Council on 27 January 1950 adopted unanimously the definitive text of the Trusteeship Agreement, together with the constitutional annex.

At this session the Council adopted a special report to the General Assembly (Doc. T/L.98) concerning the special task entrusted to it. The report transmits to the General Assembly the draft Trusteeship Agreement and Declaration of Constitutional Principles.

ECOSOC Resolution 275-E (X)

The Council considered Resolution 275-E (X) of the Economic and Social Council concerning violations of the full enjoyment of human rights and fundamental freedoms. The resolution requested the Trusteeship Council to consider the advisability of keeping the Economic and Social Council informated of such violations of the full enjoyment of human rights and fundamental freedoms as may come to the notice of the Trusteeship Council. On 7 June the Council adopted a United States resolution which notes with appreciation the objectives sought in the Economic and Social Council resolution and recalls the actions taken by the Trusteeship Council and the Economic and Social Council under the provisions of Article 91 of the Charter to establish common arrangements for cooperation in matters of common concern.

Reports of the United Nations Visiting Mission to Trust Territories in West Africa

Concerning the reports of the Visiting Mission to West Africa, the Council on 20 July approved without vote a resolution (Doc. T/I.105) in which the Council draws attention to the fact that during its sixth and seventh sessions, in formulation of its own conclusions and recommendations in the course of its exemination of annual reports, petitions and other questions, it took into account the observations and conclusions of its Visiting Mission and the observations of the Administering Authorities concerned. The resolution states that the Council will

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continue to take these observations and conclusions into account in future examinations of matters relating to the Trust Territories concerned, and invites the Administering Authorities concerned to give most careful consideration to the conclusions of the Visiting Mission as well as to the comments made thereon by the members of the Trusteeship Council.

Arrangements for a Visiting Mission to Trust Territories in East Africa

The Council agreed that a Visiting Mission would go next year to the Trust Territories of Tanganyika under British administration, Ruanda-Urundi under Belgian administration and Somaliland under Italian administration. The Mission will consist of four members of the Council and six members of the United Nations Secretariat. It will stay in the Territories for a period of three months and an additional month will be used at Lake Success to draft a report to the Council. The estimated cost of the Mission is placed at \$63,550. It is understood that the visit to Somaliland under Italian administration will depend upon a decision of the General Assembly on the draft Trusteeship Agreement for that Territory.

UN Flag in Trust Territories

On 21 July the Council adopted by 6 votes in favor, to 2 against (Bolgium, Australia) with 3 abstentions (Argentina, United Kingdom and New Zealand) a joint Chinese-Iraqi-Philippine resolution, as amended by the United States, on the use of the United Nations Flag in Trust Territories.

As adopted the resolution reads as follows:

"The Trusteeship Council,

- "1. Having regard to General Assembly Resolution 325 (IV) of 15 November 1949,
- "2. Recommends to the Administering Authorities concerned that the flag of the United Nations be flown over all Trust Territories side by side with the flag of the Administering Authority concerned and with the territorial flag if there is one, it being understood, however, that in carrying out the terms of this resolution, the Administering Authorities have latitude to handle any practical difficulties of administration which this recommendation might create;
- "3. Requests the Secretary-General to furnish a copy of this resolution to the Italian Government in view of its assumption of the administration of the Trust Torritory formerly known as Italian Somaliland."

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Improvement of Nutrition in Trust Territories

On 21 July the Council approved without voto a resolution proposed by Argentina on the improvement of nutrition in Trust Territories. The resolution as amended by Belgium, the United Kingdom, New Zealand, the United States and Iraq, reads as follows:

"The Trus cophip Council,

- "Recognizing that dietary deficiencies constitute a serious obstable to the social and economic development of the inhabitants of the Trust Territories,
- Sharing the desire of the Administering Authorities to bring about improvement, in existing nutritional standards,
 - "Noting that scientific research concerning nutrition has recently undergone considerable changes, and
 - "Noting in particular that studies have been undertaken regarding new and economical methods for ameliorating or eliminating such deficiencies in the dietary conditions in tropical areas,
 - "Invites the Administering Authorities to continue to explore, in cooperation with the Specialized Agencies of the United Nations and also with competent scientific bodies, the possibility of utilizing and expending the latest scientific methods in the improvement of nutritional standards among the inhabitants of Trust Territories."

Place of Eighth Session

The Council decided at its final meeting on 21 July, to hold its Eighth Session at Headquarters with the understanding that, if accommodations were not possible, this decision would be subject to later review, if necessary.