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Held at Headquarters, New York
on Monday, 28 June 1954, at 2 p.m.

President:

Mr. URQUIA

(El Salvador)

Note:

The Official Record of this meeting, i.e., the summary record will appear in provisional mimeographed form under the symbol T/SR.544 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

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EXAMINATION OF CONDITIONS IN NEW GUINEA (T/L.473):

- (a) ANNUAL REPORT OF THE ADMINISTERING AUTHORITY (T/1114, 1114/Add.1, 1122, 1124) [Agenda item 4 (c)]
- (b) PETITION CIRCULATED UNDER RULE 85, PARAGRAPH 2, OF THE RULES OF PROCEDURE OF THE TRUSTEESHIP COUNCIL (T/PET.8/L.1) [Agenda item 5] (continued)

At the invitation of the President, Mr. J. H. Jones, special representative for the Trust Territory of New Guinea, took a place at the Council table.

Observations of members of the Council (continued)

Mr. TARAIZI (Syria) (interpretation from French): My delegation assumes for the second time the responsibility of studying conditions in the Trust Territory of New Guinea and of stating its observations in the light of facts and events. Thus, I must state now that my speech will not contain praise but criticism.

A tradition has been established in this Council which consists of a mutual exchange of praise and courtesies. I do not think that this is the most effective method. In my capacity as representative of a non-Administering Authority, I think, on the contrary, that the first duty of the Trusteeship Council is not to dwell on what has been done but to go forward and to propose the measures which should be taken in the correctly understood interests of the people whose future has been entrusted to the United Nations under the Charter.

On the basis of this essential premise, it is strange to note that, in general, the idea of trusteeship is accepted with some slight hesitation on the part of certain Administering Authorities.

During the question period I drew to the attention of the special representative a statement attributed to Mr. Anthony, Postmaster-General of Australia, appearing in the South Pacific Post on 7 March 1952, published at Port Moresby. Speaking in the Chamber of Representatives during the debate on the Pacific Security Pact, Mr. Anthony stated that New Guinea should have been annexed by Australia, when the opportunity arose after the war. Instead of that, he said, Australia missed the chance of making New Guinea a sovereign Australian territory and, instead, transferred its authority to Iran, Cuba and Egypt -- there the speaker was mistaken as none of those countries was at that time a member of the Trusteeship Council, although Iraq was represented there -- and any other country sitting in the United Nations Trusteeship Council. Coming from an official, that statement appears to me to be alarming. It denotes a state of mind which is dissatisfied with the present situation and would be willing to change it on the slightest pretext. Of course, Mr. Loomes, the representative of Australia, answered my question, but his reply was very laconic indeed.

We know that New Guinea is a Trust Territory administered by Australia, and that was not the reply which I expected from a representative of the Administering Authority. On the contrary, I expected something to dispel my apprehensions.

I must confess that there are several factors which make me rather sceptical in this connexion. To mention only two, may I recall that the South Pacific Post appears to be a paper with wide circulation in the Territory and, according to page 62 of the report of the Administering Authority, the latter appears to approve of it. If statements such as that to which I have referred are published frequently in that paper, it proves that the Europeans who live in New Guinea and those who govern it are not contented with the situation.

The remark which I have just made is corroborated by an observation which appears in the report of the Visiting Mission of 1953. In paragraph 26 of that report we read the following:

"It" -- the Visiting Mission -- "is aware of the assistance which many of the indigenous people will need in order to establish councils in their areas, but it gained the impression that some administrative officials were not always ready to appreciate fully the degree of political preparedness which had been reached by the people."

I do not wish to dwell any longer on this question. The most effective answer which the Administering Authority could give us would be the inculcation in the inhabitants of the Territory of the essential purposes of the Trusteeship System which has been established by the Charter of the United Nations and the role played by the Trusteeship Council in the accomplishment of that those purposes.

The Visiting Mission which visited the Territory in 1953 has told us about the shortcomings which it noticed in this field. In paragraphs 154 and 155 we read:

"But it did not find in the Territory any appreciable knowledge concerning the aims and activities of the United Nations or of the basic objectives of the Trusteeship System among the indigenous inhabitants.

"The people had been informed of the Mission's visit but with a few exceptions they did not indicate that they understood the purpose of its visit or even had a clear idea of the Mission's identity."

During its twelfth session, the Trusteeship Council adopted a recommendation calling for the furnishing of more abundant information on the United Nations. It can be seen from the observations of the Administering Authority that the efforts made in this field have not reached a very satisfactory stage. These efforts will have to be strengthened so that any ambiguity about the future of New Guinea may be dispelled.

Concerning the political development of the Territory, my observations will refer to the administration in general, the administrative union with Papua, and the judicial organization.

The Administering Authority has affirmed that it is continuing its efforts to develop organs of local government according to democratic methods. However, I would repeat what my delegation stated last year, and that is that the indigenous inhabitants do not participate in the exercise of what might be called the executive power in the Territory. The indigenous population is not represented in the Executive Council and, moreover, this Council is comprised of officials and, therefore, represents only the Administration. The arguments which have been put forward in defence of this idea of the Administering Authority do not appear to us to be convincing. It is difficult for us to subscribe to the idea that the agents of the Administration have only in view the realization of the interests of those whom they administer. That, at least, was the opinion of the representative of Belgium, an opinion with which I take the liberty of disagreeing. Apart from the fact that the officials of the Administration sometimes are unable to analyse the wishes and hopes of the indigenous inhabitants, it is also true that the wishes and hopes of the inhabitants cannot be explained better than by those who entertain and harbour those wishes and hopes.

With regard to the Legislative Council, we must recognize that the indigenous population is represented there, but it occupies a very insignificant place. In this respect, the indigenous population appears to be a poor relation in the Council. Of a total of 29 members, only three are selected from the indigenous inhabitants; whereas the European non-official members are elected by a restricted electoral college, the indigenous inhabitants are, so to say, recruited by the Administration according to a system about which the special representative displayed great reserve. The Legislative Council undertakes the responsibility of making laws which are applicable, in the first place, to the indigenous inhabitants and, therefore, those inhabitants should be able to state their views on everything which concerns them, especially in the legislative field. Accordingly, the number of indigenous members in the Legislative Council must be increased and the procedure of nominating the indigenous members must be abandoned in favour of a system of elections.

Another point which, in the view of my delegation, should be criticized is the administrative union which exists between the Territory of New Guinea and Papua. In fact, this is not just an administrative union, it is a complete union, since the capital of the two countries is in Papua and not in New Guinea. The legislative, administrative and judicial organs are common to the two communities. Questioned by the representative of the Soviet Union and by me on the validity and consistency of such a broad union, the special representative did not think it necessary to give us convincing explanations. He replied to the questions of the Soviet Union representative, and told me that my question had been discussed in the Committee on Administrative Union and, therefore, he need not reply to it. Although that matter is dealt with in the annual report of the Administering Authority, the special representative of the Administering Authority would not discuss that question with me. Therefore, his reply was rather evasive. In any case, it is essential to remember that New Guinea is a Trust Territory, the administration of which is supervised by the United Nations, but that does not apply to Papua, which is an Australian colony. To connect the fate of these two territories, as is done by the Administering Authority, is an attempt to strike a blow at the obligations undertaken under the Trusteeship Agreement.

Last year my delegation gave a sympathetic welcome to the draft resolution submitted by the Soviet Union, which suggested that the Trusteeship Council should recommend the creation of independent legislative and administrative organs in New Guinea. The position of my delegation in this respect is unchanged.

With regard to the judicial organization, my delegation would like to make two comments. The first comment deals with the inequality in the treatment of the indigenous inhabitants as compared with the Europeans. The Europeans enjoy a system of criminal juries, but the indigenous inhabitants do not, and I think the Administering Authority should deign to reconsider this question. My second comment on the judicial organization refers to the Court for Native Affairs, which are relegated to the background. The special representative did not give us any proof of its statutory recognition, but told us that the matter was under study. Here, too, I think the indigenous inhabitants should receive satisfaction.

With regard to economic development, my delegation shares the opinions expressed in this Council concerning the need to make an economic survey of the Territory. This suggestion was discussed at the twelfth session of the Trusteeship Council, and efforts by the Administration are called for in this direction.

With regard to fiscal matters, indirect taxes only supply the needs of the Treasury, and the Administration has not found it necessary to set up a system of direct taxation, including income tax. We all know that the rules of distributive justice are not respected in a fiscal system based only on indirect taxation, which is the French concept of taxation. Indirect taxes affect all sectors of the population without discrimination, and they increase the poverty of the poor and allow the rich to become richer.

Economic and commercial activities in the Territory are based on the existence of European companies which have gone into business there. These are the only companies which profit by the present fiscal system, which should be changed.

Approaching the land tenure system, my delegation was struck by the fact that the natives set great store by their ownership of land and tend to recover alienated land. The Trusteeship Council adopted a resolution to this effect last year, and it was inspired by the report of the Visiting Mission. On page 97 of the report, the Administering Authority does not reply to the Council's resolution in a clear and precise way.

It is, moreover, to be noted that land registration operations are not carried out in the Territory, and therefore property is not safeguarded in an adequate and irrevocable way.

As to the social development of the Territory, my delegation is surprised that there is no social legislation. This comment was made last year. The Administering Authority did not find it necessary to follow it up.

The labour legislation in force gives rise to much criticism. It does not protect the rights of workers completely, since half of their salary is paid only after the expiration of the work contract concluded for two years. This system tends to prevent specialization by the workers in a particular branch of industry or commerce. In all countries of the world, and especially in the so-called Western world, the worker is entitled to receive all of his salary -- taking into account various amounts which are withheld. These elementary truths cannot be ignored on the pretext of protecting the interests of the workers themselves.

The native population of the Territory is subject to restrictions on its movements, either from one part of the Territory to another or even within a particular city. This curfew appears to us to be discriminatory and goes counter to generally admitted principles. After all, the natives are living in their own country and cannot be subjected to such measures. If the Administration has difficulty in maintaining order, it has only to increase the police.

The same observation is to be applied to corporal punishment, the inhuman and anti-social nature of which I should like to stress here. Corporal punishment should be eliminated from the penal system of the Territory. The Trusteeship Council had expressed this wish, but the Administering Authority did not deem it necessary to carry this out.

In the field of education, my delegation has noted the diversity of school establishments, some of which are designed for Europeans, some for Asians, and some for natives. Here, too, we have an example of discrimination which appears to us to be unjustified. School curricula do not appear to be on a level which would permit the native population to develop its knowledge. A system of scholarships does not exist. On the whole, the school system is based on a distinction drawn between the various races. It is unnecessary to repeat here that racist theories, whenever they have arisen in any part of the globe, have brought with them only ruin, misery and desolation.

It seems that the Administering Authority considers that, from the point of view of education, the native population is in such a backward state that it is necessary to feed it education in small doses; that the Asians can support a somewhat more developed system of education; and, as for Europeans, let us not speak of them! The Western system of education is their home field.

The special representative, commenting on one of my questions, said that in forty or fifty years the native population would not be sufficiently developed. To answer this, I would repeat the famous words of Victor Hugo: "The future, Sire, belongs to no one."

