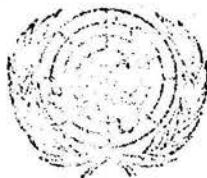


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Fourteenth Session

VERBATIM RECORD OF THE FIVE HUNDRED AND FORTY-THIRD MEETING

(Transcription from the sound track)

Held at Headquarters, New York,
on Friday, 25 June 1954, at 2 p.m.

Acting President:

Mr. PIGNON

(France)

Note: The Official Record of this meeting, i.e., the summary record will appear in provisional mimeographed form under the symbol T/SR.543 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

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.

Political advancement (continued)

Mr. EDMONDS (Special representative): In his most helpful comments on the Samoan representation in the senior ranks of the Government service, the representative of India yesterday gave some details of what senior positions are held by Samoans and by part-Samoans, almost all of whom, as I have pointed out, may accurately be classified as indigenous inhabitants. I have studied the section of the annual report which deals with the public service and I must admit that it gives, in many ways, a rather disappointing picture of the current situation. But I should like to point out to the Council two facts which in some measure lighten this shadow. Firstly, the effects of the long period of the Mau Movement, 1926-1956, during which time most of the local inhabitants refused to co-operate in any way with the Mandatory Power, are now being felt.

/The local men

The local men who should have been educated and trained during that period would today have been able to take up many of the senior positions in the Government Service; but unfortunately, at that time, it was impossible to educate or to train them. This historical influence, and the smaller influence of the six-year period of the last war, should not be forgotten.

Secondly, the details shown in the report are to some extent misleading, due largely to the arrangement of the Public Service classification list. The desirability, when grading the Service, of preserving special administrative and professional divisions, has led to the production in the report of a list which is not as helpful to this Council as perhaps it might be. Many indigenous inhabitants who in fact discharge most responsible duties in the Government Service are not shown in the printed schedules in the report, because they lack some professional qualification or because their position is graded under "General" or "Education" for some Service or educational or technical reason. I should like to assist the Council, if I may, by showing in general terms -- but perhaps more clearly -- the current position with regard to the various Departments.

Firstly, Agriculture: in this Department, the Chief Produce Inspector, the Chief Agricultural Inspector and the Assistant Supervisor of the Banana Scheme are all Samoans. The Broadcasting Department: only the Director and the Senior Technician are overseas Europeans; Programme Officers and other officers of the Department are all Samoan or part-Samoan. In the Customs and Harbour Department all positions, including that of the Collector of Customs and Taxes, are held by Samoans or part-Samoans with the single exception of the position of Harbourmaster. Education: in the Education Department there are a Chief Inspector and eight other Inspectors who are Samoans -- good and responsible officers who perform in a most sterling fashion -- but unfortunately they are not, in some cases, certificated teachers at all; in the old days in Samoa there was no such thing as a teaching certificate, but these men still discharge most responsible duties. There are, of course, four Samoan teachers shown under the "Professional" heading in the schedule, but these are young teachers who have obtained New Zealand certificates recently. There are over two hundred teachers in Samoa who have Samoan certificates or are uncertificated, who are not shown under the "Professional" heading. Incidentally, the new Chief Clerk in the Education Department is a part-Samoan.

In the Health Department, thirty-eight S.M.P.'s are not shown in the schedule as professional men, not even the senior S.M.P.'s on whom much of the administration of the Department depends. This is for the purely technical reason that the Professional category is restricted by the Public Service Commission regulations to people who have academic degrees from a recognized medical university.

In the Justice Department, the former Registrar of the Department, who is a part-Samoan, has recently been promoted to full-time Commissioner of the Court, on a salary as high as that drawn by any Departmental head. The new Registrar of the Department has not yet been appointed, but all the Deputy Registrars are Samoans or part-Samoans.

In the Lands and Survey Department there is a great staff shortage; but there are two Survey Assistants who at the moment do most of the field work, and these two are part-Samoan.

In the Police Department the Superintendent, a sub-inspector in charge of training and one sergeant are overseas Europeans. All the other officers in the police force, including the Inspector who is second-in-command of the Department, are Samoan or part-Samoan.

In the Post Office, every officer is Samoan or part-Samoan, including the Postmaster.

In the Public Service Commissioner's office there is only one overseas European, and that is the Public Service Commissioner.

In the Public Works Department, the draughtsmen, the senior foremen etc. are all Samoan or part-Samoan, the only overseas Europeans in the Department being the Director of Works, his chief engineer, the chief clerk and the senior storeman.

In the Radio Department the Supervisor, who is second in command of the Department, is a part-Samoan, and most of the telegraphists and technicians are indigenous inhabitants.

Samoan Affairs is now staffed completely by indigenous inhabitants, and the gentleman who is at present Acting Secretary of Samoan Affairs is a Samoan.

In the Secretariat, the Assistant Secretary for District Affairs, the chief clerk and most of the staff are indigenous; and the Translating Section of the Secretariat is completely indigenous.

In the Treasury, the Accountant -- who is at present in New Zealand, working in the New Zealand Department of Inland Revenue -- is a part-Samoan, and most of the staff are, of course, indigenous.

I hope that this statement will be of some assistance to members of the Council and I shall, if possible, try to have the annual report for the current year expanded so that next year the Council may see more clearly what the actual position is.

The ACTING PRESIDENT (interpretation from French): On behalf of the Council, I thank the special representative for the additional information which he has given us.

Mr. RYCKMANS (Belgium) (interpretation from French): On constitutional questions, I do not propose to ask for explanations from the special representative. I consider that, in the present state of things, the Government of New Zealand has set forth its plans. It has stated the manner in which it is expected that these plans will be discussed by the Samoans, and I prefer to wait until more precise information may be given to us as to the reactions of the Samoans to these proposals before entering into a detailed examination of the new plans.

On page 17 of the report, reference is made to provisions authorizing the Minister of Finance of New Zealand to determine the rate of exchange of the Samoan pound in relation to the New Zealand pound; that is, the Samoan pound is separated from the New Zealand pound, and may have a different rate of exchange. I should like to know the reason for which this provision was made during the year. Have certain events occurred which justified a modification of policy? What is the intention of the Government in making this variation of the exchange possible?

Mr. EDMONDS (Special representative): In reply to the question of the representative of Belgium, I should like to say the following. The members of the Council may remember that, several years ago, the New Zealand Government changed the exchange rate of the New Zealand pound, making it at par with sterling. As, under the 1921 Samoa Act, the Samoan pound was tied at par with the New Zealand pound, the Samoan exchange rate was automatically changed. This brought home to many people in the Territory the obvious fact that the economy of Samoa differs in

many respects from the economy of New Zealand, and it was suggested that there should be rather more elasticity in the exchange rate of the Samoan pound in relation to the New Zealand pound. Select Committees of the Assembly were appointed in 1951 and in 1952, and they recommended that there should be some elbow-room given, so that the Samoan pound would not be automatically changed with the New Zealand pound. There has been a recent report on this matter, submitted by a Select Committee on Currency and Banking to the last session of the Legislative Assembly, which goes further into the matter and discusses currency and banking in rather more detail. But it had been previously agreed by the Assembly that there should be some interim legislative action taken in order that someone could have the discretionary power of keeping the Samoan pound as it is, if the New Zealand pound alters, or altering the Samoan pound to suit the different conditions in the Territory.

/This step has been

This step has been under consideration for some time and that is why the provision was made in the 1953 Samoa Amendment Act.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 21 of the report it is indicated that, among the legal provisions indicating differences between Samoan and non-Samoan status, a Samoan may not be a member of any incorporated company or partnership without the sanction of the High Commissioner. What is the motive for this provision? It seems to me that there are a certain number of firms in Samoa which are directed by Samoans and which have the character of companies, of commercial societies. What is the reason for this provision and are there cases in which the High Commissioner refuses authorization when it is asked of him?

Mr. EDMONDS (Special representative): As in so many things in Samoa, there is a historical reason for this particular provision in the law -- a historical reason which is probably, in many respects, out of date now. But, in the closing days of the 1914-18 war, there was quite a lot of interest among Samoans in forming companies. The Germany company which had to control so much of the Samoan economy was, of course, in the hands of the receivers and the Samoans began forming companies in rather large numbers. The result is that a lot of the companies went completely and utterly bankrupt, paying sometimes as little as 1s. 6d. in the £, and the benevolent Mandatory Power decided it would have to protect the Samoans from themselves, so they passed the law to this effect -- I think it is actually in the 1921 Samoa Act.

It is true that now many Samoans hold shares in trading companies. I know of no occasion of late on which the High Commissioner has had to refuse to grant this permission, and I think it is certainly one of the legal protections for Samoans, which is probably becoming rapidly out of date. It will, of course, be considered when all these other legal differentiations for Europeans and Samoans are considered in the months to come.

Mr. RYCKMANS (Belgium) (interpretation from French): At the present time, still, in principle of course, this provision would prohibit a Samoan from buying shares in a commercial firm on a stock exchange.

Mr. EDMONDS (Special representative): Yes, that is the legal position: that he would not have the right to buy them. He may actually buy them and possess them and nobody would be the wiser, but the legal position would be probably that he would not have the right to buy them.

Mr. RYCKMANS (Belgium) (interpretation from French): As stated by the special representative, that is a measure which, it seems, is rapidly becoming obsolete and I assume it will soon be completely abolished. On page 29, it is stated that "The Judiciary is completely independent of both Legislature and Executive", and details are given on pages 51 and 52 of the report. On page 51, it is stated:

"The Chief Judge and Commissioners of the Court are appointed by the Minister of Island Territories and hold office during his pleasure."
Does that mean that their functions and qualifications can be abolished without any definite time limit?

Mr. EDMONDS (Special representative): In reply to the question by the representative of Belgium, the legal position is of course that they hold office during the pleasure of the Minister of Island Territories. This is, as you know, quite a frequent legal provision in British constitutional law, not so much for judges as for people like ministers and executive councillors. In this case, it was applied to the judges in Western Samoa so that there could be a certain amount of elasticity in the appointments. Of course, some of the Commissioners of the Court are, as you know, people who do hold administrative positions and these officers change frequently, or they may become extremely busy and be unable to fulfil their functions. Therefore, it has been essential in the past, and will be probably necessary for some time yet, to have some person who can appoint Commissioners and relieve Commissioners of their duty at his discretion. But, of course, this power is not intended to be used in any way which would affect the impartiality or the permanence of the Judiciary in Samoa.

Mr. RYCKMANS (Belgium) (interpretation from French): It is, perhaps, not quite correct to say, as is stated on page 52 of the report:

"All judicial officers are independent of the Government, but only the Chief Judge is employed wholly in judicial work and has security of tenure."

In point of fact, legally and strictly speaking, he has not security of tenure; he is not nominated for a lifetime or a complete career.

Mr. EDMONDS (Special representative): This report is, of course, in some respects out of date on this judicial side, as I shall be pleased to point out in some detail. But, as far as the permanence of tenure goes, I believe that this is the same sort of tenure on which magistrates in New Zealand hold their appointments during the pleasure of the Minister, and also many judges in England. It is one of those things which, in print, look as though they could be abused. But the conventions of the Constitution ensure that there shall be no abuse of this principle.

In the Justice Department there has been appointed, since the beginning of the year, another full-time judicial officer; he is a part-Samoan who has, for many years, been Registrar of the High Court. As part of the general judicial reorganization which has been undertaken by the Territorial Government, this gentleman has been appointed as a full-time Commissioner of the Court and relieved of all his administrative duties in connexion with the Justice Department. There are now, therefore, two full-time judicial officers in the High Court of Western Samoa.

Mr. MUNRO (New Zealand): To amplify the remarks of the special representative, the question of the irremovability in the British Commonwealth is one that depends, to some extent or almost solely, on their seniority. Supreme Court Judges are, in fact, removable, but they may be removable on an address of both Houses of Parliament and it is characteristic -- as the representative of the United Kingdom will agree -- that, of the lower judicial officers, they may in theory be more readily removable because they hold office at the pleasure of the Crown -- or in some cases, at the pleasure of a particular Minister. I think many colonial judges hold office at the pleasure of the Crown. But, whether the removal of the judicial officer is by motion of both Houses of Parliament or whether it is by a political Minister, it is a prerogative which is very rarely exercised.

Mr. RYCKMANS (Belgium) (interpretation from French): If I understand correctly, it is stated that the Chief Judge is now one of the Commissioners of the High Court employed full time for purely judicial functions.

