REVISION OF THE QUESTIONNAIRE

Note by the Secretary-General

In accordance with the request of the Director-General of the International Labour Organisation the Secretary-General has the honour to reproduce for the information of the members of the Trusteeship Council the correspondence of the Secretary-General of the United Nations with the Director-General of the International Labour Organisation.
I. Letter dated 3 June 1952 from the Director-General of the International Labour Organisation to the Secretary-General

I have the honour to refer to the Report of the Drafting Committee on the Provisional Questionnaire of the Trusteeship Council (T/L.246) dated 17 March 1952.

I understand that this document, together with the comments of members of the Trusteeship Council on it, will be discussed at the eleventh session of the Council which begins next month.

The main comments of the International Labour Office on the Provisional Questionnaire were submitted in the early stages of examination of it and in particular in a letter (1) addressed to you on 3 October 1947. There is one further point, however, to which I should like to draw your attention with a view to consideration being given to it by the Trusteeship Council. The Draft Revised Questionnaire in the form in which it appears as annexed to the Report of the Drafting Committee dated 17 March 1952 (T/L.246) contains no reference such as appeared in the original Provisional Questionnaire (T/44) - see, for example, the footnote to Question 150 - indicating that certain information may be given in the form of copies of or appropriate extracts from reports made to the International Labour Organisation.

The ILO regards it as important that something of the same character be included in the Revised Questionnaire. In this connexion, the explanatory note on the subject prefaced to the Standard Form for the Committee on Information from Non-Self-Governing Territories, as revised, might perhaps be used as a model (General Assembly Records: sixth session, Supplement No. 14 (A/1836), pp. 11 and 12). The note reads as follows:

"In cases where, under the provisions of any general convention on any economic, social or educational subject, information is transmitted to a central international agency by Member States parties to such convention, and information which coincides with that requested in the Standard Form is transmitted periodically to international organizations operating under the aegis of the United Nations in accordance with standing arrangements, the transmission of a copy of such information to the Secretary-General of the United Nations would be acceptable in discharge of the obligation under Article 73 e in respect of that subject. Wherever relevant information exists in published form, there would be no need for the government to reproduce that information; a chapter and page reference to the publication in question (with communication of the publication itself, where necessary) would suffice."

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(Signed) David A. MORSE

(1) See document T/49.
II. Letter dated 11 August 1952 from the Acting Assistant Secretary-General, Department of Trusteeship and Information from Non-Self-Governing Territories to the Director-General of the International Labour Organization

I am directed by the Secretary-General to acknowledge the receipt of your letter of 3 June 1952, received here on 5 June 1952, relating to the report of the Drafting Committee on the Provisional Questionnaire of the Trusteeship Council. Your letter was in fact received too late to be brought to the attention of the Trusteeship Council which on 4 June 1952 already had under consideration the report of the Drafting Committee on the Questionnaire, final action being taken on 6 June.

With regard to the question of procedure raised in your letter, may I bring to your attention that according to Article 88 of the Charter the Administering Authorities shall make an annual report to the General Assembly upon the basis of the Questionnaire. These annual reports are to provide all the information on matters of political, economic, social and educational advancement called for by the Questionnaire formulated by the Trusteeship Council. They are discussed, under the authority of the General Assembly, by the Trusteeship Council.

The obligation of the Administering Authorities to present annual reports on the basis of a questionnaire is a much more precise one than the obligation of Administering Authorities to transmit certain kinds of information under Article 73 (e) of the Charter, since the annual reports constitute an integral and important part of detailed supervision by the Trusteeship Council and the General Assembly of the conditions in the Trust Territories. It is therefore necessary that the annual reports should be self-contained documents presenting full and accurate accounts of all aspects of the situation. Of course, when the information requested by the Trusteeship Council corresponds to information supplied to the ILO or to other specialized agencies, the Administering Authority has the right, which it would doubtless exercise, to include the same material in its annual report to the General Assembly.

(Signed) Ralph J. BURCHE
III. Letter dated 27 August 1952 from the Director-General of the International Labour Organisation to the Secretary-General

I have the honour to acknowledge the letter of 11 August 1952 informing me that my letter of 3 June was received too late to be brought to the attention of the Trusteeship Council before it finished its consideration of the report of the Drafting Committee on the Questionnaire. I greatly regret that I sent my letter so late, particularly as I attach great importance to the question I had raised in it.

It is because of this importance that I venture to reiterate the suggestion I had made therein. As you are aware, the Provisional Questionnaire, itself approved by the Trusteeship Council, contained as a footnote to Question No. 150 the following:

"Answers to this question may be given under the following questions and may take the form of copies of or appropriate extracts from reports made to the International Labour Organisation."

Moreover, the Constitution of the ILO and the procedures applied by the Governing Body to implement its reporting obligations result in the Office receiving annual reports on the existing state of application of ILO Conventions in all Trust Territories. I cannot help feeling, therefore, that some reference of the nature indicated in my letter of 3 June to the effect that the transmission of a copy of the information supplied under the terms of any general Convention to a central international agency by a Member State party to such Convention containing information which coincides with that requested in the Questionnaire would be acceptable in discharge of the obligation to the Trusteeship Council, would have been appropriate. It would also have been fully in harmony with what I take to be a general desire on the part of all international agencies to avoid duplication of work by administrations of Trust Territories so often under-staffed.

In these circumstances and in view of the importance of this question I would suggest that you circulate this correspondence to members of the Trusteeship Council. I would appreciate your letting me know whether you agree with this suggestion.

(Signed) David A. Morse
IV. Letter dated 16 September 1952 from the Assistant Secretary-General, Department of Trusteeship and Information from Non-Self-Governing Territories, to the Director-General of the International Labour Organisation

I am directed by the Secretary-General to acknowledge receipt of your letter of 27 August 1952 replying to Mr. Bunche's letter of 11 August 1952, in which the views of the Secretary-General on the subject of the Questionnaire of the Trusteeship Council were set forth.

In accordance with your request your letters of 3 June and 27 August 1952 will be circulated to the members of the Trusteeship Council.

(Signed) Victor Hoo