Mr. Krishna MENON (India): When we adjourned the proceedings on the subject of New Guinea last Thursday^{and} my delegation, along with the delegation of Syria, asked that our observations on the subject be postponed until today, there was some doubt as to whether we were not delaying these proceedings and whether that much time was really necessary. Having spent the week-end on the preparation of these observations, I am bound to state that, if we were to do justice to the examination of the problem of New Guinea, we should probably have to devote several weeks to it. I therefore want to say at the beginning that such observations as I shall make this afternoon will not in any way be complete, certainly will not satisfy us as a delegation, and will not be adequate to the kind of examination that should be brought to bear upon this subject.

I should also like to add the further observation that one must not approach this from the point of view of either criticism or adulation, but of appreciation. That appreciation has to be realistic; it has to be related to our own sense of duty and our own sense of integrity.

However, my delegation finds this a not altogether happy task. Of the two main parties concerned in this matter, one is the population to whom the country belongs. It happens to be their home. But they are not here. We hear their voice very indirectly, and what we hear does not perhaps reflect their true sentiments -- not necessarily because of distortion, but because of the very circumstances of the case. The other party concerned is our sister state, the Commonwealth of Australia, with which we have very intimate, very friendly and very neighbourly relations. We are concerned with the fact that the Administering Authority lies in the Indo-Pacific area of the world, whose future very largely lies in the association with non-European peoples in that part of the world. The Australian people, like all other European peoples, have come into contact with the population of New Guinea and of other Pacific Islands not as part of a mission of civilization, not as part of a mission of purveying any benefits to them, but in the historic process of the advancing conquest of empires.

About seventy years ago, the Germans, in their pursuit of living space, advanced into various parts of the world, "opened up" -- as they called it -- Africa, and took possession of various islands. Now, the visitations of European nations into these areas have always been the vicissitudes of war. First, it was the conquest of these islands which made them part of the German territory. Then British power came into the Pacific, into these islands, not because there was any particular call from the people in what is now called New Guinea, not because there was any urge to go and improve their standards of living, but because, in the natural and historic processes of war, the outposts of the enemy had to be battered, and therefore New Guinea became the battleground in the conflict between the then British Empire and the German forces.

At the end of that war, the idealism that brought about the League of Nations, together with President Wilson's intervention in regard to the colonial question, created a system which was then called the system of mandates. It is necessary to refer to that because it bears a direct relation to other problems of the administration and the responsibilities of the Administering Authority to the populations over which they exercise sway.

Let me say very briefly that the mandates system is a proclamation of the abandonment of empire. It is quite true that it does not go so far as some of us would like it to go. But its essential basis is not that a colony should be better or worse administered; its essential basis is that it should be a departure from colonialism. And therefore, between Papua and New Guinea, as it is now called, there is not merely a difference of gradation of administration, but a difference of category: one is a colony, the other is something that is not to be a colony.

Therefore, when the Mandate System was introduced the idea was that these populations were regarded by the others as not being able to stand on their own feet -- and indeed the historical circumstances proved that they could not stand on their own feet, because the superior civilized people invaded them so many times and dispossessed them of their lands -- and the authority that was exercised over these people became one in the way of service which, owing to their weakness in economic, political and social matters, was exercised in the form of authority.

In this Council, delegations like my own are in a minority. We are not an Administering Power. We view the rule of one nation over another or of one race over another from a different angle. We feel that we have a sense of responsibility with regard to these absentee peoples which is rather different from that of the Administering Authorities. We by no means play down or do not give adequate value and importance to the work that is being done by large numbers of civil servants, administrators, members of Parliament, and others in the metropolitan countries, who I have very little doubt are inspired by the best of motives and who, by a great deal of self-effacing and devoted labour, try to serve these populations. But that should not remove from our minds the facts of the situation in order to examine this problem as it is.

The second aspect of our approach to this problem can be described in another way. I think it is always useful to look back at the Charter and to recall to our minds various phrases by way of answer. The way of answer to any criticism from the Administering Authority usually is that the peoples are of the lowest standards of civilization; therefore they are to be segregated; therefore they cannot exercise authority; therefore they cannot be educated, and so on. Article 76 of the Charter talks about respect for human rights and fundamental freedoms for all. In other places the Charter also speaks about the reaffirmation of faith in fundamental human rights. I have read through the Charter many times and I have not found anywhere any reference to Western rights or Eastern rights, European rights or non-European rights, Asian rights or African rights -- it is always human rights. Now if the framers of the Charter and those who were responsible essentially recognized this difference in civilization as being put on different shelves, why did they not say so?

Therefore, as far as this Organization is concerned, we know only one civilization, a human civilization, and in that human civilization there are various trends. My delegation looks at it as the continuation of a dynamic character. We know of no superior civilizations and of no inferior civilizations. We know of different civilizations. We know of different contributions that they make. What is more, we know that the quality of any particular civilization at a given time is not necessarily determined by the objective factors that go into it but by the values that we put on it. Therefore, it all depends on the sense of values to be placed on it. I say this because running through the Administrations of all these Territories is the subconscious background of trying to civilize somebody else and that civilization is always dealt with in terms of other persons who have the physical power to do so.

Now all of this would have very little meaning and would be interpreted in a different way if, because of all this and over a reasonable period of time, the results obtained were of a character which enabled us to see the fruition of the purposes of the Trusteeship System very much nearer.

Now we have several Administering Authorities, and I think it would not be good manners to try to compare one with the other. I am not sure who would suffer by such a comparison. The Territories have all been in tutelage and they continue to be so. It does remain that they have one common factor, namely that they have the wrong end of the stick. They pay for the situation in various ways, but we are always told that the Administering Authority takes the loss in managing these affairs.

Now the approach of the British Authority which originally was responsible for taking over this Territory has been proclaimed to be rather different. I think it must be said to the credit of the British Empire at the time and the Australian Administrator of the day that they had the right idea about it. Therefore, I would like at this stage to refer to that general approach as it appears in the Report on Native Education in the Mandated Territory of New Guinea, for the year 1929-1930. I go back to 1929 because it is useful to compare what progress has been made ^{to} see whether these ideals are still the ideals

that govern peoples, and whether they are moving forward. Here we have a report on education in New Guinea, signed by the Director of Education, Queensland, who was responsible, Mr. B.J. McKenna, a very extraordinary man who laid down the conditions under which education should be carried out there. I shall read the introduction:

".....There exists a large native population upon which has been thrust an enterprising trading people, filled with the spirit of business, and bent upon utilizing native labour as far as possible in the development of that business, but imbued with the idea that it is undesirable to educate the natives to any material extent. The hostility of the non-official white residents of the Territory to any system of native education was the most surprising of many interesting features noted in connexion with life in the Territory. The prevailing belief is that any such training makes the native more cunning, generates and develops evil qualities, makes him disinclined to work, and renders him a less pliant instrument in the hands of his master. Any suggestion of appeal to the better side of the native mind is received with derision. The student of psychology should here find a fertile soil for investigation. The adoption of a suitable form of education should demonstrate whether or not the prevailing pessimism respecting the inability of the native mind to react to suitable training is justified. It seems premature to condemn the idea when such training has not yet been systematically or comprehensively attempted."

He then went on to say:

"It is not in accord with the spirit of British Government or colonization or of British traditions to allow a subject native race to remain in subjection without taking reasonable measures to ameliorate their condition. It is the function of the strong to help the weak. Further, the experience of the world shows that a subject race can more efficiently minister to the needs of industry if it is trained on the right lines, and that, instead of being a menace, as some assume, education can become the hand-maid to progress and development."

That is the considered statement of a responsible Australian government official, the Director of Education, Queensland, who went out there in 1929 and 1930. Then he laid down various suggestions, which we should look at today, side by side with UNESCO's somewhat soothing syrup, concerning an estimate of the situation and the general factors obtaining in New Guinea:

"(1) Primary school courses adapted to local conditions....

"(2) Super primary course for selected students destined to become tradesmen, teachers, or to engage in other work requiring a more than average degree of skill...."

Then he went on to state, in defence of his suggestion:

"(1) That it is desirable to make adequate provision for the education of the native population.

"(2) That such education should be of a practical nature, and designed to fit the natives to live their native life under more civilized conditions.

"(3) That, to give effect to (1) and (2), there be established, as funds permit:

(a) Elementary schools at permanent commercial and industrial centres for boys and girls between the ages of six and thirteen years; attendance to be compulsory in respect of those living within a two-mile radius.

(b) A College for the training of native teachers, to accommodate eventually 80 trainees -- twenty to be admitted each year. At the end of four years there will be 80 in training, giving an annual output of twenty."

These were the recommendations made at that time. What do we find in UNESCO's report now? We find the following:

"In quantitative terms, one usually enquires what percentage of the children of school age have the opportunity to attend school. The population of the Territory is over one million, and the school-age group under the control of the Administration may conservatively be put at 200,000 children.

"Education in New Guinea has a long way to go. It is therefore a cause for some alarm to find no advance in total school enrolment for the period (1949-53) and a considerable drop from 1952 to 1953."

The drop in educational figures has been accounted for sometimes by saying that it is due to the improvement in quality. Considering that the total population now in school is about 80,000 or more and the drop in the last year was about 7,000, it does not give us any room for congratulations or hope in this matter.

I have taken this question of education first because there is no time for me to go into all the conditions and aspects of the administration of New Guinea. We are concerned because we are dealing here, as I said, with an Administering Authority who is a close neighbour and friend of ours, who has a great pioneering tradition, who discovered new lands, settled there, built new homes and who has made a great thing out of its civilization; it has made a great contribution to human civilization as a whole.

Here are the figures. In 1948-49 there were 67,000 students; in 1949-50 it became 88,726, an increase of nearly 22,000; in 1950-51 it went up to 90,000; in 1951-52 it went up to 95,000; in 1952-53 it came down to 87,000.

Now we come to the staffing of these Government schools. Seventy six of these schools were staffed by 208 teachers of whom 50 were Europeans. Mission schools were staffed by 3,112 teachers of whom 229 were Europeans. There are 2,643 such schools, that is to say, there is just over one teacher in a school.

Of the present staff the European teachers are highly qualified and recruitment in Australia appears to face no shortage of candidates; Australia is a wealthy country, as all of us know.

The situation is different as regards indigenous teachers. Those now in service are for the most part untrained, and a bare minimum of institutions exists for the training of new teachers. There are two Administration centres producing 12 graduates a year, and this man, Mr. McKenna, asked for a training corps in 1929 to produce 20 teachers a year. There are two Administration centres which produced 12 graduates in the year reviewed and one mission centre where the graduates are not reported.

UNESCO remarks on the situation as follows:

"In view of the gravity of this situation, it may be doubted whether the measures proposed by the Administration are vigorous enough to meet the need." (T/1124, Page 8)

Since there is no European secondary school in the Territory there is provision for Administration assistance to make it possible for parents to send their children to Australia for secondary education. This was extended in respect of 161 children during the year, and this assistance consisted of a grant of 115 pounds per child. This may be found on page 87 of the report.