9 /When it is said that all

When it is said that all judicial officers are independent of the Government that means, I presume, that in the exercise of their judicial functions, no member of the Administration has the right to give them instructions. Nevertheless they are officials exercising other functions and they are dependent upon the Government in so far as these other functions are concerned. This independence is effective only in so far as their judicial functions are concerned. That is, I presume, the way in which we must interpret this.

Mr. EDMONDS (Special representative): I think that is the best way of understanding this. It is, of course, one of the most cherished principles of the British Constitution that there should be no pressure brought to bear by the Executive Government upon judges. It is a principle, which, because of past political troubles in Samoa, we are very scrupulous about observing in the Territory.

Mr. RYCKMANS (Belgium)(interpretation from French): The special representative has just given us some very interesting information as regards the Public Service. On page 47 of the annual report we find a trace of what seems to have been a conflict between the Legislative Assembly and the Administration in the paragraph which reads:

"In its first session in 1953 the Legislative Assembly of Western Samoa refused to consider the votes for the salaries of public servants until such time as the Public Service Commissioner produced a classified list of permanent officials."

Could the special representative give us some details as regards this conflict and tell us whether at the present time, this conflict between the Legislative Assembly and the Administration has been resolved.

Mr. EDMONDS (Special representative): This matter which has been brought up by the representative of Belgium is a very interesting one.

Under the 1949 Samoa Amendment Act, which established the Public Service Commissioner and his assistants in Western Samoa, provision was made as follows:

"The Public Service Commissioner shall cause to be kept a record of all persons in the Western Samoan Public Service and shall, in each financial year, publish a list of persons permanently employed in that Service on the first day of that financial year, together with particulars of the salaries payable to those persons in that financial year."

In 1952, the Public Service Commissioner had produced a list -- not a complete list -- which had been circulated in the Public Service. In the March Assembly of 1953, a European member of the Assembly moved a motion to the effect that the Assembly should refuse to consider the votes for the salaries of the members of the Public Service until such time as the Public Service Commissioner tabled before the Assembly a list as provided in the 1949 Act. The Public Service Commissioner pointed out that the clause of the Act in question placed him under no obligation to table such a list in the Legislative Assembly. He said that he had a list prepared, and that he was publishing it and would circulate it throughout the Public Service. He added that it would be a public document and would be available for purchase by the public. However, he pointed out that he was under no legal obligation to table such a list before the Legislative Assembly. Nevertheless, purely as a matter of grace, he did table the list in that Assembly without prejudice to his legal rights in the matter. The Legislative Assembly did not even look at the list. Once their point had been won, they passed the legislation regarding salaries. Hence I am here today.

Mr. RYCKMANS (Belgium)(interpretation from French): I have no more questions at present and wish to thank the special representative.

Mr. ROBBINS (United States of America): As this Council is aware, the Trust Territory of Western Samoa comprises the major part of the Samoan Islands, the smaller part being the Territory of American Samoa. Because of the close proximity of these two Territories and the friendly relations existing between them over a long period of time, the representatives of my Government have had a unique opportunity to observe the Administration of the Trust Territory.

I should like to refer to page 24 of the annual report which mentions the question of social intercourse between the two Territories. This passage reflects the sensible absence of local restraint on the freedom of movement, which permits the people of one Territory to visit their aiga -- their relatives -- in the other Territory as has long been the custom in Samoa. I should like to pay tribute to the wisdom of the local administrations in both Territories and express the hope that the situation will never arise where complicated regulations will be required with regard to this freedom of movement, as is often the case elsewhere in the world.

My delegation is very much interested in the questions put yesterday by the representative of India with reference to the development of Samoan thought as regards the constitutional plan and the matter of universal suffrage. We were pleased to hear the detailed replies of the special representative, particularly because of the clear picture which they gave the Council on the Samoan manner of contemplating such important matters. We also learned from these replies/^{of} the very intelligent manner in which these people arrived at their conclusions.

In connexion with universal suffrage, the Administering Authority states that, once all the implications of the development plan are appreciated, it is possible that the attitude toward universal suffrage may be modified. I should like to ask the special representative whether the Administering Authority has seen from its reports on public opinion so far any modification in this attitude.

Mr. EDMONDS (Special representative): It is not easy to gauge public opinion down to the last degree. I think, however, that it is true to say that there is, in Samoa -- though we cannot guarantee this -- a steady modification of attitude towards universal suffrage. There is much more discussion of this matter today than there has ever been in the past. We will not be able to tell in which way the decision will come, and in which way it will go, until such time as we have had the opportunity of hearing the views of the Samoan people themselves when they have gathered together to discuss the matter more fully. I think that I can say quite definitely that there are many views held on this matter and that discussion of it is more frequent than in the past.

Mr. ROBBINS (United States of America): An inference can be drawn from the Administering Authority's report that the Fono of Faipule is jealous of its position and prerogatives. In view of this, does the special representative see any danger in implementing the proposals of 19 March 1955 for replacing the present Legislative Assembly and Fono? Does he feel that the new House of Representatives will be merely a prolongation of the Fono as it is at the present time?

Mr. EDMONDS (Special representative): This is a matter which, of course, has been discussed in the Working Committee and there has been -- as far as I have been able to determine from listening to the discussions -- complete agreement in that Committee that it be suggested that there be one legislature replacing the two existing at present, namely the Legislative Assembly and the Fono of Faipule. Of course, this new legislature may be of slightly different composition from that of the present Fono of Faipule. We do not know yet what constituencies will be suggested. We are not even yet certain of what sort of suffrage the Samoan people will suggest. It will also differ in that there will be some European representatives there. This will exist unless the status problem is cleared up before such time as the new legislature meets.

I think that when this new legislature meets, even if it consists ~~xx~~ largely of the people who would normally be in the Fono of Faipule, the mere fact that it will have greater and more important functions than the present Fono of Faipule will ensure that it does not cling so closely to small matters of detail which have occasionally, in the past, been a source of embarrassment. Of course it is too early to predict any definite development along these lines but I think it true to say that the Territorial Government feels that the new legislature -- when it comes, whatever forms it takes -- will carry out its functions in the same responsible manner as the old Legislative Assembly has done.

/Mr. ROBBINS

Mr. ROBBINS (United States of America): The Administering Authority's report states that on 1 April 1953 there were fourteen Samoan District Judges appointed for one year on an experimental basis. I should like to ask the special representative if he could say anything regarding the success or failure of this experiment.

Mr. EDMONDS (Special representative): This matter, brought up by the representative of the United States, is one in which the Territorial Government feels a certain degree of pride; and to explain it in detail I shall have to go back a few years, to the time when the first draft of the District and Village Government Board Bill was under discussion.

It was originally intended that there should be some legal recognition given to the traditional Fonos in the villages and districts which performed certain judicial functions; and it was largely with that thought in mind that an amendment was made to the Samoa Act which would permit the Legislative Assembly of Western Samoa to make provision, by Ordinance, for certain subsidiary courts. However, in the course of discussion on the proposed District and Village Government Board Bill both in New Zealand and in Samoa, it became increasingly evident that there was a certain risk in giving such legal recognition to traditional authorities. It seemed to the Administering Authority and to the Territorial Government that if such legal recognition were given to the Fonos it would be a breach of the very important principle which has been mentioned before this afternoon that, as far as possible, the executive bodies and the judicial bodies should remain separate -- though traditionally in Samoa the village Fono has not only a certain executive and even minor legislative role in the society: it has definite judicial functions.

In any case, the amendment to the Samoa Act could not be put through the New Zealand Parliament in time for any provision for legal recognition to be made in the District and Village Government Board Act; and that whole section was deleted.

It has now become fairly certain that the future policy of the Territorial Government as regards the subsidiary judiciary will be to build on the old system of Fa'amasino Itumalo the District Judges; and with that in mind the

High Commissioner suggested to the Fono of Faipule this experimental period where four District Judges should be appointed for a one-year term; and in March of this year the new full-time Commissioner of the Court, who had been supervising the activities of these District Judges, put in a report on how each had fulfilled his duties. This report was placed by the High Commissioner before the Fono of Faipule. As a result of it, seven District Judges were replaced as unsuitable for the position they held. The other seven were retained, and seven new ones were appointed.

There has been a great increase in the court work performed by the High Court and by the District Courts in Samoa over the last year, reflecting, possibly, increased confidence in the Judges -- especially in the District Judges -- now that they are more closely supervised and their appointments are more closely criticized by the Fono of Faipule. The High Court now makes a policy of going to the outside districts and holding sessions in those districts; and one of the reasons for appointing this full-time Commissioner of the Court was that he might supervise the activity of the District Judges. I am pleased to say that the policy so far seems to be a great success, and seems to have obtained the wholehearted co-operation of the Fono of Faipule and the people at large.

Mr. ROBBINS (United States of America): The annual report mentions that Samoan law and custom have never been subject to codification. I should like to ask the special representative -- just as a matter of interest -- whether there has been any thought recently of codifying the law of Samoa.

Mr. EDMONDS (Special representative): As far as the statutory law of Samoa is concerned, definite steps have been taken to codify it. This year it will be possible, we think, to consolidate the Samoa Act and all its amendments -- and possibly we will not be able to do much more than that this present year.

As far as Samoan law and custom is concerned, the Chief Judge was recently requested to provide -- if he could -- the Administration with a paper on the workings of the Land and Titles Court. This Court, of course, comes into close contact with Samoan law and custom at every step of its activities. That is the nearest approach to what you might call a codification of Samoan law and custom.

But Samoan law and custom is, of itself, so much what might be described as a personal case history of each family and each district that it will probably be years before any codification can be made -- if it is ever made.

Mr. ROBBINS (United States of America): My delegation was interested in the mention on page 49 of the report that in 1953 some training lectures were given by the Assistant Secretary to senior and intermediate officers. It is also indicated that because of pressure of work these lectures had to be discontinued. I would like to ask the special representative whether it has been possible to revive these staff lectures, and also whether it has been considered practicable and desirable, or whether any thought has been given to the matter of appointing a training officer.

Mr. EDMONDS (Special representative): This question of staff training is one I touched upon very briefly, I think, in my opening statement. There has been no full-time staff training officer appointed yet. The Public Service Commission in New Zealand has, however, recently volunteered the services of its chief expert on staff training. I do not know what decision has been made by the Territorial Government, but if these services are accepted this gentleman may come to Samoa and may report to the Territorial Government on how best staff training should be tackled. There is a certain division of opinion on this matter, among those directly interested, as to whether a full-time staff training officer would do the job best, or whether there should be more concentrated "on-the-job" training in the departments by the departmental officers. This "on-the-job" training has, of course, been going on for some time, and in many departments it has been going on with what you would call "off-the-job" lectures in staff training.

Unfortunately, the T.W.I. courses which were given by the Assistant-Secretary, Administration have had to be discontinued because, at the moment, the Assistant-Secretary is the Acting Secretary to the Government, since Mr. Grattan has left us and we have not got a new Secretary. We should, however, I think, be in a position by the end of the year to have a fairly clear idea of exactly what our requirements are so far as staff training is concerned.

On the trade training side there has been -- as I mentioned in my opening statement -- a special committee appointed to advise the Government as to what steps it should take to instigate a full and comprehensive scheme of trade training.

Mr. ROBBINS (United States of America): I should like to thank the special representative for replying to my questions. I have no further questions now.

Mr. LOOMES (Australia): I have listened with a great deal of interest to the replies that have just been given by the special representative concerning the judicial system, and I agree with him that the Administration may well take pride in the developments which have taken place.

/I would like, however, some

I would like, however, some little further clarification concerning the district court system. I observe from the report that while the Samoan district judges have been appointed, a full district court system has not yet been established. I bear in mind that there was mention of a certain amount of reorganization taking place in the Justice Department and I wonder whether the Special Representative could indicate the position of the establishment of a district court system and also what position the district courts, as at present constituted, take in the judicial hierarchy. He referred in particular, I remember, to certain local indigenous courts and I wonder whether the district court is perhaps to be set up as the reviewing body over those indigenous courts and generally whether he could give us some idea of the position which they at present hold in the hierarchy of the judicial system.

Mr. EDMONDS (Special representative): In answer to the question of the representative of Australia, it is not the intention to have the district courts as reviewing courts of the traditional judicial Fonos, or committees or councils in the villages. It is the present policy to ignore, legally speaking, the traditional judicial Fonos on the grounds that if they are legally recognized various traditional powers which are difficult to reconcile with the higher principles of justice might be perpetuated.

