



UNITED NATIONS TRUSTEESHIP COUNCIL



Distr.
GENERAL

T/OBS.8/3
1 July 1953

ORIGINAL: ENGLISH

PETITION FROM THE NEW GUINEA CHINESE UNION, RABAU, AND FROM THE OVERSEAS CHINESE ASSOCIATION, KAVIENG, (T/PET.8/4 and Add.1 and 2) CONCERNING NEW GUINEA

Supplementary information supplied by the Australian Government as Administering Authority in accordance with Resolution 428(X)

During May, 1950, the New Guinea Chinese Union, Rabaul, and the Overseas Chinese Association, Kavieng, presented petitions to the Trusteeship Council's Visiting Mission to New Guinea (Documents T/PET.8/4 and Add.1) covering the following points:

- Immigration and permanent residence,
- Economic Welfare,
- Land Holdings,
- Wages, and
- National Status of Chinese born in the Territory.

In written observations on the petition (T/859) in March, 1951, Australia stated that the various aspects of the representations in the petition were being examined by the Australian Government and that no decisions had been taken.

At the 8th Session of the Trusteeship Council, the Council decided, in view of Australia's observations, to postpone to a later Session consideration of the petition.

After the 8th Session the Chinese submitted a further petition (T/PET.8/4/Add.2) repeating their representations on the questions of the right of permanent residence and the granting of national status to locally born Chinese.

In further observations (T/965) in March 1952, Australia stated that the questions in the petition were still being considered, that exemptions to some 200 Chinese admitted under Section 8 of the Immigration Ordinance had been granted and were in force until 30 June 1952, and that under an amendment to the

Commonwealth Citizenship Regulations made on 15 October 1951, children of local Chinese who are not British subjects, become "Australian protected persons" whether born in New Guinea before or after the commencement of the amending regulation.

At its 10th session, the Trusteeship Council expressed the hope that the Administering Authority would complete without undue delay its examination of the questions raised by the petitioners, recommended that further exemptions be granted to the 200 Chinese referred to, and requested that the results of its examination of the questions be included in the 1951/1952 Annual Report. The various questions have now been examined and the following observations are submitted:

1. Immigration

The petitioners stated Chinese who entered the Territory of New Guinea before 1922 are considered by the Administration to be permanent residents, while those who entered after 1921 are not permanent residents and if they leave the Territory, may not be granted permission to return. The petitioners hope that "selected persons" will be allowed to settle in the Territory in order to share in, and contribute to, its development.

Observations - There will be no change in the policy of immigration, by which Chinese are admitted for specific purposes but are not granted permanent residence.

Further extensions of exemptions have been granted to those 200 Chinese who were admitted under exemption between 1934 and 1941 and who are unable to return to China. Their exemption has now been extended for three years from 23 June 1952.

2. Economic Welfare

Observations - The statements submitted under this heading have been noted.

3. Land Holdings

The petitioners hoped that the post-war policy of allowing Chinese to own lands for agricultural and trading purposes would continue.

Observations - The hope expressed by the petitioners has been noted but the Administering Authority will continue a policy of reserving to itself the right

to consider and determine each application for land having regard to all relevant social and economic circumstances, including the interest of the indigenous inhabitants.

4. Chinese Wages

In a letter dated 12 May 1950 the petitioners stated that although quite a number of Chinese are enjoying reasonable standard of living the majority of the working classes rely solely on their wages which comparing with the Europeans in the same class of employment are much lower and thereby in some way has given rise to racial discrimination and discontent.

Observations - Wages and conditions of service of Chinese employed by the Administration were covered by a determination of the administrator with effect from 1 November 1948.

During 1951 that determination was reviewed and the wages of Chinese employees (artisans) were increased from 1 January 1950, by £1.10.0 per week and by a further £1 per week from 14 December 1950. Salaried Chinese employees of the administration were granted increases of £96 per annum from 1 January 1950, and an additional £60 per annum from 14 December 1950. In addition, from 8 February 1951, cost of living adjustments have been made quarterly to salaries and wages paid to Chinese employees of the Administration.

5. National Status of Chinese born in the Territory

The petitioners pointed out that locally born Chinese in New Guinea were then regarded as aliens, although they understood that the Government was considering legislation to change their status to that of "protected persons".

Observations - As stated in observations in March, 1952 (T/965) under an amendment to the Citizenship Regulations made on 15 October 1951, persons born in the Territory who are not British subjects have been accorded the status of "Australian Protected Persons", regardless of whether they were born in New Guinea before or after the amending regulation.