At this stage may I say that there are various aspects of this report which deal with the Administration as a common factor in regard to the non-Guinean population and to the Asian and European populations. For example, there are sections dealing with suffrage, with secret ballots, with education, with economic organizations; and there are figures given. In my submission, that is rather a misleading picture because this Trusteeship Administration is concerned with the New Guinean population; therefore, if the cost of the Administration of the place is X millions, and out of it a considerable proportion goes into administration, then the minimums which are going to the ruling authorities cannot be regarded as being poured into the Territory itself, so that when we talk about education and scholarship and schools etc., we must take into account that a considerable part of Administrative costs do not go for the New Guineans. For example, if a European officer goes to New Guinea, his children must be educated; it is only fair that it should be so. But then that must be part of the cost to the Metropolitan countries; it has nothing to do with the people. The fact that a few of their masters are educated is no consolation for the people for whom this education is supposed to be devised.

Let us take a moment to deal with the position of the Trusteeship Council in regard to this matter. In 1947-1948, at the third session of the Council, the Council expressed its concern at the inadequacy of educational facilities and the consequent high rate of illiteracy. I think here one should say that it is only 3 per cent of the school-going population in New Guinea that take post-primary education. The Council urged the Administering Authority to push forward with the execution of its plans. Then came the next year 1948-1949,

the fourth session. The Council proposed that access to higher education should not be dependent on means. We had to wait until 1953 before the Administering Authority gave six scholarships. In 1950-51, at the seventh session, the Council recommended steps to expand elementary education. UNESCO was alarmed to find that no advance in total school enrolment from 1949 to 1953 was the case, and it recommended special attention to the training of indigenous teachers. It expressed the hope for an increase in efforts to develop teacher training projects through the expansion of existing facilities. In 1953 our Visiting Mission went there, and the Visiting Mission felt at that moment that the Administration needed to pay particular attention to a large and competent corps of elementary school teachers by the establishment of new training centres. The UNESCO report says that indigenous teachers now in service are for the most part untrained. I read that a while ago.

It appears from what I just read out that at session after session of the Council, in this as in other matters, in the case of New Guinea resolutions are passed. The Administering Authority's attention is drawn to it, and I regret to say that while it is courteously received -- and I have no doubt that the local officials concerned are going the best they can -- in the result there seems to be no advance. The common phrase that is used is that "it is under consideration, the best that is possible is being done." In some cases the recommendation of the Council is looked upon as not being suitable for the genius of the people. We are told that these pupils are not up to the standard of the European population, and that is the reason given for segregation. I do not only mean segregation in regard to the Pacific islanders but also in regard to the Asian and European populations. Of course, there is always a reason for segregation, and the usual thing is to say, "the other fellow does not like to be with the superior races." But whatever that is, a case has not been established for segregation. Segregation is the antithesis of education. Education means giving and taking of each other, understanding each other, meeting of minds. Segregation is the antithesis of all this. There is no real cultural education where there is segregation.

What are the facts. We can go back again to Mr. McKenna and his report. This refers to the years 1929 and 1930, and unless 25 years of trusteeship have lead to deterioration, these factors were better than they are. He referred to pupils in a Rabaul Elementary School undergoing training in Australia. One of them is now a member of the Legislative Council. The following report is dated 7 March 1929 and was received from the Headmaster of the school at which these natives were being trained:

"Re Salin and Lue, the two New Guinea natives attending school.

"Their progress is splendid -- they keep pace with their white school mates. Indeed, their writing and neatness of work are better.

"Their conduct is perfect both in class and outside.

"They are punctual, regular, and polite.

"At sport they are good. In a match against Fairfield School recently, Salin took six wickets.

"The boys are very popular. Personally, I am very fond of them -- they are fine lads."

Unless these are precocious children who have strayed into Australia and play cricket there must be something wrong somewhere in this matter. I submit, and it is the view of my delegation, that homo sapiens wherever he may be found, whether his hair is bushy, whether his skin is white, dark or brown -- they all have the minimum qualities necessary to adapt themselves to nature.

It is their inborn selves and the education that we give to them that enables them to make a contribution to civilization. This Organization must reject once and for all that there are categories of human beings who are not capable of development, of ruling themselves or of adjusting themselves. That would be a negation of all that we stand for and it is that fundamental negation that is responsible for a great deal of the trouble that we have. Therefore, the facts do not show that the reasons given for segregation are valid, namely, that the native and Asian children cannot keep pace with European children.

Generally, we judge the civilized standards of people from artistic acts, their abilities, their general reactions to life and so on. What do we find in the case of these people? First of all, here is an extract again from the Administering Authority's report for 1952-53:

"The practice of artistic skill is usually connected with religion, magic, ceremonial or the marking of affiliation with kinship or other groupings... Where belief in the importance of indigenous elements of this nature has been reduced by contact with outside influences, interest in the practice of indigenous arts connected with such things as the decoration of ceremonial structures and their contents and the creation of objects for wearing on ceremonial occasions or for ceremonial exchange has naturally tended to diminish."

Therefore, instead of this making a contribution to the artistic advance, it is the other way around, according to the Administering Authority.

"The maintenance of interest in art forms, which have often been considered to have considerable value, has become something of a problem, and emphasis has accordingly been placed, in schools, on handicraft work." -- that is to say, what has been rubbed out is not being replaced as quickly as it should be.

"Extensive trade systems existed in many areas in the past, and some of these remain. Examples are to be seen in the Huon Gulf and Markham River areas of Morobe District; in the Mount Hagen area of the Western Highlands District; in Manus District and in New Britain District. Various artifacts,

including pottery, stone axes, wood-carvings and shell-work, some utilitarian, some possessing ceremonial or religious significance, are exchanged between communities for other objects or for foodstuffs. In some cases, European money has now entered into old trade systems."

I read all this out because it is important that we should realize that, in dealing with these populations, countries like ours cannot take the same view that here is either some clean slate to be written upon or some backward civilization to be developed into something new. It is quite obvious, I am sure, that they do not know anything about internal combustion engines or perhaps higher calculus or anything of that character. But these are people who live in communities. They have inherited systems. Here again, if you look at the report of the Administering Authority from page 45 onwards, it speaks about "social organization" as follows:

"The group consists of five villages which are situated within a common named territory... Each village consists of several unnamed, patrilineal, local clans. All those persons who trace descent through males...are considered true blood relatives... The right to live within the group and in a particular village is conferred by birth into the patrilineal clan."

And it goes on to the questions of building rights, hunting rights, cultivation rights, the right of inheritance and the right of alienation, that is, all reflecting a state or social organization that can by no means be regarded as just emerging from primitive biological conditions.

One looks at these educational conditions not because this is a specialist body in education but because it is generally regarded that political progress must follow education. Of course, historically, there is no foundation for this. No people have become educated unless there were political conditions. The classics speak of a great English statesman who said, "Now that we have given the vote to our masters, let us educate them". That is the reason why we have referred to the educational conditions and, having presented these observations, my delegation would like to submit some suggestions.

We come now to the conditions of the people as far as health is concerned. I come from a country where the infant mortality is staggering, but these figures pass all understanding. Infant mortality for the territory amounted to 250 to 300 per 1,000 live births, and in the Middle Sepile area it reached the enormous figure of 454 per 1,000. These figures are for 1950-51. The figures for 1952-53 are not given in the report. One must hope that it has improved.

It is usually believed that in so-called primitive communities maternal infantile mortality due to the comparative proximity to nature is usually lower. It is only when they come into contact with superior civilizations that these things happen. At any rate, here is a situation where there is responsibility for the administration of a territory, and this Organization has the responsibility for the supervision of that administration where these staggering facts have been disclosed.

Fortunately, we have a report from the World Health Organization with regard to health conditions, and it is helpful. I believe that it is not one that arose from inspection on the spot but comes merely from the reports and the printed material available.

We find that malaria is a problem. However, the Administration has taken steps to give training in malaria control, and that is a matter for congratulation. In the experience of my own country, malaria today has become subject to very effective control and is almost eradicable.

It is also noted that tuberculosis has received attention from the health authorities and the WHO has a good word to say about it. The disease of yaws, in regard to which the United Nations World Health Organization has had such success in the South East Asia region, where it has practically been eradicated in the Malayan areas of South East Asia, still seems to affect these islands very considerably.

There is an extension of child health services with regard to which we also offer our congratulations to the Administering Authority.

There is one feature of these islands to which I shall refer again, namely, that there is no evidence of malignant malnutrition. This is a matter of some social importance because, contrary to the impression that may be given, these are wealthy lands which produce the coconut palm, cocoa and tea and which grow fruits and grain. These lands have considerable mineral wealth and Western New Guinea, with which we are dealing, is by no means a backward territory. It is quite true that there are no phosphates but it is a very, very wealthy area.

The question of this nutrition is very largely conditioned by this factor of natural wealth. Therefore, one looks from there to the general condition of the standards of life of the people. We have available material submitted on this, but I will take only one factor, wage conditions. The wage conditions in New Guinea are not capable of exact assessment in money terms. In considering wages in any community of this kind we should consider the wage of the average general labourer. It is no use looking to the labour of the skilled workman or the expert carpenter who is paid £5 a month. The average labourer is presumably what might be called the bulk of the labour force. His wage is one Australian pound a month. To that must be added the rations, the food, the clothing and so on that he is given. That is estimated at somewhere about £7.10s.0d a month. If you include all those terms, it works out to just over two Australian pounds per week. The factor to be taken into consideration is that the bulk of this man's food, clothing, utensils and other things that are provided for him comes from Australia. That is important. Therefore, out of the £7. that are spent on him, a considerable part goes back in the invisible import of transit, manufacture, profits and everything else. Actually, therefore, the real remuneration that goes to this chap is very, very small.

And one finds that the labour force in this country is not only a small labour force compared to the population, but it is also a seasonable one.

Over and above that, while we read that there is no direct taxation, which is a fact for congratulation, and no poll-tax -- a most hateful custom in Africa -- there are plenty of indirect taxes and, what is more, when we go to the village councils we find that these councils impose taxes. And what is the rate of taxation? The Baluan Village Council tax for 1953 was £4 for all able-bodied males over the age of seventeen years. But I have just said that the monthly wage for the unskilled labourers is £1 per month, and for skilled labourers, £5 or so; and they have to got to pay £4 a year in taxes. What is more, all males over the age of seventeen years who, for reasons of infirmity, are unable to pay the full tax, are to pay £2, and all females are to pay £7. Presumably, therefore, in a family the taxation may be somewhere about £6 or £7, or even more. So, while one part of the book tells us that there is no direct taxation, in another part we find that taxation comes through these village councils. However, that by itself would not be an argument for not establishing representative institutions.

As I said a while ago, these Territories came under Australian administration as a result of the First World War. The Mandate for its administration was conferred upon Australia in 1920. The Mandate System provided for three classes of Territories, A, B and C, and this was a "C Mandate". Because it was a "C Mandate", at that time there were special provisions for treating this Territory as an integral part of the other. I submit that it is a matter of great importance to the whole consideration of this problem that these A, B and C Mandates have no longer any relevance. The Trusteeship System replaced the whole of this business, and we have now a situation where a Territory is a Trust Territory or it is not, and the purposes of the Trusteeship System and the Agreement are set out in Article 76(b), and that is the article that governs everything:

"b. 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 as may be appropriate to the particular circumstances of each territory and its peoples..."