There is at present no real district court system in Samoa. There are fourteen district judges who are, of course, placed strategically throughout the length and breadth of Samoa. They have certain jurisdiction which, until recently, was restricted to Samoans only. Under ^{the} 1953 Amendment Act, however, it is possible for the High Commissioner to extend the jurisdiction of judges of over two years' standing to Europeans. It is not yet fully certain what form the district court system will take. It has been necessary to have this period of experiment to see whether it was possible to supervise the district judges successfully from the High Court in Apia. Indications are that it will be possible to supervise their activities, and under the 1953 Act it will then be possible for the local Legislative Assembly to make such provision as may be necessary for a full system of district courts.

Mr. LOOMES (Australia): It is my understanding that the district courts at present are courts of first instance only and that they do not administer any kind of traditional custom or traditional law. Is that correct?

Mr. EDMONDS (Special representative): Yes. The district judges have such jurisdiction as is given to them by the High Commissioner. They do not depend for their powers on Samoan custom and tradition, though of course in all the court proceedings in Samoa there is a certain amount of recognition given to whatever compensation may have been made along customary lines. For instance, if an offense comes up in the high court in Apia -- an offense which concerns two parties -- and it is revealed that one party has made Fa'Samoa apology to the other party, that would naturally be taken into consideration in the consideration of the costs and the sentence.

Mr. LOOMES (Australia): On page 28 I note that the Executive Council -- reference to which has already been made by the representative of India and which was established in 1953 -- met regularly during the year. I wonder whether the special representative would be in a position to give us an assessment of how this Council is functioning and I should also like to know what is its relationship with the Council of State. I note from another part of the Report that the functions previously performed by the Council of State are for the most part being performed by the Executive Council and presumably the Council of State has probably only a few functions left. I should like some clarification on this question.

Mr. EDMONDS (Special representative): I am very glad that the representative of Australia has brought this matter up because I remember when it was first proposed to set up an executive council -- an advisory executive council -- in Samoa there was some doubt in the mind of the Administration as to whether the position of an advisory executive council could be reconciled with the position of the Council of State. The Samoans said it could be. They said "We don't know much about the law but we know that in practice it will work out very well. You can leave it to us; there will be no conflict." So provision

was made -- as you will notice in the Annual Report -- that the Council of State can, if it wishes, take matters off the agenda of the Council and consider them itself. In fact, in the last year there has been no matter taken, at the wish of the Council of State, from the Executive Council. There has been one matter which was before the Executive Council which was taken off the agenda and placed before the Council of State, but that was as a result of a ruling by the Crown Law Officers. The position was that under the 1949 Act the nomination of the Samoan Assistant Public Service Commissioner is a function of the Council of State. The Council of State itself was quite willing to have the matter discussed in the Executive Council and for the nomination to come from the Executive Council, but the legal authorities said that under the law it was not feasible; a nomination to be a valid nomination, had to come from the Council of State. So, with perfect goodwill on both sides, the Council of State put in the nomination.

The Executive Council itself has, I think, been an unmitigated success in Samoa. Matters which are possibly trivial in the conduct of Governments of larger countries go before the Council just so the High Commissioner can find out the views of the Samoan and other members about these various matters which are sometimes, strictly speaking, not even policy matters.

Of course the estimates are considered in full by the Executive Council before they are submitted to the Legislative Assembly, and all ordinances and regulations are discussed in the Executive Council before submission to the Legislative Assembly and before promulgation. The High Commissioner has often expressed to me his complete satisfaction with the working of the Executive Council

Mr. LOGES (Australia): I am very grateful for that reply. I think it is a matter for congratulation that the Executive Council has functioned so successfully.

My next question relates to political parties. I observe, on page 30 of the Report, that reference is made to the Samoan Democratic Party, which met regularly last year. Could the special representative tell us whether there have been any changes in the policy of this party?

Mr. EDMONDS (Special representative): I should like, if the representative of Australia will bear with me, to give a thumbnail sketch of the establishment of this party, because it bears, I think, on the answer to his question.

The Samoan Democratic Party was established largely through the efforts of a certain gentleman, the Honourable J.B. Fonoti, who, after the 1951 elections was no longer a member of the Legislative Assembly. He had been a member and in 1951 he failed to regain his seat.

/He established

He established this party which reflects, I think, his considered views on suffrage and certain kindred matters, and he has a hundred members in this party. Mr. Fonoti was returned to the Legislative Assembly in this election; he is a member of the Executive Council now and also a member of the Working Committee of the Development Plan. Whether he will continue so actively to agitate for these objectives now he is again in the Assembly, I do not know. I am not aware of any change in his outlook and I am not aware of any change in the ^{general} platform of the Samoan Democratic Party, but it seemed that last year there was rather less interest in its activities than there had been the previous year. I think that might possibly be because the Samoan political figures are more interested in the over-all development plan now than in a small party like the Samoan Democratic Party; I think it has been largely absorbed in the general interests of the Development Plan.

There is just one point I may mention, that, as many Samoan political leaders have said to me when discussing parties, according to Samoan custom parties are rather bad manners; it is bad taste to form yourself into a section against the others. You should, if you are reasonable human beings, be able to reach some workable compromise. They regard all parties as slightly ill-mannered and not quite de rigueur.

Mr. LOOMES (Australia): My last question relates to local government. I observe on page 43 of the report that it is said that "Signs are not lacking that some districts are moving towards forms of local government that are based on European models". I am not quite clear to what extent the local council idea has been part of or based on traditional social growth and to what extent it has been brought by the efforts of the Administration. I wonder whether the special representative could give some background and clarification to this. I do appreciate, of course, that regulations in 1953 have brought the Administration into much closer contact with the local government movement.

Mr. EDMONDS (Special representative): As the representative of Australia will remember, yesterday I spoke at some length on the actual functions of the District and Village Government Board. These districts which are moving towards forms of local government which seem to be based on European models work, as it were, from the old traditional local government form of a Council of Chiefs. But they seem to wish to organize themselves as they have been told more highly developed local governments systems do in other countries. In the Sale'aula-Matautu area of Savai'i a committee system has been developed. It is still not formally recognized by the Government because, as the Council is aware, regulations have not been promulgated as yet which would enable it to be given legal recognition.

The same thing is happening at the far eastern end of Upolu in Aleipata where once again the old traditional Fono is beginning to think along more modern lines of organization and is breaking up into committees for specific purposes, coming together again, of course, as the traditional local government body.

I think it is true to say that the educative effect of the examples which have been read about in papers and spoken about by administrative officers, especially by the Assistant Secretary for District Affairs, is having a pronounced influence on the old traditional Samoan forms of local government.

Mr. LOOMES (Australia): I have no further questions but I would like to express my appreciation for the very interesting answers which have been given to me.

Sir Alan BURNS (United Kingdom): I am most interested in the arrangement described on page 29 of the report on the Standing Committees of the Assembly, a matter which has been dealt with in some of the questions asked by other representatives. This way of giving unofficial members of the Assembly some experience of working with the Administration, as we have been finding in some African territories, is a very valuable training for greater responsibilities. I should like to ask the special representative whether these

members of the Standing Committees are as free to speak in Assembly discussions as their colleagues who are not on the Committees or whether they are in any way expected to speak and vote as a Government bench.

Mr. EDMONDS (Special representative): These Standing Committees of the Legislative Assembly are bodies appointed by the Legislative Assembly -- they are not in any way under the control of the Executive Government. The Executive Government cannot even, of course, tell the Legislative Assembly what Standing Committees it should appoint. It has perfect freedom of action to appoint Standing Committees on any topic or any department which it desires. The members of the Standing Committees, when they speak in the Assembly, speak with complete freedom. There is, of course, a great deal of discussion about the various matters concerned with the departments or subjects with which the Standing Committee is directly interested in the Standing Committee. Everything that the departmental head wishes to discuss with the Standing Committee, he feels perfectly free to bring before it and the members usually discuss it in great detail in the Standing Committee and make recommendations to the Executive Government. These recommendations go before the Executive Council. As the members of the Standing Committee have usually come to some sort of agreement on these matters, it is only natural that when they are in the Assembly they speak often with one voice because they have already considered the matter and come to a conclusion. But it is by no means predictable that they will speak with one voice. There are cases where the Chairman of the Standing Committee himself disagrees with the conclusions of the Standing Committee and he will say so in the Legislative Assembly with perfect freedom.

I may add that these Standing Committees have proved of great value in Western Samoa.

Sir Alan BURNS (United Kingdom): My next question is, in a way, academic since the veto has never been necessary. As the New Zealand Government has power to direct the High Commissioner to veto any ordinance, does this mean that all ordinances have to be submitted to the New Zealand Government by the High Commissioner before he can assent to them?

Mr. EDMONDS (Special representative): The legal position is, accurately, that under the 1947 Act the High Commissioner^{has} the power to refuse to assent to any ordinance at his discretion. But the New Zealand Government has a further power of disallowance which it must exercise within twelve months -- this is over and above the High Commissioner's veto. As the representative of the United Kingdom pointed out, never has either veto or power of disallowance been used.

Sir Alan BURNS (United Kingdom): I am greatly interested to know if it is intended in due course that the High Commissioner shall cease to preside over the Assembly, normally at any rate, and that a Speaker shall preside instead. I am looking ahead, of course, to a time when the Assembly will perhaps meet more often than it does at present. I wonder whether the Administering Authority has given any preliminary thought to the most suitable method of choosing a Speaker, that is, by nomination or by election, and of giving some training, say in the Legislature at Wellington, to a likely man.

Mr. EDMONDS (Special representative): The question of withdrawal of the High Commissioner from the Legislative Assembly has been discussed thoroughly in the Territorial Government and in the Administering Authority in recent months. After discussion, especially with the Honourable Fautua and the Executive Council, the High Commissioner was advised by all parties to remain for the time being in the Legislative Assembly.

/However, the Administering

However, the Administering Authority and the Territorial Government felt that it would be desirable if the Assembly could gain some experience by working under a Speaker, not a High Commissioner. The suggestion has been put forward that there should be elected, by its own members, a chairman of committees so that while the Assembly was in the committee stage it would be under a chairman of committees who would not be the High Commissioner and who would probably not be an official. He would be one of the unofficial members. This suggestion, however, has not been fully discussed in the Executive Council and it has not been discussed in the Legislative Assembly so that, at the moment, we are not fully aware of what reaction the Assembly or the councillors will have to this suggestion. I know that the Council of State has considered it and appears to be in favour of some such system.

Sir Alan BURNS (United Kingdom): I am sure that the proposal is a sound one and I hope that it will be proceeded with.

My next question deals with another matter. I read with interest, on page 35 of the report, of the changes in the organization of the Central Government by creating different functional departments, in particular the District Affairs Branch of the Secretariat, which will, I take it, someday become a Department or even a Ministry of local government. I imagine the whole process may be regarded as the first movement towards a ministerial system of administration. I have, of course, seen the same process developed gradually and effectively both in West Africa and in the West Indies, where the old Central Secretariat has been carved up into Ministries. I wonder whether the special representative could tell us how the reorganization is proceeding at present and, a very important matter, whether the Civil Service is available to make the new system work effectively.

Mr. EDMONDS (Special representative): In answer to the question of the representative of the United Kingdom, the District Affairs Section of the Secretariat is still part of the Secretariat organization. The Assistant Secretary for District Affairs is also Secretary of the District and Village Government Board and, as the work of that Board progresses, he will become more and more involved in the actual activities of that Board. As water supply

authorities will probably be one of the first forms of local authorities to acquire legal recognition, much of the time of this particular section is spent on the preliminary organization of district water supply authorities.

I am not sure whether the Local Government Section in Samoa will develop into anything like a separate department for some time. It is possible, of course, that it will do so. But I have noticed among the members of the Working Committee, when discussing possible ways of organizing a Cabinet, a tendency to think in terms of a comparatively small number of Ministers, with comparatively large groups of departments or of boards or committees under them. The reason I put forward for suggesting that this would be better than having many Ministers and, possibly, more departments, is that Samoa is a small country and from the point of view of economy it would be difficult to pay a large number of Ministers anything like reasonable salaries.

So far as the staff position is concerned, in Samoa we suffer from perennial and temporary shortages in the Civil Service, but these have not so far affected this particular branch of the Government save in one of its subsidiary branches, the translating section, where we are short of staff. The main positions in the District Affairs Branch of the Government, however, seem to be filled and the people in these positions appear to be performing their tasks very satisfactorily.

Mr. TARAZI (Syria) (interpretation from French): On page 19 of the report reference is made to the status of the inhabitants, the Samoans, and in this connexion we note a differentiation between those who are of three-quarters Polynesian blood and those who are of less. On what basis does the Administering Authority determine the proportion of blood?