I should like to reread this part of the sentence more carefully: "... and their progressive development towards self-government or independence as may be appropriate to the particular circumstances..." There is great play on these words, "as may be appropriate to the particular circumstances" and, as it has been sought to be interpreted, it means that both these things can be ruled out. The appropriateness^{is}/between the alternatives of independence and self-government. If you read the notes of the debates in San Francisco on this subject, it will be quite clear.

Then, this Article talks about "as may be appropriate to the particular circumstances of each territory". The alternative is between independence and self-government, and not on the general issue of indigenous participation and self-rule as such, the idea being that there are Territories -- British Togoland is an example -- which are viable and must be ruled by somebody else, particularly in the case of New Guinea on account of proximity, or historical circumstances, or inability to stand on their own feet against external aggression. But the fact that this may be appropriate in regard to particular conditions is not an argument for negation of self-government or not making progress towards it.

Now, what is the situation in regard to this Territory? The question of the implementation of Article 76(b) can be looked at from the point of view of political institutions, native structure of government, the participation of various strata of the population, and the functions of government, and here, again, without any offence, and with the greatest respect, I want to analyse this structure of government. It is a bit incongruous to speak about these Territories having executive councils and legislative councils.

Let us look at this Executive Council in the full configuration of its aspects. What is the Executive Council? The Executive Council is a meeting of the subordinate officers with the Administrator of the Territory. It is the same thing as dozens of meetings that go on in this building -- staff meetings. That is to say, the head of a department calls in his other executives, but that does not become an Executive Council. An Executive Council suggests the idea of execution of policy, of direction, of formulation; in this case, the head of a department calls in the executives in order that there may be co-ordination and exchange of views. I am not saying that this is not important -- it is very important for administration -- but it is a staff meeting, so, while it is

called by this glorious name of Executive Council -- and there have been Executive Councils of greater prestige and power -- the sole authority in this case is the Administrator, who has been appointed by the Government of Australia. I am not saying it is a bad thing in its own, but to suggest that this is something midway between a kind of self-governing institution or a Cabinet government, or a Ministry, or anything of that character, would be far beyond the mark. There is a head Administrator, and his secretaries of finance, or forestry, or agriculture, or whoever they may be, and they all come together, and that is an Executive Council; but even they, it is quite clear, have no functions apart from what is delegated to them. They can be overruled by the Government; they can be overruled by the Government of Australia and, in any case, it is right that they should be overruled because their responsibility is to the Government of Australia, not to the people. Therefore, it is quite right that those who hire them have the right to fire them. All I want to say is this, that these rather high-sounding names, like Executive Councils, etc. must be put in their proper context. It is merely a staff meeting with the Administrator.

Then, we have the Legislative Council, and the Legislative Council is no parliament. It makes no legislation; it is merely an enlargement, a penumbra that is provided for this staff meeting. And in this Legislative Council we talk about elections. Elections of whom? Elections of European settlers, to whom Mr. McKenna has made reference before; that is to say, the suffrage is for the European population who select the names, and out of these twenty-eight or twenty-nine people are three from the indigenous population, one of whom comes from Papua. There are two from New Guinea appointed by the Government in order to represent the indigenous population. Two out of twenty-eight mean, I suppose, one to about 300,000 of the population, and they have no power and they decide practically nothing about the Legislative Council. If this were in 1919 or 1920 it would be understandable, but it has been going on for thirty-five years in this way. It proves one of two things: either there has been no advance, or this system is not capable of making advance. If, in thirty-five years, this is all we can get, then there must be something wrong in the direction of this business altogether. While, for 8,406 Europeans there are sixteen representatives, for the indigenous population there are two

representatives for 1,143,000, who are the indigenous population's nominees appointed by the Government. And that is participation of the indigenous population, which is on the basis of the Papua-New Guinea Act of 1949-50, which has been the subject of serious consideration in this Council.

At the fifth session of the Council, the Council, noting the allocation of only three seats to unofficial indigenous members in the joint Legislature for the Trust Territory and Papua, recommended to the Administering Authority that it should "a. study the possibility of increasing the number of indigenous members of the joint Legislature; b. study the possibility of establishing a separate Legislature for the Trust Territory; and c. give increasingly greater participation in the legislative council to the indigenous inhabitants, leading to the eventual establishment of an indigenous majority in the legislative council." (Supplement No. 4 (A/1856, page 240)) That was the recommendation of this Council in 1949 and, so far as the report reveals, there is still no change.

Then we come to the lower levels, where there are the district and town advisory councils. These councils are non-statutory. They are, I suppose, consultative meetings in a way. I have no doubt it is of some value when people meet together, but these councils cannot be regarded as part of the governmental machinery or as likely to contain the germs of the future local or State parliament or any kind of organization. I do not say this future organization necessarily should be in the form in which it is in Australia or anywhere else.

The annual report states that:

"These councils deal with matters predominantly of non-native interests and membership has so far been confined to Europeans and Asians."

That is to say, the district advisory councils have nothing to do with the population. The report goes on to state:

"The interests of the indigenous people are adequately protected by the policy of the Administration..."

That is to say, the Administering Authority practically states that the Trusteeship Council's recommendation with regard to the participation of the indigenous population is out of court, is inappropriate, because it states:

"The interests of the indigenous people are adequately protected by the policy of the Administration exercised through all Departments, in particular the Department of District Services and Native Affairs."

The district and town advisory councils, which are non-statutory bodies, have nothing to do, therefore, with the indigenous population, and, following up as it should the views of the Trusteeship Council in this matter, the Visiting Mission examined this question in 1953 and made the following report:

"In this connexion the Mission finds it difficult to understand why, if it is possible to find indigenous inhabitants capable of serving in the Legislative Council of the Territory" -- but only two of them -- "an ordinance-making body, it should not be possible to find indigenous individuals capable of serving on local advisory bodies, if only, at the beginning, in the capacity of observers. It would seem worthy of consideration, as one aspect of long-range policy, whether the incorporation of indigenous representatives in political institutions is not more smoothly and satisfactorily achieved at an early stage rather than later as a more

or less unavoidable concession to a sharpened conflict of interests between the two sections of the population."

I should like to draw attention to that part of the sentence.

"The Mission hopes that the Administering Authority will use its influence with the local European inhabitants involved who appear to be hostile to such a suggestion."

That part, again, is something which should attract the attention of the Council, whether the Administration is finding itself in difficulties with its own partisans, with its own population. Administrators usually in all countries, irrespective of political and other views, have a great deal of sympathy and understanding with the people over whom they rule, and it is found that in some of the African colonial areas it is the settler population which is hostile to progress. The Visiting Mission's observation here seems to contain that suggestion.

"The Mission hopes that the Administering Authority will use its influence with the local European inhabitants involved who appear to be hostile to such a suggestion."

That is rather borne out by Mr. McKenna's statement in 1929.

Then there are the native councils. From my reading of the annual report, this Territory consists of five or six main groups and four or five hundred islands. These islands do not possess adequate means of communication and in the main they must be self-contained. In spite of this, there are only six councils in the whole of this area after nearly thirty years of mandatory and trusteeship rule. The report states:

"These councils, which are established under the provisions of the Native Village Councils Ordinance 1949-1952 are empowered to legislate for the peace, order and welfare of the indigenous community in the area and to provide local social and public services."

The report goes on to say somewhere that the capacity of these people to be regarded as good members of these councils depends very much upon their ability to collect taxes. If a man is able to collect taxes, then, of course, he is a good councillor. Otherwise, he is not, according to one of the reports I have seen. The election of members to the village councils is by the local and secret ballot, mostly on a proportional representation basis. I would ask, if it is possible

for populations to understand the complexities of proportional representation, surely they must be able to function in a council very much more than seems to be the case here. The qualifications of franchise are contained in the Native Village Councils Ordinance, relevant sections of which read:

"Subject to the next succeeding sub-regulation, where a proclamation makes provision for the election of some or all members of the council by ballot, the following categories of native shall be eligible to vote:

"Any native who has paid council tax in respect of the financial year or who is deemed to be liable to pay council tax;

"All adult natives resident in the area shall be eligible to vote in the initial elections."

The quality of these councillors, whether a man will be a good councillor or not, depends on his capacity to see that his taxes are properly paid. However, and this is the hopeful aspect of it, the Administering Authority does believe that it is necessary and useful to bring about administrative capacity and to extend the system. The report states that efforts are continuing to be directed toward the development of local government on democratic lines, and it lays down as the most suitable method of training the indigenous inhabitants the taking of a more responsible part in the government of the Territory. Therefore, there is really no conflict of principle; the only question is that it does not get done. The Australian Administration believes that the most suitable method of training of native peoples is to let them have responsibility, and the question is whether or not responsibility can be given to them. If the answer is that they are not capable of taking responsibility, then, again, the Administration states in the annual report:

"On the whole, the standard of executive work in the councils has steadily improved and the degree of organizing ability displayed on occasions has been remarkably good."

That is much more than can be said of a great deal more advanced countries.

"In contrast to the attitude of two years ago, the executive committees of Rabaul, Reimber and Vunamami are tending to think more for themselves"

-- I hope they do not get into trouble for that -- "and to implement points on their approved annual programmes without waiting for suggestions from native authorities officers. They have made mistakes and will no doubt make many more. Progress is evident despite lack of education and inexperience in administrative and financial matters...

"Various procedures have been adopted as a guard against the councils becoming separated from their people. To Melanesians impersonal government is unfriendly government."

That is an interesting thesis, because if the Administration believes that impersonal government is unfriendly government, then there can be no reason whatsoever for postponing the advance of indigenous participation, even if there are risks, because surely the Administration does not want unfriendly government. The report goes on to state:

"All councillors are required to form their own village advisory committees and to consult regularly with their constituents. In addition, each council convenes two or three general assemblies each year, and the people are encouraged to voice their criticisms and suggestions."

That seems to be slightly more than a great many members of parliament do in advanced countries.

"Thus far the attitude at these meetings has been eulogistic, rather than critical. Constant emphasis has been placed on the council being the people's council with their future progress dependent to no small degree on the council's ability to carry out its functions adequately. The continuing ability of the councils to collect taxes is a searching test of their stability."

The Visiting Mission, referring to these councils, states:

"The Mission is firmly convinced that a speedy development of the village council system will do much to hasten the political advancement of the Trust Territory. It is aware of the assistance which many of the indigenous people will need in order to establish councils in their areas, but it gained the impression that some administrative officials were not always ready to appreciate fully the degree of political preparedness which had been reached by the people."

So there is a great deal of common ground between the Administering Authority, the desires of this Council and the findings of the Visiting Mission.

Our difficulty lies in the fact that we do not seem to be moving forward from these beliefs and these general ideas toward the establishment of a situation in which the vast masses of this population will take some part in the administration of their own country. This does not mean that they should be separated from Australia or that the Australian Government should not continue to give them assistance, or anything of that character. That is part of the trusteeship arrangements.

Then we come to administration -- and there, I think, the picture is much darker. I am not simply using an epithet when I say that the form of the administration in this place is a bureaucracy. No doubt this is in many ways an enlightened bureaucracy, a painstaking bureaucracy. I believe that European administration, when it goes into these tropical and other areas, is subject to great hardships as far as the personnel is concerned -- and, from among them, come a great many men of ability and sympathy and understanding, of very humane qualities. But the fact does remain that it is a bureaucratic machinery, isolated from the hearts and minds of the people. A subject population has thoughts of its own which are secret to itself, and no ruling class ever understands them.

The Administering Authority, said the eighth session of the Trusteeship Council, should take all necessary steps for the training of the indigenous inhabitants in order to enable them as soon as possible to fill more responsible posts. The Visiting Mission endorsed this and said that a strenuous effort should be made to train indigenous persons for the technical services that the Territory needs.

On 30 June 1948, in Papua and New Guinea together, there were 1,022 Europeans in these services, and 9,272 indigenous persons. Naturally, the indigenous population will be filling all the lower-paid ranks of service. In 1949, the European service goes up to 1,174, while the indigenous figure remains at 9,580. In 1950, the indigenous services go up to 10,000, and in 1953 come down to 9,712, while the figure among the Europeans has gone up to 1,447. The increase in the European service is about 40 per cent, while that of the indigenous service is about 5 per cent.

Now, whatever may be the theoretical arguments in regard to the exercise of political power and of the franchise, perhaps surrendering superior authority I am not for a moment agreeing with it -- but, supposing for a moment that we agree with that for the purposes of argument, it is very difficult to see why, if this population is trusted, there cannot be a practically wholesale transformation of these services -- perhaps I should not say "wholesale", but a considerable transformation of the services -- so that responsibility for administration can go to the indigenous population.

Probably none of us here, except the Australians and some of the members of the Visiting Mission, knows a great deal about these people. One may not draw inferences from superficial appearances. I myself have had the advantage and the privilege of seeing some of these men when they came to London two years ago in their police force and their armed services. They were as smart, they bore themselves as well, they were as efficient and disciplined and civilized-looking as anybody else. Now, if one were to be frank about it, supposing there were military requirements, supposing it was a question of war purposes, these people would be found to be intelligent. They are probably working electronic apparatus. If they were useful for industry, at lower rates of labour, then their civilization standards would at once be regarded as good. We have read the report of the headmaster, we have the record of the men who are serving in the services. Therefore, there is no racial inferiority here. Indeed, there is none in respect to any race. But, apart from that, these Melanesians and Polynesians and Micronesians are populations which are playing important roles in other parts of the world. In neighbouring areas, the Administration is partly manned by the indigenous population. Apart from the backwardness of education, probably the backwardness of trust, probably competition, and probably a considerable amount of racial prejudice on the part of the settler population, I can see no reason why there cannot be a considerable expansion of the administrative services of the population of this country.

Now, apart from any question of the ethical aspects of this, and even from a purely rational point of view, and from the point of view of pure prudence, when you have this large population -- with some of its members recruited into the police and no population in the country today immune from the impacts of thought and ideas in other parts of the world -- what safety can your foreign administration have among a people if, as it has said, it is isolated and the Melanesians do not like impersonal government?

Therefore, even from the point of view of security, even from the point of view of general stability in the area -- and it is part of the responsibilities under the Trusteeship System that conditions should be such as to promote peace and harmony in the area -- and even, therefore, from the point of view, as I have said, of sheer prudence and of practical administration, we hope that the Administering Authority will find it possible to tell us in the next report something a little more than we have been able to find in this report. Of course, I would point out that what we do find in this report is courteous: it never says, "We shall not consider". Things are always "under consideration", but it never goes any further.

Thus we come to the point as to what is to be done about this. My delegation believes that this question of New Guinea will have to be the subject of elaborate discussion by the General Assembly at its next session. We would request that some consideration should be given to the further planning of these developments. That is, we hope that the Administering Authority will be able to tell us, in its own wisdom, the kind of graded progress it can make towards universal literacy, towards the compass of education to which Mr. McKenna refers, towards indigenous participation and towards the services being largely manned by the indigenous population. But unless there is some target -- I shall not say a single target, but a series of targets -- laid down it is unlikely that the Administering Authority itself will be able to get over the obstacles of inertia, administrative difficulties, obstruction from the settler populations and all the other things that go with any normal administration. Therefore, we would submit that, with the assistance of the specialized agencies, and as provided for under rule 105

of these rules of procedure, the Trusteeship Council, in discharge of its responsibility to which I shall refer in a moment, should be able to have the Administering Authority make it possible for us to consider along with it -- after all, the Administering Authority has to effect the actual implementation since we have no responsibility for administration -- a planned development as a result of which, over a period of time, there will be in this area no illiteracy but the compass of education that is being referred to, and the security of a guarantee against instability to which the Charter looks. We hope that it will be possible under the rules of procedure, and under rule 105 especially, for us to consider, when the report comes back, advising the specialized agencies to co-operate in this matter in the best possible manner, but of course the initiative and the greater part of the effort has to come from the Administering Authority.

I hope that there is nothing in what I have said which might convey to my colleagues from Australia any feeling that is is a kind of unbalanced criticism. We have been very disturbed about having to make this statement, and no one knows it better than our Australian colleagues. It largely arises from the fact that this Territory's relations with Australia came into being in a period punctuated by two great wars, with Australia having great social and economic problems of its own, and these divisions that arise in the background of this distinction in the assessment of civilizations -- what is good for some people and what is not good for others -- which have become grounded deep in people, are also very largely responsible.

Finally, I should like to say that these populations are, from what we can see from this and earlier reports, among some of the finest peoples in the world. I was interested to look at the crime record in this report. All sorts of crimes take place in the Territory. There are sex crimes, pilfering, larceny -- everything -- but the incidence of crime is not any more for the indigenous population than for the Europeans, whether it be rape or murder, theft or larceny, or anything else. There is only one difference, namely that more Europeans than indigenous inhabitants are convicted for drunkenness. That is the only difference I have seen. Therefore there is nothing to justify regarding these populations as backward, criminal, under-developed people. Crime reports are a good indication of the social stability and moral approach of peoples.

The Trust Territory of New Guinea and the Colony of Papua, as we know, are ruled by the same Australian Administrator. The so-called Legislative and Executive Councils, although they have no real powers, the judges, the police, the public services and budget are one and common to both Territories. It is typical that the Headquarters of the Administration of the Trust Territory, is not on New Guinea but on the Territory of the Australian Colony of Papua in Port Moresby.

Members of the Council heard the statement of the special representative of the Administering Authority on 18 June to the effect that the policy of the Administering Authority in respect of the Trust Territory of New Guinea and the Colony of Papua is completely identical. Accordingly, we see that the Administering Authority extends its colonial policy in Papua to the Trust Territory. This is obviously a contradiction of the Charter and the Trusteeship Agreement where the special status of the Trust Territory is defined and where the tasks and purposes of the Trusteeship System are laid down.

Reports appearing in the Australian press, some of which have been quoted here by the representative of Syria, bear witness to the fact that in Australian ruling circles there is a tendency openly to annex the Trust Territory and to convert it into a colony similar to Papua.

Speaking of the political situation in the Trust Territory, it is necessary to point out that, after thirty-four years of Australian rule in New Guinea, a considerable part of the population of the Territory which lives in the so-called prohibited or restricted areas, resists the Australian Authority and distrust the measures instituted by it. The so-called peaceful penetration is carried out with the help of special patrols equipped with firearms. The Council remembers that, at its third session, the question was considered of the armed attack of one of these patrols on the indigenous inhabitants. As a result of the use of firearms by the patrol against the unarmed and defenseless population, several natives were killed and wounded. At the present session, we were informed about a new clash of the patrols with the population, as a result of which many natives were arrested. Thus we see that the so-called peaceful penetration is in fact an armed, forcible seizure of those regions which were not yet subjected to control of the Australian Colonial Administration. All of this indicates that the Australian Government is implanting in the Trust Territory the same kind of colonial regime that exists in its colony of Papua.

This is also proved by the fact that the indigenous population of the Trust Territory is completely without rights in the political aspect and does not have any participation in the ruling of its country. All power and authority in the Trust Territory is concentrated in the hands of the Australian Administrator and his Australian subordinates, which use the backward tribal system and call upon the tribal chiefs for assistance. For these purposes, the Australian regime encourages and maintains this backward tribal system and does not take any measures for the establishment of democratic organs of self-government.

In the Legislative Council at the present time, as was already pointed out here by other members of the Council, of the twenty-nine members there are only two indigenous inhabitants of the Trust Territory; and these two members are not elected by the population but are appointed by the Administering Authority from those people who represent Australian district officials. The special representative told us that, in the near future, the Administering Authority does not intend to increase the number of indigenous members in that Council. Thus the Administering Authority, carrying out a policy of racial discrimination against the indigenous population, refuses representation to the indigenous population even in such an organ as the present Legislative Council, which is deprived of its rights. As we know, any of its decisions can be abolished or revoked by the Administrator or the Administering Authority.

Further, the District and City Advisory Councils consist only of Europeans. The local population is completely removed from participation in these councils although the activities of the councils affect the production of copra and other economic activities, education, public health, conditions of hiring local labour, housing, water supply -- that is, such questions which affect the interests of the local population in the most direct way.

Such an abnormal situation exists because the Administering Authority carries out a policy of racial discrimination. It supports European colonists who are hostile to any thought of giving the native population participation in the organs of government.

In the economic field, the situation is characterized by the domination of the most primitive kind of barter economy among the indigenous population, an economy in kind. This is characterized by the agreed penetration and the implanting in its economy of European colonists and companies which exploit the natural resources and the indigenous population of the Territory.

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The standard of living of the indigenous population of New Guinea is exceptionally low. According to page 78 of the report, "The available evidence shows that the general level of nutrition of the indigenous population is low". The majority of native workers receive a salary of about sixteen and a half shillings a month, according to page 168 of the report. For this amount it is possible to purchase three boxes of matches, and a worker receiving such a salary would have to spend more than his monthly wage to buy an ordinary shirt. It must be remembered that the majority of the indigenous inhabitants have no actual income, and their situation is even worse than that of the labourers. They are doomed to a constant state of semi-starvation. In spite of the fact that the majority of the indigenous population, as I have said, receive no income in money, the Administration has established a tax system which takes no account of the capacity of the people to pay. We know that the Village Councils collect a tax from the inhabitants. An example is given concerning the Village Council in Baluan which, in 1953 established a tax of £4 for each male over seventeen years of age. For non-payment of the tax a fine is imposed amounting to £5, or a prison sentence, or both.