Mr. EDMONDS (Special representative): In a matter of this kind the usual procedure is for the Court to hear evidence relating to the ancestry of a person should he wish to prove he has a particular status or should he wish to change his status. The evidence heard is of the usual type, of people who know the person, who knew his parents and who know the family. There have been in the past, I am sure, cases where persons with very little if any European blood were declared European, because there are many examples in Samoa of people whose European ancestry is completely unknown and yet somehow in the past they acquired European status. It is interesting to note, however, that

at the moment the draft is towards Europeans taking up Samoan status, not Samoans taking up European status. Last year, for the second consecutive year, more Europeans were declared Samoans than Samoans Europeans. This is probably a significant trend but has not continued long enough to show how significant it is.

Mr. TARAZI (Syria) (interpretation from French): There seems to be a subtle distinction with regard to the question of the proportion of blood. Does not the Administering Authority intend to modify the legislation in force in order to simplify the question and to abolish, so far as possible, anything which has to do with racial distinction which is included in this legislation?

Mr. EDMONDS (Special representative): In answer to this very important question of the representative of Syria, I may say that it is the declared wish of the Administering Authority that these differentiations in law should, if possible, be abolished. The matter, however, is ^{now} largely in the hands of the Samoan people and the people in Samoa, to advise on how best this can be done and to make suggestions as to whether it should be done immediately, by degrees, or whether there are certain differentiations which, for the good of both parties, should be retained. According to Samoan custom, which is a very flexible instrument but which has certain principles, anyone who has any Samoan blood or anyone who is married to a person who has Samoan blood is a member of the community, a member of the aiga, that is, the family, and it is hoped at least to be able to persuade the people of Samoa that there is no conflict with their fundamental customs in the idea of this abolition of differentiations. As yet it is, I am afraid, too early to say how Samoans as a whole will react to this because it is definitely one of those things which touches on their customs, their customary land tenure and their customary way of living which, under the Trusteeship Agreement of course, the Administering Authority is bound to respect. However, I can assure the representative of Syria that the Administering Authority is as eager as any representative of any Power sitting round this table to abolish, if possible, these differentiations.

Mr. TARAIZI (Syria) (interpretation from French): As regards births, deaths and marriages, as mentioned on page 22 of the report, I would like to ask the special representative whether the registration of such events is done in a regular manner in the Territory or whether, as in certain territories, it is not possible to have proper registration in view of the composition of society.

/Mr. EDMONDS

Mr. EDMONDS (Special representative): The position as regards the registration of births, deaths and marriages in the Territory is not, in the eyes of the Administering Authority, a particularly satisfactory one. As far as the Samoans are concerned, they are expected to register births, deaths and marriages through their pulenu'u -- or, loosely speaking, through their mayor, through the Government official in their village. But the Territorial Government is well aware that some of the provisions of the law relating to such registrations are not complied with.

As far as marriages are concerned, there is, of course, still a fairly large number of Samoan customary marriages which are never registered. These marriages sometimes last for a lifetime, and sometimes do not last very long at all. But it is interesting to note, in the report of the Postmaster this year, that there is an increasing number of registered marriages; and the consensus among the Government officials who dealt with this matter is that gradually the position is improving, but that there will have to be some definite enforcement of the provisions of the present law or, preferably, a completely new system installed. It is intended, if possible, to go into this matter fully in the next twelve months, and we hope, at the end of next year, to have prepared for submission to the Legislative Assembly a new ordinance dealing with the registration of births, deaths and marriages.

Mr. TARAZI (Syria) (interpretation from French): In this same connexion, there is a question dealing with the prohibition of Samoans from being members of an association without the approval of the High Commissioner. I was happy to hear the representative of Belgium put this question previously, but I should like to ask for some clarification. I agree with the statement of the representative of Belgium in this connexion; however, I should like to make my question a little more precise. I should like to ask the special representative to tell me -- since he has already stated that this question has been taken up previously -- whether the Administration does not intend to abrogate this law.

Mr. EDMONDS (Special representative): With regard to all these legal differentiations between persons of Samoan and persons of European status, it is probable that they will be referred to either a Select Committee of the Legislative Assembly or a sub-committee of the Working Committee on the Development Plan. The Council will note that, in the last year, one of these distinctions was abolished, when the Trade Debts Ordinance was repealed. This was done with the full co-operation of the Samoan members of the Legislative Assembly, and the Ordinance was also approved by the Fono of Faipule, in order that the Territorial Government could make quite sure that it was offending nobody by its action.

It is necessary in these matters to proceed rather cautiously and to make quite sure that the Samoans realize what they are doing before they do it. But I can assure the representative of Syria that these matters will be considered thoroughly during the next few months; and the Samoan people themselves will, I am sure, realize that many of these differentiations are completely outdated.

Mr. TARAZI (Syria) (interpretation from French): On page 18 of the report, it is stated that legislation existing in New Zealand is also in force in the Territory, and on page 37 more details are given as to legislative power. It appears that legislative power is in the hands of the Assembly and of the High Commissioner. Could the special representative tell us whether there is not some functional duplication with regard to legislative power between the metropolitan territory and the Territory itself, and also how disputes which may arise from such duplication are settled?

Mr. EDMONDS (Special representative): This matter of the respective legislative powers of the Parliament in New Zealand and the Legislative Assembly in 1947 is clarified if one refers to the 1947 Samoa Amendment Act which set up the Legislative Assembly and defined its functions. Under this Act the Legislative Assembly was given full powers to "make laws, to be known as ordinances, for the peace, order and good government of Western Samoa". The Act goes on to state that certain subjects are reserved from the power of the Legislative Assembly, these subjects being defence, external affairs and the title of Her Majesty to land. It then goes on to detail certain reserved enactments dealing mainly with the constitutional law in Western Samoa, the actual law setting

up the Assembly. In all matters which are not specifically reserved, either by subject or legislation, the Legislative Assembly has power to pass ordinances. In some cases it is true that some of these matters on which it wishes to pass ordinances are covered by New Zealand law, but the local ordinance immediately replaces the New Zealand law in the Territory and an Order in Council, or whatever is necessary, is published in New Zealand, in order that the legal balance-sheet will come out straight in both countries.

Mr. TARAZI (Syria) (interpretation from French): Am I to understand from the reply of the special representative that, apart from questions on which the Administering Authority has reserved its right to decide, the Legislative Assembly of the Territory does possess full legislative power; that is to say, for all matters which are not reserved for the Administering Authority, is the Legislative Assembly sovereign?

Mr. EDMONDS (Special representative): Perhaps if I quote a further section of the 1947 Act it will help both myself and the representative of Syria to understand the position somewhat more clearly. Section 9 states that:

"No ordinance or provision of any ordinance, subject to the foregoing provisions with regard to reserved subjects, shall be void or inoperative on the ground that it is repugnant to the Principal Act or to this Act or to any other Act of the Parliament of New Zealand or of the Parliament of the United Kingdom in force in Western Samoa, or to any regulations there in force, and the power to make ordinances shall include the power to repeal or amend any such Act or regulation in so far as the same is part of the law of Western Samoa."

In other words, apart from those few reserved subjects and reserved enactments, the Legislative Assembly has -- if one can qualify sovereignty -- a certain degree of sovereignty over its domestic affairs.

Mr. TARAZI (Syria) (interpretation from French): On the basis of the statements of the special representative, I should like to have some clarification on the power of the Council of State, the powers of which are mentioned on page 40 of the report. Paragraph (5) of the text quoted on page 40 reads as follows:

/"The High Commissioner

"The High Commissioner shall consult the Council of State on the following matters--

"(a) All proposals for legislation to be recommended by the High Commissioner to the Legislative Assembly;

"(b) Any matters closely relating to Samoan custom;"

As regards the matters relating to custom, are they not questions which come under the heading of matters which should be the subject of legislation? For instance, we know that when a legislator takes into account custom, it is said that he codifies custom because custom, in certain cases, as is the case in this Territory, may have ^{the} force of law. Is that one of the legislative powers which is granted to the Council of State, and what are the powers of the Council of State as regards draft bills which have already been adopted by the Legislative Assembly, or should the Legislative Assembly decide only on the drafts before they are submitted to the Assembly?

Mr. EDMONDS (Special representative): In reply to this question by the representative of Syria, the Council of State consists, as is stated in the report, "of the High Commissioner and of the Samoans for the time being holding office as Fautua". The Fautua in the Council of State, when the Council of State held regular meetings, acted in an advisory capacity to the High Commissioner. There is no legislative power invested in the Council of State. It merely discussed these matters--such as the proposals for legislation, any matter which might affect Samoans--with the High Commissioner and offered its advice; advice which he was not bound to accept because the Council of State was purely an advisory council. In actual fact, of course, the advice was normally accepted. When the Executive Council was set up, it was provided that it should consist of the High Commissioner, the Samoans for the time being holding office as Fautua, and certain other people. In other words, the Council of State is present in the Executive Council; all members of the Council of State are members of the Executive Council. Once again, the Executive Council is a purely advisory body advising the High Commissioner.

It was provided, under the 1952 Amendment Act, that "any member of the Council of State may require that any matter arising for discussion in the Executive Council which is also within the competence of the Council of State shall be referred to the Council of State." In practice, as I pointed out in answer to a question from the representative of Australia, no member of the Council of State

has withdrawn any matter from the Executive Council. But the Council of State still exists, and it exists in an advisory capacity, save for one or two legal powers such as the power to nominate an Assistant Samoan Public Service Commissioner; but it has no legislative powers whatsoever. At the moment, it considers draft legislation when the draft legislation is submitted to the Executive Council. It considers it in conjunction with the Executive Council, not as a separate body, and it appears to be the wish of all members of the Council of State and of members of the Executive Council that that happy state of affairs should continue so long as there are two bodies.

Mr. TARAZI (Syria) (interpretation from French): As regards the powers of the Fono of Faipule, the Administering Authority presents this body to us with all the honours due to a local organ interested with taking decisions on questions of serious importance. However, I have sought in vain to classify the powers of the Fono of Faipule and I was not able to find them. We are told that it is an advisory body, a consultative organ, but nevertheless we should know on what matters it is consulted.

Mr. EDMONDS (Special representative): It is provided in the Samoa Amendment Act of 1923 that the Fono of Faipule shall consider such matters relevant to the welfare of the Samoan people as of their own initiative they think proper or as may be submitted to them by the High Commissioner and shall express their opinions and make their recommendations to the High Commissioner. That is the position today. The High Commissioner, if any matter which affects the people of Samoa comes up, refers it usually to the Fono of Faipule, if it is a matter of sufficient importance. Many matters are brought up by the Fono of Faipule on their own initiative. They may wish to discuss with the High Commissioner certain things in relation to public works in an area, or to education or, possibly, the whole business of the District Judges which has recently been discussed at length in the Fono of Faipule. It is, in most ways, a purely advisory body but it has certain legal powers which are mentioned in the report. The two most important legal powers are the power of electing the Samoan members of the Legislative Assembly and the power, with the Samoan members of the Legislative Assembly, of recommending persons to be appointed Fautua. It has no legislative function whatsoever and the general consensus of opinion,

as I have said, in Samoa is that there should be no Fono of Faipule under any new Constitution. There should be a single legislature and the Fono of Faipule should vanish.

Mr. TARAIZI (Syria) (interpretation from French): On page 32 of the report, reference is made to the "Plan for Western Samoa" and we know that this Plan was born on 19 March 1953 through the statement of the Prime Minister of New Zealand. What I would like to know is whether the Administering Authority intends to take the necessary measures, other than those that are mentioned in that statement, in order to enable the population to achieve its complete autonomy in a near future and how long we shall still have to wait in order that the terms of this statement of the Prime Minister of New Zealand may be entirely fulfilled?

Mr. EDMONDS (Special representative): This is, of course, a question which is obviously dear to the hearts of the members of this Council and to the Administering Authority. At the moment, of course, we have to follow a policy of waiting for the opinions expressed by the Samoan people at the Constitutional Convention. This Plan for Western Samoa may be comparatively easy for the members of this Council to absorb at a reading, but the Samoans are very cautious and they like to discuss these things at length and it is not easy always to convey to them abstract ideas because their language is not such as easily conveys abstract ideas. We had a lot of difficulty with the Plan when it first came out and the translation had been done in a hurry; people said that they could understand it, but that they could understand it in so many different ways that they did not know which way was right. So we spent quite some time preparing a simple plan, with all the detail of the original plan; but in much simpler English, and translated it into very simple Samoan. That Plan was issued towards the end of the last year and the Samoan people have been discussing it. But they would still not like any one to make a definite statement as to what they are going to want from the Plan. They would feel that we were beating the gun if we tried to tell the Council what they wanted and when they wanted it.