It should be pointed out that the Administering Authority continues to practise a policy of alienation of land from the indigenous population for the use of European settlers. A Land Development Board was set up to assist European colonists in obtaining land. The special representative stated here that this Board did not include a single native member to represent the indigenous population. The Board deals with the creation of areas from the best lands for the benefit of the European settlers, and so-called ownerless land is sold for this purpose, as well as land which the Administering Authority declares surplus as far as present and future needs of the people in any area are concerned. The portion of land alienated, according to the report, is increased every year; in 1949-50 it amounted to 915,000 acres, and in 1952-53 it amounted to 1,074,347 acres. At the same time, land leased to European settlers increased to 180,000 acres as compared with 175,000 acres the previous year. Moreover, the Administering Authority carries out a policy of alienation of large timber lands. At the present time the Administering Authority has forests covering 527,000 acres, and it plans to proclaim forestry reserves of 63,000 acres in the Bulolo Valley, 60,000 in the Sepik area, and

a large area at Oomsis is being investigated for acquisition. This information appears on page 55 of the report. At the same time, the report states that, during the year under review, foreign companies have received permission from the Administering Authority for the exploitation of timber areas covering over 200,000 acres. These actions on the part of the Administering Authority show that its policy is directed not towards developing the economy of the Territory in the interests of the inhabitants, but in the direction of assisting the European settlers to establish conditions which are attractive to foreign companies.

The colonial policy of the Administering Authority is also indicated by the fact that the indigenous population is deprived of basic rights; they are deprived of freedom of movement and of labour, and the rights of the population are not safeguarded in the Territory, in spite of many resolutions of the General Assembly and the Trusteeship Council. We find that corporal punishment is applied only to indigenous inhabitants. There are ordinances restricting the movements of the native population; in their own country they are required to have special passes in order to go to another area or to leave their houses between 9 o'clock at night and 6 o'clock in the morning. During the year under review 138 natives were sentenced because some of them lived outside their area or were found without passes in the hours between 9 in the evening and 6 in the morning; others were found in the city without work. The natives are prosecuted and punished by the Administration for wearing clothing which the Administration considers illegal. For the unlawful wearing of clothing seven persons were sentenced during the year, according to page 127 of the report.

As regards public health and education, the situation is quite unsatisfactory and the Administering Authority takes no measures to improve it. In the Trust Territory various diseases are widespread. Pneumonia is one of the chief causes of death, and deaths from tuberculosis increased from 69 to 91 in the year under review. Deaths from malnutrition increased from 21 to 48; that is more than twice as many as the year before. This information is to be found on page 76 of the report. The rate of infant mortality is very high. The representative of India has called attention to the data contained in the report concerning infant mortality. We are told that, in past years the rate was 300 out of 1,000 in a year. In the Sepik area the figure was 450 to 1,000; that is, almost one-half of the number of children born died without reaching the age of one year.

The number of hospitals and medical personnel is quite inadequate. For a population of 1,100,000 there are only thirty-six doctors, among whom there is not one from the native population. Many areas are completely lacking in medical services and the existing hospitals are poorly equipped and poorly housed, a fact which is recognized by the Administering Authority itself. However, in spite of the completely unsatisfactory condition as regards public health facilities, the Administering Authority does not appropriate even the minimum amount required for the needs of public health. Moreover, the expenditure for this purpose is not increasing but, on the contrary, decreasing.

It can be seen from page 104 of the annual report that, compared with the previous year, the total expenditure on public health in 1952-53 decreased by £140,249.

That the Administering Authority is not doing anything for the enlightenment and education of the indigenous population is attested to by the fact that, after Australia has governed that Territory for more than thirty years, New Guinea continues to remain an almost completely illiterate country. It is stated in the report that the percentage of illiteracy is high, and, as we can see from the information given by the Administering Authority, only one-fifth of the population of school age attend the elementary schools conducted by the Administration and by the missions. The Administering Authority is completely unconcerned about the development of education, the establishment of secondary schools and institutions of higher education. The compilers of the report have made an unsuccessful effort to justify the inactivity of the Administering Authority in this respect and its intention to maintain at the lowest level the education of the indigenous population. On page 99 of the annual report it is stated:

"Generally speaking the great majority of the indigenous population has not yet reached a level where they can fully understand the values of European civilization. To introduce secondary education on a wide scale would be to place the wrong emphasis on the educational requirements of the Territory."

It is also typical that during the year under review the expenditures of the Department of Education were reduced by £48,736 and the total educational expenditure was reduced by more than £10,000 as compared with the previous year. That information can be found on page 105 of the annual report. At the same time, it must be remembered that the expenditure on the education of Europeans increases annually. In 1950-51, the expenditure on the education of Europeans amounted to £19,000. In the following year this expenditure had increased to £24,000, and in 1952-53 it had increased still further to £28,000. Of course, one can find nothing wrong in the fact that the education expenditure increased, but at the same time we can see that the expenditure on the education of the indigenous population, that is, the population for which Australia assumed certain obligations, is still further reduced, even though it was already inadequate. In the year under review, the appropriation for the education of the indigenous population was reduced by £47,743, that is, by more than twice as compared with the previous year.

In the magazine, Pacific Island Monthly, for January 1954 there was an article which dealt with the indigenous inhabitants of New Guinea. In that article, the question was raised why so little had been done for these inhabitants since 1945, and it was stated that if Australia wanted to fulfil its tasks in New Guinea then a considerable number of schools for the training of hundreds of indigenous teachers would have to be established. However, as we see, the Administering Authority is not taking steps towards the training of an adequate number of teachers and is not taking measures for the establishment of a proper educational system in the Trust Territory.

Because the situation in the Trust Territory is unsatisfactory in all respects, and in order to ensure the fulfilment by the Administering Authority of its obligations under the United Nations Charter and under the Trusteeship Agreement, the Trusteeship Council should recommend that the Administering Authority should take a number of urgent measures of first priority, including the creation in the Trust Territory of legislative and administrative organs not subordinate to any organs set up on the basis of a union of the Trust Territory with the colony of Papua. The Trusteeship Council should recommend that for this purpose legislative and other measures should be adopted which would ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Territory. In view of the fact that the tribal system now encouraged by the Administering Authority is not compatible with the progressive development of the population towards self-government and independence, the Trusteeship Council should recommend to the Administering Authority that it take measures to ensure the transition from the tribal system to a system of self-government based on democratic principles.

Attention must also be paid to the need for returning to the indigenous population all the land which in one way or another has been alienated from them, and measures should be adopted to prevent such alienation in the future. Measures should also be taken to replace the head tax by a progressive income tax and by a taxation system which would take into account capacity to pay and the property status of the individual.

It is also necessary for the Administering Authority greatly to increase the budget appropriations for education. The Trusteeship Council should recommend the Administering Authority to take the necessary action to provide universal elementary education and to make it possible for the indigenous inhabitants to obtain secondary and higher education. The budgetary appropriations for public health purposes also should be considerably increased.

Mr. MAX (France) (interpretation from French): The fundamental problem to be found in New Guinea has been referred to frequently, so that we can say that the problem has been stated once and for all. However, we must recognize that there are some who prefer theory to fact, and, therefore, I must apologize for repeating what has been already said.

Among the facts generally recognized in this Council is that the geographical conditions are very rugged and that, as a consequence which must be appreciated, New Guinea society is broken up. As a result, the village is one of the largest units to be found in the Territory.

Another question often overlooked is the destructive effect of the war, when even the Administration's staff was broken up. There is a final factor which must be taken into account, and that is the fact that Australia is providing two-thirds of the New Guinea budget. Of course, I am convinced that this burden must be borne, but we must realize that it cannot be carried out ultra vires. I have laid down the basic factors which must be taken into account when considering this Trust Territory, and now I will deal with it from another angle.

I believe that Australia meets with very serious difficulties but has one great opportunity, namely, that it has an almost virgin territory in which to work and does not come up against political problems. The Administering Authority can undertake a programme without having to look at the calendar. It can undertake experiments which have been conducted successfully by other great Powers. And thus my delegation did not think that we needed to underline the fact that notable experiments have been carried on there.

The representation of the indigenous inhabitants in the Legislative Assembly is simply formal. In the educational field, certain progress has been made. The indigenous inhabitants, on the other hand, are not represented in the Advisory Councils. My delegation completely supports the opinion which was stated here by the Visiting Mission of 1953. At the present stage of affairs, we do not see what these Advisory Councils can do of service to the Administration, and we can see how they might somewhat hinder the Administration. The Australian authorities are competent and are greatly devoted to the interests of the indigenous inhabitants. They should not have their hands tied in the exercise of their missions. On the other hand, I think that advisory bodies might be provided for the District Commissioners. This would give the Administration valuable advice.

The essential thing at the present moment would be to set up basic institutions for the indigenous society. The Administration should carry out a programme in this connexion. The Village Councils are a very fine step in this direction, and more should be done along this line in the years to come, especially in the field of education. Quite sincerely, I do not believe that we can proceed any faster at the present moment.

My delegation learned with great regret that the admirable task of pacification met with a great obstacle at the beginning of this year. I should like to express my sympathy to the Australian delegation for this momentary check.

My delegation is pleased to hear of the steps which have been taken for the training of native personnel. In another field, I would point out that certain measures which affect the indigenous population and which seem to restrict their freedom of movement have been taken in order to protect the natives. I do not think that they should be brutally exposed to Western

civilization, which is quite different from what they have been used to. But these measures must be carefully checked upon, so that they may not be turned aside from their original legitimate sense, and these restrictions should be removed as soon as possible.

Concerning corporal punishment, on the other hand, I regret that I was not convinced by the arguments for its maintenance put forward by the special representative.

If we look at the economic progress of the Territory, my delegation feels that the results achieved are quite satisfactory. I believe that great technical progress has been achieved. I think that native co-operative societies are a great success, and very significant.

I was happy to notice that, in answer to a recommendation made last year by the Visiting Mission, the Administration is less opposed to the establishment of an over-all programme, but simply conditions it upon a long-term study.

In the economic field, we feel that plans of this type could be combined not only with social plans but also with political plans. We believe that in New Guinea we can have new formulas which, in avoiding well-known mistakes, will allow us to come up to the normal standard of development of the Territory. We feel that the best way to stimulate the economic development of the Territory would be the development of the Territory as other colonies have been developed elsewhere. We believe that there are many factors of progress there, but we believe that the means available are not sufficient for the vast task ahead of us.

I shall be very brief in my comments on the social field. I believe that the Council will congratulate the Administration for its perseverance in the question of public health and the results which have been attained there. I was glad to learn that the hospitals for the natives have been repaired. We are also grateful to the special representative for letting us know of the measures taken to train medical assistants.

We have heard the statement of the representative of Belgium. I have very little to add. The work carried out by missions in New Guinea is very praiseworthy, and we believe that they make every possible effort with the very small means at their disposal. We believe that the Administration might

help these missions out so as to achieve greater results. I believe that, even on the primary level, there should be a certain number of schools directly run by the Administration.

I was happy to read in the report that the Administration attaches great importance to basic education. In New Guinea, indeed, everything is basic education. I believe we should encourage the Administration to continue along this line.

My delegation feels that, during the year in question, New Guinea under Australian administration has achieved considerable progress, and we must recognize that Australia is carrying out its mission very well. I therefore take great pleasure in addressing to Mr. Jones the expression of my sincere congratulations for his valuable assistance and courtesy.

Mr. FORSYTH (Australia): The special representative will be making a full and considered statement in reply tomorrow. At this stage, I should like to make only a few points, chiefly in connexion with some of the remarks made this afternoon.