/I feel that in this matter the

I feel that in this matter the Administering Authority has to abide scrupulously by its obligations under the Trusteeship Agreement to consider the wishes of the Samoan people, doing so in a way which is consonant with the Charter of the United Nations in regard to respect for Samoan custom and the legitimate ambitions of the people. We are not ready, at this stage, to make any statement which might, in any way, embarrass the Samoans in their future deliberations.

Mr. TARAIZI (Syria)(interpretation from French): We know of course that there is a Samoan political party and that this party should, of course, have its supporters among the indigenous inhabitants. Is there no political party among the European elements of the population?

Mr. EDMONDS (Special representative): There are no organized political parties among the European elements of the population. Sometimes -- in the course of an election campaign -- small factions may arise for the purpose of getting certain candidates elected. They are, however, not based on any political principles or policies; they are based principally on personality. There are no organized political parties in Samoa with the exception of the Samoan Democratic Party of which I have spoken before.

Mr. TARAIZI (Syria)(interpretation from French): I have no further questions to put at this time.

The ACTING PRESIDENT (interpretation from French): There are no more speakers on the President's list. I recognize the representative of the Soviet Union.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): My first question deals with page 17 of the annual report. We read that in the Samoa Amendment Act of 1947, reference is made to the purpose of the International Trusteeship System. Full self-government is also referred to.

I wonder why there is no reference to independence as well, or has that role been excluded for the Trust Territory? If, however, it is a possibility, I wonder why no reference was made to it in the Samoa Amendment Act of 1947.

Mr. EDMONDS (Special representative): The question of self-government and independence in Samoa is an interesting one. I have been in Samoa for three years now and the Samoans of course speak very freely about their ambitions regarding self-government. They never use the word "independence". The translation of "self-government" in Samoan is that "you have the power of the Government yourself". That is their interpretation of the phrase "self-government". I cannot say exactly why there is no mention of independence in the preamble to the Samoa Amendment Act of 1947. There is mention, of course, of the Charter of the United Nations and there is in the Charter of the United Nations -- as the representative of the Soviet Union knows -- and in the Trusteeship Agreement for the Territory, the objective

"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 and the freely expressed wishes of the peoples concerned..." (Article 76 b)

I can assure the representative of the Soviet Union that this matter of self-government and independence will be freely discussed at the Constitutional Convention. The Samoan people on the Working Committee regard self-government as their objective. They are, however, very chary of the word "independence". They think in terms of having control of their internal affairs and I think that it may be very much suited to the needs of the people of the Territory if they preserve some link with the Trusteeship Council, with, possibly, some modified assistance from the New Zealand Government. This matter, however, is still in a state of flux and we will abide firmly by this Trusteeship Agreement and will try to live up to the high ideals set out therein once we have learned the freely expressed wishes of the people concerned.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to dwell on this question for a moment. The special representative said that the Samoans never, or rarely, speak of the word "independence". The point is, however, that the Administering Authority does not speak of "independence" at all.

The Samoa Amendment Act of 1947, which determines the status of the Territory and which refers to the United Nations Charter, does not mention the word "independence" at all. The special representative read the appropriate Article of the Charter which deals with the responsibilities of the Administering Authority 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..." (Article 76 b)

Upon reading the Samoa Amendment Act of 1947, we see a duplication -- or repetition -- of all these words with the exception of the word "independence". That is what is difficult to understand. Since the word "independence" appears in the Charter, it is difficult to understand why it has been excluded from this Act. Is it that, a priori, without consulting the population, the Administering Authority has decided to exclude this word?

My question is: Was this omission intentional? Is it an intentional course of development for the Territory that it will eventually have the status of self-government but not independence?

Mr. SCOTT (New Zealand): I should like to draw the attention of the representative of the Soviet Union to the fact that the Samoa Amendment Act of 1947 contains, as its first schedule, the Trusteeship Agreement for the Trust Territory of Western Samoa. As such, it forms a part of the Act in that the Administering Authority, under article 4 of the said Agreement:

"... undertakes to administer Western Samoa in such a manner as to achieve, in that Territory, the basic objectives of the International Trusteeship System, as expressed in Article 76 of the Charter of the United Nations, namely:

.....

"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 and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of such Trusteeship Agreement;"

I wish to draw the attention of the Soviet Union representative to the fact that self-government and independence are mentioned as alternatives in Article 76 b.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): That is the question that interests me. Since the representative of New Zealand speaks of the alternatives given in the Charter and since the Samoa Amendment Act of 1947 refers to only one of these alternatives, are we to understand the statement of the representative of New Zealand to mean that, as the end purpose of Trusteeship, self-government is envisaged for the Territory and not independence? Or is there a choice of one or the other? If there are alternatives and only one of them is mentioned, is it possible that the other alternative is excluded? I would like to have that point clarified.

/Mr. SCOTT

Mr. SCOTT (New Zealand): I have read to the Council a section of the schedule to the Samoan Amendment Act, which mentions specifically the obligation of the Administering Authority to promote the political development of the Trust Territory towards the two alternative objectives which are also mentioned in the Charter. Indeed, the wording of the Trusteeship Agreement follows exactly the words of the Charter. Therefore there is no question of a choice having been made by the Administering Authority in 1947 as to whether the Trust Territory of Western Samoa should proceed either to self-government or independence, since both objectives are recognized by the Administering Authority as final objectives of its administration.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I still feel that I have not received a clear reply to my question.

For some reason or other there is an omission in this Act, because reference is made to only one of the two alternatives, and this gives the impression that a choice has already been made.

I would like to ask the special representative to give us some information regarding the preliminary results of the effort to promote a closer relationship between Western Samoa and New Zealand. Could he tell us something of the form of self-government envisaged for this area of Western Samoa, and something of its nature -- in the most general terms, of course.

Mr. EDMONDS (Special representative): Before I go on to the latter part of the question of the Soviet Union representative I should like to point out that the preamble of the 1947 Act mentions not self-government but "full self-government". I think that full self-government is far more than is included in the words "self-government" in the Trusteeship Agreement, and could easily be interpreted as including independence -- or anything.

Now to revert to this other matter -- the relationship between Samoa and New Zealand. There is, at the moment, a very lively discussion going on -- an exchange of views in the Working Committee -- on this point; and apart from a general feeling that there should be some friendly relationship between the two countries in future and that possibly for some time a special relationship will be necessary between Samoa and New Zealand, there is nothing definite to report.

It is quite impossible to predict exactly what form the future relationship -- if any -- between the two countries will take; and this is obviously a matter that will be discussed at the Constitutional Convention. The Working Committee has given it a considerable amount of thought, but they realize that in these matters there are certain legal points which are hardly capable of full discussion. in a committee of layman, and they hope to get from the Constitutional Convention an expression of the wishes of the people, which can in future, of course, be referred to this Council for its advice and its views. I am sure that in the next year or so we will be able to give to the representative of the Soviet Union a more satisfactory and final reply.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): Since the time has come for our regular recess, should I continue asking questions, or shall we take our recess and I can continue after that.

The ACTING PRESIDENT (interpretation from French): If the Soviet Union representative has several further questions, I think we might indeed take our recess now.

The meeting was suspended at 4.5 p.m. and resumed at 4.30 p.m.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I have a few additional questions to ask the special representative regarding the discussion in the Working Committee of the development plan. I am also interested in the composition of this Working Committee. In his opening statement, the special representative mentioned the Working Committee and with regard to this development plan there is in the report a list of members of the Working Committee. I would like to know how many of its fourteen members are Samoans and how and by whom they were appointed. What was the basis for appointing them?

Mr. EDMONDS (Special representative): In reply to the question of the representative of the Soviet Union I would like to say that, of the fourteen members listed in the annual report on the development plan, nine are Samoan and three are part-Samoan. Since then, one further Samoan member has been added -- the new chairman of the Fono of Faipule -- and one European with no Samoan blood. The members of the Working Committee were appointed by the High Commissioner after consultation with the members of the Council of State and a specially prepared paper on the Working Committee was placed before the Legislative Assembly and approved by it.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I am interested in what steps have been taken by the Administering Authority in preparation for the Constitutional Convention. Who will participate in this Convention and how will the participants be chosen? Will they be elected? What is the procedure to be followed by the Convention? How will it arrive at decisions? There is not too much time before the Convention will meet -- I think it is in October of this year -- so I assume that some preparation has already been made or is under way. I wonder whether the special representative could tell us what has been done or what is being done in this connexion.

Mr. EDMONDS (Special representative): This question of the composition and the machinery for calling together the Convention has been discussed at length in the Working Committee. Although no definitely worded suggestion had

been arrived at when I left, I think that I can give the representative of the Soviet Union certain information along the lines on which the Working Committee was thinking.

Firstly, it felt that all members of the Legislative Assembly should be members of the Convention and that all members of the Fono of Faipule should also be members. It felt that it would be wise, if possible, to have a new election for the Fono of Faipule before the Convention meets, as the life of the present Fono expires on 30 September of this year. It was also felt that there should be two additional representatives -- two was a tentative number -- elected by the people of each Faipule district in the usual manner and that there should be two additional representatives elected by the European community. The Working Committee also felt that besides having this membership, the Convention should be completely public, that all proceedings should be broadcast and that it should be open for anyone to come along and speak to the Convention even if he were not a member. This is, as I say, purely the stage which had been reached when I left, although the suggestions may have been modified while I have been away.

There will be very little trouble in arranging for these elections because Samoans are used to having these large Fonos. They had a very large Fono in 1946. As to how the Convention will function, the Fono of Faipule at its last meeting asked His Excellency, the High Commissioner, to be chairman of the Constitutional Convention. His Excellency refused because he said he thought his presence there was unnecessary and probably in many ways undesirable. The Working Committee and the Fono of Faipule, I think, are more or less agreed that the Convention will elect its own chairman and draw up its own rules of procedure. There is also the suggestion that when it meets it will elect its own steering committee to assist the chairman. But these things, I am afraid, are not definite and I certainly feel that these are only suggestions as to the way in which the Working Committee will arrive at its final conclusions.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): As the special representative has told us and as the report points out, the Working Committee has been meeting since September 1955. Have there been any concrete results of these meetings and has any terminal date

been established at which the time the Committee is to submit its findings? Will they be submitted before the Convention meets or will they be submitted to the Convention without being discussed by the population? I ask this because, according to the special representative, the response of the population is not very energetic. I think only one reply was received from the indigenous population.

Mr. EDMONDS (Special representative): The Committee, in its early stages, spent many meetings discussing the development plan. I would point out to members of the Council that, in the annual report, in connexion with the development plan, the functions of the Working Committee are listed. The first function is to discuss and dissect the plan in detail so as to be sure that members of the Committee understand it and that the Samoan translation is as accurate and as easily intelligible as possible. This particular duty of the Working Committee, which is first on the list, was also first on its agenda and it discussed the plan at great length. We were very eager to ensure that members of the Working Committee should have a thorough knowledge of the plan before they attempted in any way to make up their minds about final suggestions to the Constitutional Convention. Then a considerable time was taken with ensuring that the Samoan translation was as accurate and as easily intelligible as possible. This is no easy matter in Samoa because, as special representatives and the Administering Authority in its annual reports have on many occasions pointed out, the Samoan language is in a state of flux and we wish, as soon as possible, to draw up some sort of standardized dictionary and grammar but so far we have been unable to do so, although steps to do so are in active preparation.

/The plan was then distributed

The plan was then distributed widely throughout the Territory in its simplified form. About three thousand copies were distributed, and more were held in the central office for distribution to any who asked for them. Once that was done, the Working Committee asked to have placed before it explanatory memoranda on almost every item that it wished to consider. These required a certain amount of drawing up, and rather more translating, and they were discussed in detail. Then the Working Committee finally got down to making some suggestions, and when I left those suggestions were in draft form -- they had not been finally approved by the Committee. I should think that they would be in final form well before the end of next month, and, once they are in final form, they will be widely publicized throughout the Territory. There is no intention of leaving the suggestions of the Working Committee on the shelf until the Convention meets. We want the people to know what the Working Committee has suggested; otherwise the Convention will waste a lot of time.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): Could the special representative explain to us why only one reply was received after this plan was submitted to the people in general for their consideration? Why was popular reaction so passive? Could the special representative tell us why the Working Committee is not receiving suggestions from outside? If it is not, it would seem to be a closed body which is working within itself.