The representative of Syria made some comments on the representation of the native inhabitants of New Guinea in the Legislative Council. I would say that the wonder is not that the indigenous representatives are chosen by the Administering Authority, but that some indigenous inhabitants can be found to play a part in a political body of that level at this stage of the development of the Territory.

Perhaps the impression that the Legislative Council is heavily overweighted in favour of European interests should be dispelled. A large proportion of the members of the Council are officials of the Administration, and their principal duty is the protection and advancement of the interests of the indigenous inhabitants, and not primarily the advancement of European interests. In addition, there are representatives of the Christian missions -- and, again, these representatives are more concerned with native than with European interests.

I think the special representative gave convincing replies to questions concerning the Legislative Council and native representation on it, and not least in what he had to say about the introduction of indigenous observers with a view to training as many as possible of the more outstanding native inhabitants in the methods of parliamentary government.

The representative of Syria also seemed to be alarmed by certain statements that have achieved public notice concerning the annexation of New Guinea. Well, I think that, in addition to these statements that have got into the newspapers, we ought to keep the facts in mind.

New Guinea was not annexed. It is not treated as sovereign territory. It was placed under the Trusteeship System by Australia. The Trusteeship provisions and procedures have been loyally observed. We have had two Visiting Missions, one in 1950 and one in 1953. There has been no attempt to keep the Trusteeship Council from seeing for itself that the status of the Territory is being preserved. A separate status is explicitly observed also in the organic legislation of the Territory, the Papua and New Guinea Act, and in all statements of the Government New Guinea's status as a Trust Territory and the distinction of that status from the status of Papua as a sovereign possession is observed, and indeed often emphasized.

I think I can state that the representative of Syria may quote as many newspapers as he wishes, but it is surely more pertinent to pay regard to the official statements of the Government and the responsible ministers.

We were also told this afternoon that New Guinea is a product of the historic process of the expansion of empires; that a primary fact about New Guinea is that it has been a battleground. As regards the second statement, I thoroughly agree. It has been emphasized by Australian representatives here quite often that we must remember that this Territory was completely overrun by a very strong enemy not many years ago. However, we have not been repeating that in recent years because we hoped that we got past that immediate phase of reconstruction. It is true that New Guinea has been a battleground twice within the last generation, but I would ask, a battleground against whom? It has not been a battleground of Australia against the people of New Guinea. It never has been. Until two Australian patrol officers were killed a short time ago in carrying out the process of peaceful penetration, there had not been an incident of that kind for fourteen years. New Guinea has been a battleground, but against whom?

First of all, against expansionist and aggressive Germany in 1914 to 1918, and secondly against expansionist and aggressive Japan in 1939 to 1945, or, effectively for New Guinea, 1942 to 1945. That is when New Guinea was a battleground. We have never fought the people of New Guinea in that Territory.

On the contrary. I would ask two questions. Would the representative of India have had Australia abandon New Guinea to expansionist and aggressive Germany, to expansionist and aggressive Japan? Secondly, had this been done, would Germany and Japan have taken better care of the inhabitants of New Guinea than Australia? I am sure that the representative of India did not mean that they would have, but I ask the question for rhetorical reasons.

We also heard a quotation from a 1929 report by the Director of Education from Queensland. The spirit of the passage quoted sounded very familiar. I think it would be familiar to anyone who has experienced or read much of the colonial administration or read much of colonial history. The passage points out one of the difficulties of any Administering Authority: that the interests of the European business man, or the business man of the colonial Power, is not always the same as that of the indigenous inhabitants. Very frequently, indeed commonly, the Administration and its officials find it necessary to counterbalance European interests and to emphasize the administrator's role of protecting the interests of the indigenous inhabitants. That, as I heard the passage read, is precisely what Mr. McKenna was doing. He was an Australian official and he was, in that passage, expressing the spirit in which our administrative people approach their task of assisting the people in these Territories.

The fact that Mr. McKenna should have written in the way he did is not a criticism of the Administering Authority. On the contrary, it merely illustrates that the Administering Authority and its officials have constantly been ready to defend and promote indigenous interests. The spirit is the same today in this respect as it was in 1929.

As regards the figures referred to concerning school attendance, we have not had time to re-examine the figures that appear in the various tables of the report, but we suspect that there is a question of interpretation of statistics involved here, and it is the intention of the special representative to examine those and to present his conclusions on the subject tomorrow.

Concerning the desire for development and expansion of education, there is no difference between the representative of India and the Administering Authority. We do think, however, that he and some others underestimate the difficulties, the complexity and magnitude of the problems. We think it would be surprising if anyone could assess these without having seen them at first hand, so extraordinary are the conditions which do in fact prevail in this Territory that we are discussing. Perhaps the report of the Visiting Mission, which did see the conditions at first hand, gives a more balanced picture. I should like to quote paragraph 152 of that report. When this passage is looked at and when I have read it, it might then be realized that I am not just picking out something from a report which is entirely creditable to the Administering Authority. I do select this paragraph because it is perhaps the one in which the Visiting Mission summed up in the most general way its impressions of education in the Trust Territory of New Guinea. The Mission said:

"Although realizing the great obstacles which the Administration faces in the improvement of education in a Territory inhabited by people of such varying stages of development as New Guinea, the Mission is of the opinion that the expansion of educational facilities must be one of the primary duties of the Administering Authority. No sound economic and political advancement is realizable as long as vast segments of the population remain illiterate and thereby largely outside the reach of the Administration. The Mission is fully aware that in regard to the improvement of education the Administration is confronted by a difficult dilemma. Illiteracy cannot be eradicated without competently trained teachers, and the availability of well-trained teachers in turn depends upon institutions of advanced learning. Therefore the Mission feels that, at this point, the Administration would need to pay particular attention to the creation of a large and competent corps of elementary school teachers by the establishment of new teacher training centres and by the employment of more European teachers. Although placing primary emphasis on the importance of teacher training the Mission expresses

the hope that the Administration is pushing forward with its plans for the general improvement of education on all levels of instruction."

That kind of deliberate and cool assessment of a situation is the type of expression from a United Nations body, or from individual representatives, which no Administering Authority could refuse to consider with the greatest care and treat with the greatest respect.

There is also reference in the report of the Visiting Mission to a five-year plan for education outlined to the Visiting Mission by the Administrator -- and that appears in paragraph 148. I make reference to that in passing.

I do not think it is just to say that there has been no advance in thirty-five years. Every annual report shows progress being made although the pace of progress is geared rather to the realities of the capacity of a primitive people than to the idealistic desires of members of the Trusteeship Council -- no matter how much we may respect that idealism. It may be disappointing to find that progress is so slow, but it would be wrong to give way to despair, and the Council need not fear that this will happen although we ourselves wish that progress in New Guinea could be more rapid.

As regards the remarks of the representative of the Soviet Union, I am sure that most of us must feel that we have heard the same old record played over again, the same themes: administrative union, open annexation, corporal punishment, strengthening the colonial system and so on. However, one improvement on the record was introduced by the present Soviet Union representative, and that was his extraordinary and deliberate perversion of the meaning of some remarks of the special representative. Mr. Jones made it clear that the principles of trusteeship are applied in Papua as well as in New Guinea, although of course the procedures of reports, visiting missions, and petitions are not, as these apply only to Trust Territories. The position is not, as the Soviet Union representative says, that New Guinea is being treated by some low standards he imagines apply to Papua; but, on the contrary, Papua is benefitting by the fact that it is governed in accordance with the principles of trusteeship.

In maintaining an administrative union of Papua and New Guinea we are not injuring New Guinea. The Soviet Union representative also overlooks the fact that New Guinea draws positive advantages from its close association with Papua. Australian experience of administration is older in Papua than in New Guinea, and this experience, as anyone familiar with the history of our territories is aware, has been greatly beneficial to New Guinea. We believe that the two territories derive a mutual advantage from the administrative union, and the report of the Trusteeship Council's Committee on Administrative Unions bears witness that at the very least the Trust Territory is not suffering any apparent disadvantage as

a result of the administrative union. The report recognizes that the status of New Guinea as a Trust Territory is preserved. But this does not stop the representative of the Soviet Union who, I think, must be professionally obliged to repeat the misrepresentations with which his predecessors have wearied this Council since its inauguration or rather since the Soviet Union overcame its early misgivings as to the legality of the Trusteeship System and the constitutionality of the Council, and consented to take its seat. The sort of contribution the Soviet Union representatives have made is exemplified by today's statement that the Administering Authority is completely unconcerned with the education of the inhabitants. How does he account then for such facts as the fact that the number of Mission schools, which are Government subsidized, increased by eighty-three in the period 1952-53, and the number of Administration schools for non-European children grew from 60 to 67 in the same period? This and other facts given in the annual report show how unjustifiable are the generalizations of the representative of the Soviet Union. The balanced expressions of the Visiting Mission, to which I have already referred, indicate that the exaggerated allegations of the Soviet Union representative do not merit the consideration of the Council.

I want to make one general observation before I close. I think I have said this in the Council before, but if I have not at any rate it has been my attitude -- and I am sure the attitude of all other Australian representatives. We have no objection to criticism; we understand perfectly that it is the role of the Trusteeship Council to criticize us and that it would not be doing its duty if it did not criticize us. Its role of supervision implies that it must criticize, but we do ask that criticism be constructive and, as far as possible, balanced. We would perhaps rather use the word that the representative of India used, that is to say, that the role of the Council is to assess -- neither to condemn nor to praise but to assess, to appreciate what is being done. No member of this Council need feel that the Government of Australia or its representatives resent criticism as such. We understand quite well the role of the Council and the role of the members of the Council. We come here year after year, quite ready

and willing to hear the criticism and assessment and to do our best to see that those criticisms and assessments have received serious and constructive consideration back home.

The special representative will have time to prepare a more fully considered reply to the observations made during the course of this general debate, and he will be ready, I believe, to address the Council tomorrow.

Mr. Jones withdrew.

The PRESIDENT (interpretation from Spanish): We will hear the statement of Mr. Jones in reply to the statements we have heard here today.

EXAMINATION OF CONDITIONS IN WESTERN SAMOA: ANNUAL REPORT OF THE ADMINISTERING AUTHORITY (T/1119, 1122, 1126; T/L.476) [Agenda item 4 (b)] (continued)

At the invitation of the President, Mr. P.K. Edmonds, special representative for the Trust Territory of Western Samoa, took a place at the Council table.

Economic advancement (continued)

Mr. TARAZI (Syria)(interpretation from French): On page 57 of the report of the Administering Authority we are told that "the Territory is not a partner to any administrative, fiscal or customs union" with any other territory. What exactly are the customs relations between the Territory of Western Samoa and New Zealand?

Mr. EDMONDS (Special representative): In answer to this question from the representative of Syria, the position in regard to customs in respect of Samoa and New Zealand is that New Zealand has one set of customs laws in which it makes no special reference to Samoa or treats Samoa in general terms as it does any other Territory, and Samoa has a set of customs laws in which no special reference is made to New Zealand and New Zealand is treated as any other part of the British Commonwealth. That is the case as long as the present preferential tariff lasts.

The present customs law in Western Samoa was the result of an order passed by the Governor General of New Zealand in council upon the advice of the Administrator of Samoa many years ago, but it has been considerably modified in recent years. Of course, it will be further modified in the light of future deliberations of the Legislative Assembly on this question of tariffs.

Mr. TARAZI (Syria) (interpretation from French): In view of the reply which has just been given by the special representative, may I ask him a question which is related to the first question I asked. On page 67 of the report we are told that there is no discrimination but that there is a kind of British Preferential Tariff. According to economic theories and the doctrine of political economy, economists say that, in the field of preferential tariffs, there is an incomplete customs union unlike the complete customs union which exists between Belgium and the Grand Duchy of Luxembourg. In this connexion, does not this partial customs union which exists between New Zealand and the Territory of Western Samoa amount to a kind of administrative union and that, therefore, the statement on page 67 of the report should be modified accordingly?

Mr. EDMONDS (Special representative): As far as I am aware, no one previously has suggested in this Council that the British Preferential Tariff in Western Samoa is of such a nature that it can be considered under the heading of a customs or administrative union. The British Preferential Tariff is, of course, partly a relic of the days when Western Samoa was a mandated territory. Under the Trusteeship Agreement and the relevant sections of the Charter of the United Nations, the law as regards the Preferential Tariff was continued in force,

as it is specifically provided that international obligations are in no way affected by the Charter. However I am not competent to voice the opinion of the Trusteeship Council as to what constitutes an administrative union. But as far as I am aware no one has ever suggested before that the British Preferential Tariff is such a union. That, I suppose, is largely a question for this Council to decide rather than for the special representative of the Administering Authority.

Mr. TARAZI (Syria) (interpretation from French): In "Chapter 2: Taxation" contained on page 60 of the report, we are told that there is a tax on trade and business licences. Of what exactly does this tax consist? Is this a tax on income which arises from these operations or is it what we call a fee, a droit in the French fiscal system, that is, the payment of a fixed amount in return for a service rendered by the Administration? Then, this does not constitute a direct tax but an indirect tax.

Mr. EDMONDS (Special representative): The situation as regards these trade and business licences is as follows. To practise almost any trade or profession in Western Samoa, you must pay a licence fee. The licence fees vary with regard to different trades and professions. For instance, it is £15 a year for every store that you wish to open and five shillings to set up as a day risk, that is, selling tea and cakes at some public function.

The position in regard to the store tax which is mentioned further down on page 60 is that a storekeeper pays £15 as a licence fee at the beginning of the year. Then he is taxed at the rate set out on his turnover of goods. If the tax for which he is liable under the store tax does not exceed £15, he does not pay any store tax; in other words, the amount he has paid for his licence is credited against what is known as the store tax and he pays the balance. It is then a form of indirect taxation.

Actually, like so many things in Samoa, it is another historical hangover. In the old days of the German administration, it was considered to be an easy way of collecting revenue. At that time, they used to raise and lower the licence fees every few years as they needed more revenue. This whole business of taxation is at present under consideration by the Territorial Government,

by a departmental committee, and the consensus of opinion among the members of the committee at the moment seems to be that possibly these licence fees are rather outmoded as a form of taxation.

Mr. TARAZI (Syria) (interpretation from French): On page 62 of the report, we see that several business firms and firms which engage in trading operations are established in the Territory. Some were established with capital coming from outside the Territory and others were established with the assistance of capital supplied in the Territory. The report contains a list of these companies. I should like to know from where the capital found in the Territory comes. Is it European capital or does it come from natives of the Territory?

Mr. EDMONDS (Special representative): Some of the share capital comes from what you might call Europeans in the generalized sense of local Europeans and some of the capital comes from Samoans. On the list on page 62, in the case of most of these companies mentioned, it would be mainly local European capital with some Samoan capital. In the case of Fatialofa, it would be purely Samoan capital. The Lepa Traders I think would be Samoan and the Leauva'a Trading Co. would be Samoan. In most cases, however, there would be a mixture of part European and part Samoan capital with the part European capital predominating. In none of these companies would there be any appreciable amount of overseas European capital.

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Mr. TARAZI (Syria)(interpretation from French): I thank the special representative for his information, which will enable me to go a little further into this matter. He has told us that some of the capital does come from the indigenous inhabitants. Does the Administering Authority encourage such investment by the Samoans? We know that in companies of this kind there is sometimes a mass of persons who have bought shares with their savings. This constitutes what was known in France, before the First World War, as putting money into a "woollen stocking". Does the Administering Authority encourage this middle class to buy shares in these companies with its savings?

Mr. EDMONDS (Special representative): The position in law at the moment is that no person of Samoan status may purchase any shares in a company without the permission of the High Commissioner. This is obviously a deterrent rather than an encouragement to the purchasing of shares. But, as I said the other day in reply to a question from the representative of Belgium, it is generally considered in the Territory that that particular legal differentiation or legal protection for the Samoan is out of date. The Territorial Government certainly likes to see the Samoan people first save money and, second, invest money in worthwhile enterprises. It has, unfortunately, been the case in Samoa in the past that the Samoan was fonder of spending money than of saving. He has many calls on his generosity due to his particular system of society, and is only too willing to spend money lavishly for his friends and for his family. The officers of the Government have often, in their public statements, pointed out to Samoans that while that is praiseworthy from the point of view of family affection it is sometimes economically unsound to spend so much on what are unproductive enterprises, and we do everything we can to persuade the Samoans to save their capital and invest it, especially in what could be considered capital investment.

The new Co-operatives Registrar tells me that Samoans are beginning to save their capital and to want to put it into co-operatives. Unfortunately, in most cases, as I mentioned in my opening statement, they wish to put their capital into trading co-operatives and, also unfortunately, in most cases

the embryonic co-operatives which they have set up in the period before the Registrar has been able to take over control have usually so many bad debts among the friends of the Samoans that they are not in a position really to be registered as solvent co-operative companies. In general I think that the mere establishment there of this co-operative section points to the fact that the Administering Authority and the Territorial Government fully appreciate the need for the Samoans to be encouraged to save and invest their capital.

Mr. TARAZI (Syria)(interpretation from French): On page 63 of the report reference is made to an economic survey of the Territory which was begun in 1953. What is the position that has been reached in that survey at the present time.

Mr. EDMONDS (Special representative): This is a matter upon which, I think, I touched in answer to a question from the representative of the United Kingdom the other day. The position is that Mr. Stace, from the Reserve Bank of New Zealand, who undertook the first part of the economic survey, has at the moment almost completed a draft report on what could be called, more or less, the economic stock-taking of Western Samoa, which is detailed in the first section of the economic survey. However, he has not finalized this draft and he is waiting for a rough estimate of the national income of Western Samoa which is being prepared by an expert of the South Pacific Commission. We hope to have copies of this first part of the economic survey within the next few months.

Mr. TARAZI (Syria)(interpretation from French): On page 64 of the report mention is made of a Chamber of Commerce which has just been established. It is stated that no Samoans are members of this Chamber so far. Does not the Administering Authority intend to encourage the Samoans to participate in the work of this body?

Mr. EDMONDS (Special representative): The Chamber of Commerce is an organization of some standing in the community in Samoa. It is not merely a new organization; it has been set up for many years. And the Presidents of the Chamber of Commerce -- both the immediate past President and the present President -- have often said to me that they wished very much that the Samoans would join the Chamber of Commerce. They would like to see Samoans in it, but usually Samoans are not particularly concerned with its activities. I think that, as time goes by, the Samoans will become more appreciative of the work it does. Most of its members are, of course, part Samoan, because most of the people in commerce in Samoa are part Samoan, and some of them would be virtually all Samoan. The Territorial Government itself plays absolutely no part in the functions of the Chamber of Commerce. It is purely a commercial organization, and it neither encourages nor discourages anyone to join it or leave it. It is a Chamber of Commerce which prides itself on being completely non-political, and the Government does not like in any way to interfere with its activities.

Mr. FARAZI (Syria)(interpretation from French): On page 72 of the report there is reference to a Copra Board. It is stated that the members of this Board include the Secretary to the Government, the Treasurer, three Samoan copra producers, one European copra producer, one representative of copra buyers and one representative of the copra exporters. The report adds that the six last-mentioned members are appointed by the High Commissioner and hold office during his pleasure. In other words, they may be dismissed by him. I should like to know on what basis the High Commissioner appoints these members.

Mr. EDMONDS (Special representative): The Copra Board was set up, as members of the Council will know, by the Copra Board Ordinance of 1948, passed by the Legislative Assembly. The provision in that Ordinance that certain members should be appointed by the High Commissioner and should hold office during his pleasure is in accordance with a very well established and generally recognized principle of British law that, in many of these cases where it is desired to introduce a certain amount of flexibility in an

organization, the representative of the Crown is permitted to do the actual appointing of various members, who hold the office at his pleasure. The Samoans are well aware of that principle of British constitutional law, and accept it wholeheartedly. They passed the Ordinance knowing that it was there. What actually happens is that members hold their office for three years. Whatever members are appointed hold office, and they have been changed once since the Board was set up.

It also means, of course, that if any member dies or is ill and cannot carry on his duties, the High Commissioner can immediately appoint another member to take his place so that the Board can function as usual. It possibly seems like a principle which could be abused, but, as I pointed out the other day in reference to judges, in practice it is not abused. Everyone is well aware of the conventions of the Constitution that ensure that such principles are not abused.

Mr. TARAZI (Syria) (interpretation from French): In the section of the report dealing with land and agriculture, it is stated that Samcans are prohibited, with two exceptions, from alienating their land. It is stated that the Chief Justice must authorize the lease or sale of Samoan property within the Apia municipality, and that, outside the municipality, agricultural land can be leased, with permission, for a term of not exceeding forty years. In allowing the lease of these lands for a term of not exceeding forty years, does the Administering Authority take the necessary steps, under the act of authorization, to protect the owners of the land? According to my conception of land law, which is the continental conception, when a land lease exceeds three years, then certain personal rights are created. In the case of a long-term lease, a real right is created, and this, in some respects, resembles a sale. Does the Administering Authority take any measures to protect the owners of this land? What is the difference between a lease for forty years and a sale?

Mr. EIMONDS (Special representative): The provisions referred to by the representative of Syria concern a position which once existed in Samoa under the 1889 Act. That position no longer exists. The position now is that Samoan land may be permanently alienated only to the Crown. It can be taken for public purposes by the Crown, and usually, if the area is a densely settled one, compensation in land is given to the Samcans concerned. Land may also be alienated by sale to another Samoan or Samcans. In that case, the sale goes through the Land and Titles Court, and the status of Samoan land is not in any way altered.

Land may be leased for forty years with the express authority of the High Commissioner. In this case, the notice is published so that all Samcans interested in the land are given ample time to know what is projected and, if necessary, the case goes before the Land and Titles Court, but only so that the question of ownership may be cleared up. Under English law, a lease for forty years creates no rights of ownership in the property. The only rights are those which are mentioned in the lease, and there is absolutely no right of ownership

beyond that mentioned in the lease. At the end of the forty-years' period, unless it is specifically provided that some compensation shall be paid, no compensation is paid for improvements. Apparently the position under English law is slightly different from the position under continental law.

The meeting rose at 5.55 p.m.