Mr. EDMONDS (Special representative): I think it is rather misleading to refer to the Working Committee as a closed body. It has published press releases as to the current condition of its considerations at various times, and the various members of the Working Committee discuss widely outside the Committee what they are discussing inside. Also, the plan has been debated on two occasions in the Legislative Assembly, and some of the members of the Working Committee are members of the Fono of Faipule. Therefore, I very much doubt whether we could refer to the Working Committee as anything like a closed body: it is open to all. For physical reasons, it has to hold its meetings in a room where not many people can attend, but we do have a certain number of observers,

mainly from among the Samoan Governmental officials whose duty it is to deal with the public, because we wish them to have a very good idea of what the Working Committee is discussing and what it means to Samoa, in order that they can explain, to the people who ask, what the Working Committee is doing and what the Development Plan is all about.

With regard to the other point raised by the representative of the Soviet Union, as to why there was only one reply to this notice, I think if one appreciates the Samoan outlook on life and the Samoan system of living one will realize why there is not such a lively response as there would be, perhaps, in a European country. I would refer the members of the Council to the comments made by the 1947 Visiting Mission in its report on Western Samoa. The report of this Mission is a singularly penetrating document, considering that the members spent a comparatively short time in the Territory. You will remember the circumstances under which this Mission visited Samoa. In 1946, the Samoans petitioned the United Nations for self-government -- not for independence, but for self-government -- for a certain relationship with New Zealand, and various other things. The 1947 Visiting Mission came out to Samoa immediately after this great public petition had been sent to the United Nations.

On page 15 of its report, the Mission made these remarks:

"Some of the members of the Mission received the impression that the almost total absence of public expression of dissent was due to traditional Samoan practice and possibly -- as some witnesses before the Mission claimed -- to political pressure from high-level leaders. It is part of Samoan customary practice that all collective decisions reached in political gatherings are crystallized by leaders of high rank after full discussion of all the viewpoints involved and are then presented as a unanimous opinion."

This is a very important part of the Samoan political system. Yesterday I mentioned the way in which a matai is selected by his family. The family gather together and, after discussion, they select a matai. These matai meet in the village councils and, if there is any district matter which comes up, they meet together and appoint a man as a representative for the district. When the elections to the Fono of Faipule are held, the district Fonos meet together and they select a man for the Fono of Faipule. Similarly, when the

nominations for the members of the Legislative Assembly are called for, the Samoan representatives of the villages meet together in districts and they select a member; but they expect that member to represent them from that time forward. There is a very common phrase in the outlying districts of Samoa, when ^{any} matter comes up for discussion: "Oh, well, we'll leave that for the twelve" -- the "twelve" in this case being the twelve elected Samoan members of the Legislative Assembly. They are considered by the people to be their representatives, and are expected to do the work of representatives.

In the Working Committee, we have not only members of the Legislative Assembly; we have the two Fautua. These two men are regarded by Samoans as being the leaders in the movement for Samoan self-government. I think it is no exaggeration to say that the Hon. Tamasese himself, who is one of the Fautua, is the leading political figure in Samoa today, and has always been to the forefront in the movement for self-government.

Then, they have on the Working Committee members of the Fono of Faipule -- once again, the selected representatives of the Samoan people; and the Samoan people expect their representatives to work for them, they expect them to arrive at conclusions and they expect them to make decisions for them. Then they can be referred back to them in the Constitutional Convention. But many Samoans to whom I have spoken have said, "Well, the time to discuss all this is at the Constitutional Convention in the traditional Samoan way". And they also say, "You must remember that Constitutional Conventions are not such strange things to us as you think, because we are very used to having these big national Fonos -- these big national meetings -- and thrashing out our problems and our difficulties".

In the circumstances, I suggest that it is not surprising that a notice, published with good intentions to provoke any criticism that we can obtain from the people, actually elicited a comparatively poor response. It is possible, of course, that we may receive more letters in reply to it.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I wish to make note of this fact which is a general characteristic for the entire discussion of the plan. A working committee was established; a working committee in which there are members of the Legislative Assembly, Europeans and other Samoans, who represent only a relatively small group -- the matai. I know that there are less than 4,000 matai in the Territory. We know that all members of the Legislative Assembly, the members of the Fono of Faipule, will be present at the Constitutional Convention. There will be two Europeans and two elected Samoans, so my point is that during the Convention there will not be a truly democratic representation; it will still be the representation of the matai which is a narrow group. And, what I am saying is that the Administering Authority is not going out of the framework of its matai organization -- an outmoded and antiquated tribal organization. All this work is being carried on within the framework of the matai. I would like to know why the Administering Authority is not doing something to break away from this when, particularly the Administering Authority itself, admits in its own report that the matai is an outdated and outworn institution and that it is actually an obstacle and a hindrance to the political development of the Territory. And, yet, we see that this plan for constitutional development is going to be discussed only by a group representing the matai.

Take such an important question as that of universal suffrage: the Administering Authority constantly refers to the fact that the Samoan representatives in the Legislative Assembly object to universal suffrage. Well, naturally, they are the representatives of the matai and, being very conservative in their views, they object to being deprived of the privileged position which they now enjoy and the privileges which they now have and I think that the Administering Authority should exercise a certain amount of initiative in this field of universal suffrage. That is the question which interests me.

Mr. EDMONDS (Special representative): I think that the representative of the Soviet Union does not quite understand the Samoan attitude on these matters. We are, after all, trying to administer Samoa for the Samoans; not for the sake of the Administering Authority and in these matters we have to consider the wishes of the Samoan people. Every opportunity is given for all Samoan people to speak and to voice their opinions clearly. We almost go into the streets and beg them to say

anything they would like to say about the development plan. And when you find 90,000 people saying, "Well, if you just consult our properly elected representatives, they will tell you what we think", it is hard to believe -- hard to believe -- that the matai system is as outmoded in Samoa as the representative of the Soviet Union seems to think it is.

I feel, myself, that in many ways, economically the matai system has various faults. But, I feel that it is absolutely impossible to deny that the matai system is a living social system in Samoa. To Samoans, the matai system is the stuff and substance of their way of living and to consider it outmoded merely because it does not measure up to the political ideas of other cultures is, I think, almost completely contrary to the whole spirit of the Trusteeship Agreement for Western Samoa and for the whole Charter of the United Nations which recognizes that people have their various ways of living and have a right to live in their various ways. We have many indirect ways of knowing that the untitled people are perfectly happy at the moment to leave the discussions to their traditionally selected representatives. Hundreds of them will gather together and sing songs to that effect, while accusing the Administering Authority of trying to overthrow the matai system and destroy Samoan custom by introducing universal suffrage.

In one song I read recently, the untitled people, 300 strong, appealed to the Administering Authority not to be led astray on this matter. And they compared themselves favourably with other forms of democracy in the world and said: This is our Samoan democracy; this is our Samoan way of life. But, the Administering Authority realizes that, with the increasing population in Samoa, the matai system will have to face problems which never in the past has it faced. And it feels that the time will come probably when the Samoan people voluntarily will abandon the matai system; the matai feel that too. Members of the working committee have said on several occasions that universal suffrage will come to Samoa; it will come because the people will want it and when they want it, they should have it. But, until they want it, we should not do anything to disturb the fabric of Samoan society.

In 1926, a well meaning mandatory Power attempted to bring Samoan society up to date. For ten years, there was rebellion in Samoa. At this crucial stage in Samoa's political development, any attempt to force such an idea of universal suffrage on the Samoans would, of necessity, ruin the economy of the Territory

and delay self-government for an indefinite period.

On the other hand, the Administering Authority is perfectly prepared to encourage and to persuade by all means in its power the various Samoan interests to return, if possible, untitled men to the Constitutional Convention. It is interesting to note that the working committee itself admitted that, as far as it was concerned, if any untitled man wished to address the Constitutional Convention he could. They felt that that should be perfectly open regardless of title. They feel, I am sure, that it is very unlikely that any one will take advantage of it because, to a Samoan, the matai is thereto represent them. He is consulted, privately, about matters affecting his family, but he expects his representative to be a representative, not merely a delegate.

To go further into this matter would be tedious because I would have to run through the history of Samoa and try to deliver an anthropological lecture on Samoan customs of which I am not capable. But I think it is grossly oversimplifying the situation to talk in terms of European concepts of suffrage when one regards the Samoan scene. It is very very different from a European country; the society is not atomized to the extent which it is in a European society. There are still strong social ties freely accepted by the people and, more than freely accepted, loved by the people. To break Samoan custom is to break Samoan hearts at the moment.

Mr. S.S. LIU (China): From what the special representative has told us, there are at least three advisory bodies in the present Administration of Samoa: the Council of State, the Fono of Faipule and the Executive Council.

/I confess that I am not very

I confess that I am still not very clear about the interrelationship of these three bodies. Of course, the special representative was good enough to tell us that at least one function -- that of nominating an Assistant Public Service Commissioner -- belongs to the exclusive province of the Council of State. What can he tell us about the other functions? Are there many functions which are common to the three bodies? Is there a great deal of overlapping in the advisory functions of the three bodies?

Mr. EDWARDS (Special representative): I must admit that there does seem to be rather a plethora of advisory bodies in Western Samoa when one looks at the annual report.

As I have pointed out, as far as the Fono of Faipule is concerned, this is a temporary situation since the Fono of Faipule will probably not be in existence for very much longer.

As far as the Council of State and the Executive Council are concerned, the members of the Council of State discharge all of their advisory functions -- all of their formal advisory functions -- in the Executive Council. They really act as one. The Executive Council has, to that extent, replaced the Council of State as the highest advisory body in Samoa. It advises the High Commissioner on matters of policy and on matters such as laws, before they are submitted to the Legislative Assembly. Most of the matters which it considers originate either in Government departments or in the Standing Committees of the Legislative Assembly. They are, at times, matters brought up by members of the Executive Council themselves.

The Fono of Faipule has, in some ways, a far more limited range of advisory capacities. The Faipule come in from the various districts and they have district matters to discuss. These are discussed in the Fono, which may decide to submit a semi-petition to the High Commissioner, bringing certain matters to his attention. The Legislative Assembly may also suggest to the High Commissioner that the Fono of Faipule be consulted about some measure which affects Samoans intimately. In actual fact, the Fono of Faipule receives most of its work from the people in the districts, or from the Legislative Assembly or the High Commissioner in respect of certain specific functions such as nominating judges.

In practice, there is no overlap between the advisory functions of the Fono and of the Executive Council. The Executive Council acts, to some extent, as an embryonic cabinet on a purely advisory level. On the other hand, the Fono of Faipule has the function of ascertaining Samoan opinion in regard to certain matters which the Legislative Assembly feels might affect them intimately.

Mr. S.S. LIU (China): I am very grateful to the special representative for his very illuminating clarification.

We should also be interested to hear about the discussions which the Samoans have been having within their family gatherings and, especially, within the Working Committee.

In addition, we have been interested to note that the general population of the Territory -- the Samoans -- are willing to leave the question of the development plan to their representatives in the Working Committee. I take it that the Samoan members of the Working Committee have played an active part in the discussions in that Committee. Could the special representative tell us if the performance of the Samoans in the Working Committee fully justifies the confidence placed in them by the indigenous inhabitants? Would the special representative care to make some comments on this matter?

Mr. EDMONDS (Special representative): I think that the shades of opinion among the people of Samoa are probably well represented in the Working Committee. I have heard the case for universal suffrage propounded in the Working Committee by one or two of the Samoan members and I have heard the arguments pro and con carried on there. This is true mainly because Mr. Fonoti, who is the founder of the Samoan Democratic Party, is a member of the Working Committee.

We are fortunate in having in the Working Committee people from all parts of Samoa, people who are well alive to the varying shades of opinion in the various districts. This is quite necessary in Samoa because there are so many traditional likes and dislikes in the districts that it is almost impossible for any outsider to be aware of them all. It is most necessary to have Samoan

members in the Working Committee who are well aware of the traditional attitude of certain families and certain districts towards certain ideas. I think, by and large, we have representatives there in whom the Samoan people themselves have absolute confidence. I do not think that there are any other Samoans whom we could put on the Committee who would receive more confidence from the Samoan people. They are, of course, matai, but matai are the people in whom the indigenous inhabitants have confidence. They represent some of the oldest and highest families in the Fautua. Those families, in olden days, were divided and fought each other. However, while they work together, as they do now, the Samoan people feel that they are united.

I think, in the last analysis, the job being done in the Working Committee reflects great credit upon its members.

Mr. S. S. LIU (China): Do they show a great deal of initiative in expressing positive views regarding the plan and in making concrete proposals in connexion with the great variety of matters which are on the agenda of the Working Committee?

Mr. EDMONDS (Special representative): They show a considerable degree of initiative in suggesting ways in which the people may be kept informed of progress in the Working Committee by broadcasts and by publications. They also show considerable initiative in respect of the mechanics of calling together the Constitutional Convention and in other matters of that nature.

As far as the purely constitutional matters are concerned, they show initiative in putting forward broad ideas, but they usually like someone else to work out the details for them, to carry them forward and to comment on them. In their considerations they have stayed fairly close to the points actually outlined in the Prime Minister's statement. They seem not afraid, however, to disagree with the suggestions made there when they feel that those suggestions are contrary to the interests of Samoa.

The Samoans have had prepared for them very numerous and lengthy memoranda on all these matters and discuss them at length. I think, by and large, they behave as you would expect any committee of that nature to behave in any part of the world.

Mr. S. S. LIU (China): We note from the opening address of the special representative yesterday that the District and Village Government Board was set up in April of this year. Will the special representative tell us what is the composition of this Board?

Mr. EDMONDS (Special representative): The composition of the District and Village Government Board is laid down in the Ordinance passed last year. It consists of the Fautua, the High Commissioner when he wishes to preside, and six Samoan members nominated by the Fono of Faipule. In actual fact, the Fono of Faipule/^{nominated} six Samoan members to the Board and six stand-by members in case of a death or illness among the permanent members. It did this because it felt that it would be desirable that the work of the Board should, in no way, be delayed because of sickness or incapacity of its members.

/The District Affairs Branch

The District Affairs Branch is deeply interested in the work of the Board, and the Assistant Secretary for District Affairs is the Secretary of the Board. The High Commissioner and the Attorney General attended the first meeting. The Attorney General was able to explain to the Board certain of the provisions of the Ordinance which may have presented difficulties to them. Since then, the Board has met without the High Commissioner being present.

Mr. S. S. LIU (China): I should like to ask a question. We read in the report, on page 43, that "the councils of matai have certain judicial as well as executive and law-making powers." Also that: "The Government is anxious to divorce this judicial function from the other powers...". Of course, I have already heard the story of the fourteen Samoan District Court Judges who were appointed on probation -- which is a very interesting and encouraging story. I also heard the special representative mention the importance of the separation of judicial and administrative powers -- but he did not elaborate on that. I wonder whether he can tell us whether, in addition to the appointment of the fourteen District Court Judges, any concrete steps have been taken aiming at the separation of powers between the administrative and the judicial branches of the Government.

Mr. Edmonds (Special representative): In reply to the question of the representative of China I would say that it is not intended to take any positive steps to divorce the judicial from the executive and legislative powers of these local councils. What will happen is that there will be local authorities set up with specific semi-legislative and executive powers, but with no judicial powers. At the same time we have to build up through the system of District Judges a judicial system which more than competes with the old traditional system; and we trust that the judicial powers of those traditional councils will die of inanition, to some extent.

Mr. QUIROS (El Salvador) (interpretation from Spanish): I have but one question, and I hope to take up very little time.

My question relates to one put by my delegation last year, and I am seeking clarification in view of a point contained in the initial statement of the

special representative. We read, on page 53 of the annual report, that "Lawyers are not permitted to appear in the Land and Titles Court, but each party appoints its own leader...". Now last year a detailed explanation was given as to the scope of this provision, and we were told that the law prohibited the intervention of lawyers in the Land and Titles Court due to the simple fact that European lawyers were not competent to defend the parties in these cases. The special representative has told us that among the twenty-three students who had scholarships there were some six students in the university, one of whom was studying law. He is a Samoan, and he is going to be a Samoan lawyer. Now I wonder if the reason why these lawyers cannot appear in the Land and Titles Court is because they are European lawyers, as the special representative said last year, and can we deduce therefrom that this future Samoan lawyer will be entitled to appear in the Land and Titles Court -- and will this be applicable to any later Samoan lawyer who might be licensed?

Mr. EDMONDS (Special representative): I am not aware of any proposal that the law should be altered to permit Samoan lawyers to appear in the Land and Titles Court. In most of the cases which appear before the Land and Titles Court, involving questions of land or of title, the main burden on the two parties concerned is to prove that they have -- through their ancestry or their appointments -- rights to a piece of land, or title thereto. It consists largely of the propounding and invention of genealogies, because on some occasions they have to prove that they are descended from a certain person and thus have a proper claim to a piece of land. It is not unknown -- naturally, in those circumstances -- for parties to invent genealogies. And what is needed in the Court is a profound knowledge of Samoan history and of Samoan families rather than any profound knowledge of points of law.

As far as Samoan customary law is concerned, they have on the Bench -- besides the Chief Judge, who has been in Samoa for many years and is quite an authority on the subject -- Samoan judges and two part-Samoan assessors, people who are chosen particularly because they are aware of the various family trees in Samoa and of the local history of various districts in Samoa, and of the principles of Samoan customs, such as they are.

It seems, in the circumstances, that I can only agree with the remark made by Mr. Grattan last year -- Mr. Grattan knew a lot about the working of the Land and Titles Court -- when he said that a Chief or an Orator was far more capable or presenting a good case in Court than a European-trained lawyer.

Economic advancement

Mr. RYCKMANS (Belgium)(interpretation from French): In the economic field the report deals first with the budget of the Territory -- receipts and expenditures. An examination of the information given shows that the finances of the Territory are flourishing: there is no public debt, there is a reserve of more six hundred thousand pounds, and the budget for the current year has given the highest receipts that have ever been known. We note, among other things, that in the statement of "Payments" the figure shown for public works is double that for last year. In this connexion I should like to ask what the exit dues are on the main export produce. An indication is given, but it is not very encouraging. On page 178 we read: "Rates of Customs duties, etc., are given in the annual report of the trade, commerce and shipping of the Territory of Western Samoa" -- but as we have no such report available, I should like the special representative to tell us what the export duties are on such things as bananas, cocoa and copra -- which are the main articles of export.

/Mr. EDMONDS (Special representative):

Duties on copra are...

Mr. EDMONDS (Special representative): Duties on copra are 10 per cent ad valorem, on cocoa, 10 per cent ad valorem, and on fresh bananas sixpence a case. On timber and logs -- of which not very much is exported -- the duty is only 5 per cent ad valorem.

Mr. RYCKMANS (Belgium)(interpretation from French): In his introductory statement, the special representative stated that a Ministerial Commission had been set up last year to examine the taxation system in the Territory. This commission had already made its report on customs duties and on succession dues. It is now concerned with store tax and with a possible tax on incomes. The Report indicates that for the time being there is no income tax. The only income tax existing in the Territory is a tax on salaries and wages. The financial situation of the Territory is prosperous at present, but there certainly still remain some possibilities since the maximum tax on wages and remunerations is 10 per cent. There are certainly future possibilities for taxation if the needs of the ^{population} should increase. It is indicated on page 61 of the Report that the number of savings bank accounts and the amounts to the credit of these accounts continue to increase. In view of the importance of mobilization of local capital for economic development, I should like to know whether the special representative could give us an idea of the number of savings bank accounts and the total amount in these accounts.

Mr. EDMONDS (Special representative): The amount in the Post Office Savings Bank, on 31 December 1953, was some £343,760. That figure is shown in one of the Appendices to the Annual Report. I think I have the figure on the number of these accounts. The number of depositors for the year ending 31 December 1953 was 9,237.

Mr. RYCKMANS (Belgium)(interpretation from French): On page 63 the Report indicates the need for increased production. There is no doubt that in Samoa there are labour forces available and that Samoans have at present an easy life -- in the villages they do very little work. There are still possibilities for a considerable increase in production by having the Samoans work a little harder and more than one day a week.

I wonder, however, whether the Samoans realize the seriousness of this problem. It is indicated on page 87 that in the year 1952 there was a real food shortage in Apia. The population of Apia and its environs is approximately 16,000. Out of these 16,000 there are many who no longer contribute to agricultural production or the production of foodstuffs and who depend on what is brought in from the villages for their food. On the other hand the population increases in proportions which do not occur anywhere else in the world. I wonder whether the Samoans realize the danger for them in this rapid increase in the population if it is not accompanied by an increase in production for future contingencies. The special representative stated in his opening address that an expert who examined the economic situation in the Territory admits that the average production per capita is diminishing. He says: "the per capita volume of exports appears, according to Mr. Stace and other observers, to be dropping behind, or at least not rising." (T/PV.542, page 51)

If we take into account, for instance, the need for replacement of the coconut palm, according to the indications which are given in the report, at present there would be an extent of about 36,000 acres of coconut trees which would represent approximately 3,500,000 trees. Simply to maintain the production per capita, as the increase in the population is 3.72 per cent per annum, we would have to have about 4 per cent of the total of coconut trees at present yielding planted each year simply to compensate the increase in the number of inhabitants. We should add to this the replacement of trees which reach the end of their natural life -- a number which should be estimated at 2 or 3 per cent. This would be without any increase in the per capita production.

When we see that the Administration last year distributed 4,500 selected seedlings, it would seem that replacement of at least 150,000 to 200,000 coconut trees a year would be necessary simply to maintain the present production, taking into account the size of the population.

I should like to ask the special representative whether those who are responsible -- the Matai, among others -- for agricultural production in the villages, realize the seriousness of this problem, a problem which will grow more serious as the years go by.

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Mr. EDMONDS (Special representative): I am very glad that the representative of Belgium has brought up this matter because it is, in my opinion, about the most important thing in Western Samoa -- the increasing population and the threat to the food resources of the country.

In answer to the question whether the Samoan people realize the danger, I think that some of the Samoan politicians definitely realize the danger. I heard a very good speech by the Honourable Tualalelei--who is one of the members of the Executive Council and whom the representative of Belgium will have met -- on this very subject. He was extremely firm on the line that the Samoan people must do something to increase production with the help and advice of the Administering Authority.

/There have been signs

There have been signs, however, that there is a growing appreciation of this problem among the people in the villages themselves. Last year the Inspector ^{the} of/Agricultural Department went through several districts trying to assess the number of new plantings. I have figures here for three areas which I shall be pleased to read to the Council because they indicate that at least some of the people are doing something about this problem. I need not say that at every possible opportunity Government officials, even when talking on subjects very slightly allied to this, always bring in this matter of the necessity of increased individual production.

The figures for plantings of coconuts up to six years of age show that in Fa'aseleleaga there were 104,261 planted; in A'ana South there were 43,174; and in Atua South there were 112,458. That makes a total of nearly 300,000 coconut seedlings planted over the last six years in those three areas. With regard to bananas up to only eight months in those three areas, it is estimated that the number planted was somewhere in the vicinity of half a million. Regarding cocoa, the number of trees planted in the last four years was considered to be somewhere around 350,000.

These figures, they tell me, are probably not accurate but they are indicative of a trend. One of the big impulses given to the planting of these crops has been the new roads. Where the roads go the plantations follow. This is especially true in Savai'i where cocoa plantations have sprung up along the new roads wherever they have been put down. It is also true, especially in Upolu, of the banana plantations and a great fillip has been given to banana production by the guarantee given by the Union Steamship Company of New Zealand that it would send fortnightly ships, properly refrigerated, to carry bananas, to Samoa. Previously the uncertainty of shipping had adversely affected the production of bananas but representatives will notice from the figures given in my opening statement that there has been a terrific increase. These banana plants last for five years. By the time they have grown for five years, the ground is ruined for bananas. However, fortunately in Samoa bananas are regarded mainly as a catch crop and they plant cocoa between the banana plants and by the time five years have elapsed the cocoa is bearing. The use of this scientific

approach to the subject of plantations and catch crops has increased immensely over the last few years. The Samoans themselves are now adopting this practice which was previously more common on European plantations.

For all that, I doubt very much whether the Samoans appreciate the enormity of the problem which may lie ahead.

Mr. RYCKMANS (Belgium) (interpretation from French): I think that the Trusteeship Council would be well advised to make a recommendation on this subject in order to indicate the importance it attaches to this problem.

The special representative has just spoken about the cultivation of bananas and it is with great satisfaction that we learn, through the report and through the statement which he has just made concerning regular transportation of bananas, that New Zealand is able to and prepared to take more bananas than Samoa can produce even if it considerably develops its production. That is an extremely interesting situation for the indigenous inhabitants.

On page 67 of the report I note something which is not so encouraging and that is the ^{prolonged} existence of preferential tariffs which are at present under review. I bring up this matter because this preferential tariff is perhaps not entirely consistent with the Trusteeship Agreement and with economic equality among all Member States of the United Nations. Is the study of this question making progress or is going to continue for a long time yet?

Mr. EDMONDS (Special representative): Members of the Council will remember the statement made by the representative of the Administering Authority when the report on Western Samoa was under discussion last year. A departmental committee was set up at the end of this year to go into the whole question of tariffs and tariff reform. It produced a report which was tabled in the Legislative Assembly in its last session but was not debated or discussed. At the moment this report is being thoroughly reviewed in the light of expert comment from New Zealand.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 71 reference is made to the price of a copra contract and this price is £65 per ton. We heard from the special representative for New Guinea that the price paid by the Ministry of Supply in New Guinea is higher than £65 per ton. How can this difference be explained?

Mr. EDMONDS (Special representative): I have no knowledge of the figures quoted by the special representative for New Guinea but of course the exchange rate for Australia in sterling is different from the exchange rate for the Samoan pound by a considerable amount. The New Zealand pound is at par with sterling while the Australian pound is something like 20 per cent higher.

Mr. RYCKMANS (Belgium) (interpretation from French): If the New Zealand pound is worth more than the Australian pound, I hope that the difference between them is equal to the difference between the price paid ^{for copra} in Samoa and that paid in New Guinea.

Those are all the questions I wanted to ask in the economic field.

Sir Alan BURNS (United Kingdom): I was glad to read on page 63 of the report of the Administering Authority's recognition of the need to improve the standards of living, high as they are, for an increasing population by greater and more varied agricultural production. The economic survey seems to me to be a thoroughly wise measure. Can the special representative tell us whether any of the results of this survey are yet available?

Mr. EDMONDS (Special representative): In answer to the question of the representative of the United Kingdom, I very much regret that the economic survey is not yet available. I had hopes of being able to bring at least a copy to this session of the Trusteeship Council but at present it exists only in draft form and is still incomplete. One of the appendices on which they are working before it is published in its final form is a very rough estimate of the national income of Western Samoa. This is being prepared by an expert on the South Pacific Commission. I have looked through Mr. Stace's draft report

but there are several things which he intends to alter and he said that at this stage he would prefer me not to use any facts and figures which appeared only in his report unless I had corroborative evidence.

Sir Alan BURNS (United Kingdom):

Sir Alan BURNS (United Kingdom): Has the Administering Authority any plans for more secondary industries, in addition to the soap factory mentioned on page 66 of the report?

Mr. EDMONDS (Special representative): The Administering Authority has hopes of developing other secondary industries, particularly in connexion with the fibre which can be obtained from coconut husks, but at the moment rather delicate business negotiations are going on with regard to this matter so I cannot go very deeply into it. Samoa Industries, which is the name of the company which established the soap factory, has hopes of gradually developing more secondary industries but, when I spoke to the Managing Director just before I left, he said that these plans were all so very vague and that there was nothing definite which he could tell me.

Sir Alan BURNS (United Kingdom): Could the special representative tell me if there have been any results as yet from the FAO investigation into the possibilities of fish-pond culture, as mentioned on page 67 of the report?

Mr. EDMONDS (Special representative): I received information from Wellington the other day that FAO regrets that it will be unable to furnish any financial assistance for this project. I believe the Administering Authority intends to bring the matter before the South Pacific Commission in order to see if it will tender assistance. So far, however, the Commission has not been approached.

Mr. JAIPAL (India): We are somewhat concerned to see that the level of production in Western Samoa is not increasing in proportion to the rate of growth of the population. I think the representative of Belgium also referred to this earlier. The present prosperity is induced by the high prices of certain primary products and there is no guarantee, of course, that these high prices will continue for long. In the circumstances, my delegation attaches considerable importance to the economic survey which is now being undertaken by the Administering Authority. Would the special representative be good enough

to tell us when the economic survey is likely to be completed. In the absence of any long-term guarantees, such as guarantees of remunerative prices or even guaranteed markets for copra, cocoa and bananas, it is necessary to expand the economy by diversifying the crops and establishing secondary industries based on the available raw materials. If the economic survey is likely to take some years, is it not possible to draw up meanwhile some experimental schemes for intensive cultivation, the diversification of crops and so on, rather than wait until an over-all economic plan is formulated? Perhaps such measures are already being contemplated.

Mr. EDMONDS (Special representative): I am very glad to be able to return to this subject, the economic future of Samoa, because there is no doubt that the economic future of Samoa seems, from the evidence available, to be the critical factor in the over-all development of the Territory.

The Government of Samoa intends, so far as possible, with the help of the New Zealand Reparation Estates, to carry on its diversification and improvement of crops. The New Zealand Reparation Estates has recently begun planting quite a large area with coffee and there are signs that other private planters are also becoming very interested in the coffee crop. How long the high price of coffee will last I do not know but, at the moment, I believe it is something like £700 a ton, f.o.b. Apia. Naturally, the margin of profit on it is immense, so there is a great incentive for any planter to plant coffee. So far as the over-all encouragement of crops is concerned, the new Director of Agriculture has told me that his men are, this year, going throughout the Territory more or less taking stock of all the plantings and all the crops now being grown in Samoa, trying to interest the people in more scientific methods of cultivation and also in the planting of better grade crops. In this respect, of course, a lot of the hopes for the future in respect of cocoa hinge on the fabulous Lafi 7, which, apparently, on the evidence available, would increase the production of cocoa per acre from an average of five or six cwt. to something well over a ton. There has been a certain amount of delay in the propagation of this tree, but now the New Zealand Reparation Estates has erected a very up-to-date propagator and it intends, with the co-operation of the Department of Agriculture, to establish a five-acre nursery from which, in a few years' time, it hopes to be able to supply planters with rooted cuttings of the mother tree.

The first part of the economic survey, the economic stock-taking, should be completed this year and Mr. Stace tells me that, at the end of the report -- which he has not completed -- there will be a list of definite recommendations to the Territorial Government on what immediate action it should take and how it should also go about further research into the economic resources of the country. In this respect it may be of interest to the Council to know that a group from the Auckland University College in New Zealand, with the assistance of a Carnegie grant, will probably go to Samoa at the end of this year to make a geographic survey of parts of the Territory, mainly concentrating on the mapping and objective description of contemporary land utilization. This survey should also be of great assistance to the Territorial Government in its plans for the future.

Several suggestions have also been put forward, mainly still at the departmental level, for the use of Samoan Government lands recently acquired from the New Zealand Reparation Estates. At the moment these are still being discussed at the departmental level and, I am afraid, no decision has been reached on these matters. But it is the intention of the Territorial Government to concentrate, in the next few years, on these economic problems. It is especially noticeable that, among the European community in Samoa, there is increasing concern about the economic future of the Territory and I feel sure that the people will co-operate wholeheartedly once the Territorial Government, supplied with the evidence of the first part of the economic survey, can really show them the powerless state into which they are drifting.

Mr. JAIPAL (India): We are glad to note that the economic development of Western Samoa will be in two phases: plans for immediate implementation, as well as long-term plans. I presume that the experimental work is carried on by the New Zealand Reparation Estates.

I shall now proceed with my second question. On page 58 of the Administration's report, we observe from the budget that there has been an increase, during the year 1953, in the expenditure on customs and taxes over the expenditure for the preceding year, as well as a large increase in Public Works maintenance. I am referring to lines 2 and 5 of the estimate of the figures under "Payments". Would the special representative kindly explain the reasons for this relatively large increase in expenditure?

/Mr. EDMONDS

Mr. EDMONDS (Special representative): I shall be glad to explain these increases to the representative of India. First, with regard to the Public Works maintenance: part of that increase is due to increased expenditure on capital works and on current expenses, but well over £100,000 of it is due merely to a new system of keeping the books in the Samoan Treasury. They have now established a stores system with the Public Works; they purchase stores and show them as purchased, under the "Public Works maintenance" heading, and when they dispose of them to the various Departments which use these stores they write them off. Therefore, part of that is purely a trick of the accountants.

The increase under "Customs and taxes" was largely accounted for by the work on the new custom house in Apia -- there is a photograph on the board in this chamber of the passenger-landing jetty and customs clearing-house. It is also due -- from what I can gather -- to the transfer from the Health Department accounts of certain monies expended in the purchase of medicinal liquor.

Mr. JAIPAL (India): Will the special representative also explain why there has been a decrease in the education grant from £47,500 in 1952 to £28,470 in 1953? Has this decrease in any way affected the building of schools?

Mr. EDMONDS (Special representative): The sum of £28,470 is made up of £13,433 spent on scholarships and just over £15,000 spent on Samoa College. The reason for the decrease is that last year work on Samoa College was approaching completion, save for the erection of the dormitories. It was decided that there was more urgent work to be done than erecting these dormitories. In 1952, however, work on Samoa College was proceeding at top speed.

Mr. JAIPAL (India): The last Visiting Mission had recommended the utilization of the Reserve Fund to a greater extent for development purposes. I believe, even at that time, the policy of the Government was to hold in general reserve £500,000 and use the balance on developmental projects. Will the special representative kindly say whether any action has been taken by the Administration on this recommendation -- in other words, whether there has been any increase in expenditure on development projects from the reserve at the Government's disposal?

Mr. EDMONDS (Special representative): In the estimates for 1954, the sum of £126,000 is shown as brought in from the Development Fund Reserve and the sum of £41,360 from the General Fund, for use in capital works. However, while these estimates were accepted and passed by the Legislative Assembly, they led to a very lengthy debate on the advisability of using the reserves. It seemed that, especially among the elected European members of the Assembly, there was a feeling that the reserves should be increased rather than used. They pointed out that the present prosperity of the Territory might prove a transient thing, and they felt that there should be a nest-egg kept somewhere in the form, preferably, of easily realized securities. Some of the Samoan members spoke along the same lines, and one or two spoke to the contrary: they considered that the money should be spent for developmental purposes. However, it was fairly clear that the body of opposition among the unofficial members of the Legislative Assembly was strong; and, at the moment, it is impossible to predict what will be the future attitude towards the spending of the reserves, as far as the members of the Legislative Assembly are concerned.

In this respect, it is interesting to note that one of the group songs sung before the Governor-General referred to this matter; it said that things should be left as they were, that half a million was little enough these days, and that, generally, the use of reserves was unwise.

I think members of the Council will appreciate the fact that it is not always easy to persuade people who are not particularly well-versed in modern economics that reserves should be spent. But the Territorial Government is doing everything it can to persuade the Legislative Assembly of the wisdom of such a course. Here again, however, is proof of the measure of control Samoans have over their own affairs. This is a question of trying to persuade. The Legislative Assembly controls the budget.

Mr. JAIPAL (India): It is doubtless a very wise policy not to tinker about with the Reserve Fund, especially as the present economic prosperity may not last very long. I should like to know whether—in view of this fact, or in view of the possibility that the economic prosperity or the present high prices may not last very long -- the Administering Authority has some kind of price

stabilization fund, built up from the high prices prevailing, which can offset a lowering of prices at a later date.

Mr. EDMONDS (Special representative): There is one such fund in the Territory, the Copra Fund. The balance in the Copra Fund, as at 31 December 1953, was £196,430. This fund has been raised, over the years, by a levy of approximately 4 per cent -- it is actually fixed each year by the Copra Board -- on the export price of copra.

In the case of cocoa, there is no such fund. I feel that there would be some difficulty in persuading some of the cocoa-growers that such a fund was advisable. In particular, the European plantation-owner feels that he is willing to risk a fluctuation in price. In the case of the copra, of course, it is a question of protecting Samoans, and they were quite agreeable to it; but with the cocoa, it presents rather more delicate problems.

Mr. JAIPAL (India): This is my last question, and it is really not in the nature of a question. I should like to thank the special representative for his very satisfactory replies. But, before closing, I should like to refer to the question asked by the representative of the United Kingdom concerning secondary industries based on the coconut industry, such as production of soap, oil, fibre-matting, margarine, lard and so forth. I understand that the Administering Authority has all sorts of plans under consideration for developing such secondary industries. We in India have a whole range of secondary industries based on the coconut industry, and we should be very glad to welcome any Samoans that the Administering Authority may care to send to India to study our secondary industries.

The ACTING PRESIDENT (interpretation from French): In view of the late hour, we shall adjourn now. I should simply like to remind members that on Monday it will be necessary for us to conclude the general debate on the Trust Territory of New Guinea. I would therefore ask all members of the Council who intend to submit observations to be prepared by Monday. The special representative will naturally be granted permission to reply on the following day, but all members will have to present their observations on Monday.

The meeting rose at 6 p.m.