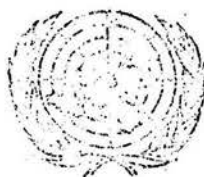


UNITED NATIONS
TRUSTEESHIP
COUNCIL



24

PROVISIONAL

T/PV.539
21 June 1954

ENGLISH

Fourteenth Session

VERBATIM RECORD OF THE FIVE HUNDRED AND THIRTY-NINTH MEETING

Held at Headquarters, New York
on Monday, 21 June 1954, at 2 p.m.

President:

Mr. URQUIA

(El Salvador)

Note: The Official Record of this meeting, i.e., the summary record, will appear in provisional mimeographed form under the symbol T/PV.539 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

54-17641

EXAMINATION OF CONDITIONS IN NAURU: ANNUAL REPORT OF THE ADMINISTRATIVE
AUTHORITY (T/1111, 1122, 1125; T/L.472) [Agenda item 4 (d)] (continued)

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

Observations of members of the Council (continued)

Mr. RIFAI (Syria): There can be no doubt that in assessing the progress which the Trust Territory of Nauru is making towards the objectives set forth in the Charter and in the Trusteeship Agreement, one is confronted rather perturbingly with the problem of its future. The Charter of the United Nations speaks in unequivocal terms not only of the well-being and material advancement of the peoples of the Trust Territory, but also of their national aspirations, which should ultimately find expression in freedom and independence. Our efforts in this Council must unswervingly be directed towards that noble and glorious consummation.

With this in mind, we may revert to the point at issue and ask ourselves the following questions: Could the people of Nauru hope, but without any vain assumptions, that a day may come when they can enjoy the freedom and independence guaranteed them by the greatest of compacts, supported by the collective conscience of the civilized world? Will the Trusteeship Council escape the stigma of laxity in the discharge of its duties if it allowed these people to slip unwittingly into that false hope? I pose these questions, but I do not propose to give the answers.

It is clear that we are here involved in an almost insurmountable contradiction between principle and reality. We are supposed to lead a people to a nationhood which, because of certain clear and stark facts, is impossible of attainment.

Some representatives have already referred to this point with commendable realism, and it is not my intention to dwell on it any further. Irrespective, however, of this inherent contradiction between the objectives of the Charter and the reality of Nauru, the Territory is at the present time in our trust. While the moral issues at stake can be left to the judgment of history, we must not be remiss in our duty to deal with the material aspects of the problem. I am well aware of the difficulties in this connexion also, but here they do not seem to be insuperable. With diligent application a satisfactory solution could be found, and it is incumbent upon us to work for it now.

There seems to be general agreement on one point, namely, that another home should be found for the people of that island. The when and the how, however, are still shrouded in darkness and I feel that nothing serious is being done to improve the situation. So far, mere reference only has been made with regard to the importance and the necessity of finding an early solution to this problem, which seems to be thoroughly appreciated by every representative, but it would be regrettable indeed if we continued to satisfy our consciences with simple expressions of appreciation or hope, while no action is being taken to formulate our thoughts and to prepare to implement them. For this reason my delegation believes that it might not be unwise to establish a special committee and charge it with the sole responsibility of looking into possible solutions of this problem. We do not believe that such a committee will have to visit the Territory in order to devise plans for the future settlement of Nauruans in other areas of the Pacific. The Administering Authority could well provide all the information which the committee might wish to obtain. At this stage my delegation wishes to offer this suggestion without any elaboration; the reaction of other representatives will determine our formal position in this regard. In our opinion, such a step on the part of this Council will not only reassure the Nauruans of our true concern about their future, but may also prove to be most timely, bearing in mind the possibilities of long-range programmes for resettlement and reintegration.

Having made my general remarks with regard to the future of Nauruans, I shall now offer a few observations concerning their political, economic and cultural advancement.

Nauru suffers from none of the serious handicaps which are common in many Trust Territories. It has no communication difficulties and no large backward populations, and its administration is certainly no financial burden on the Administering Authority. These features must be kept in mind when the progress which it has made thus far is evaluated. From the information given in annual reports and from my own observations in the Territory, the indigenous people appear to have made as much progress in some respects as the inhabitants of any Trust Territory, and perhaps, in some cases, they are even more fortunate.

In education, for example, there is a high level of literacy, and in public health the benefits of modern medicine are, in a way, available to everyone. However, when we look beyond this general level of attainment, there is nothing unique about the Territory in comparison with other Trust Territories. Neither the Nauruans nor any group of individuals among them have been educated to furnish the leadership which they require if they are to assume an important and increasing measure of responsibility for the direction of their destiny in the modern world. In some respects they have made even less progress than a number of other Territories, for they do not participate in either the executive or the legislative functions of the Government. The recently constituted Nauru Local Government Council, it is true, expresses its opinion on such matters to the Administrator, but the latter is under no obligation to follow any advice which he may receive. This advisory privilege can scarcely be viewed as a measure of political advancement since, in the past, the Nauruan Council of Chiefs no doubt also expressed opinions on administrative measures. The Administering Authority has stated that additional powers will be given to the Nauru Local Government Council when it becomes competent to exercise such powers. This statement indicates clearly an absence of political advancement on the part of the Nauruans in general and also in the case of those individuals whom they have elected to the Local Government Council.

This lack of advancement also appears in the participation of the Nauruans in the Administration. Many are employed in the public service, but until the present time only one has held a senior position. In recent months, others have been appointed, but the optimism with which this announcement should be received is dissipated by the explanation which the special representative has given regarding them. I quote from the verbatim record:

"The appointments do not mean that these Nauruans have reached a standard of education or have the qualifications and experience usually required of applicants for these positions. Their limitations are well known, but, in keeping with the policy of the Administering Authority to provide opportunities of promotion for Nauruans, they are being given the chance to show whether they have the ability and natural intelligence to overcome their lack of education and technical qualifications."

The uncertainty which the Administering Authority expresses here regarding the experience and preparation of these men to discharge the responsibilities they have been given indicates clearly the present stage of Nauruan advancement -- or, more correctly, lack of advancement.

This situation is surprising in view of the absence of many difficulties which are frequently encountered in the administration of other Trust Territories. There are no vast distances to be encompassed, no isolated areas or populations, and no costly system of communications to be maintained. At the risk of being repetitious, I emphasize these well known features because they are advantages which sections of the population and Administering Authorities in other Trust Territories have never enjoyed to the same extent. The entire population is in constant contact with the Administration, and the latter with it. There can be no interruption in the application of administrative policies due to the isolation of many inhabitants or the inability of the Administering Authority to reach them. Thus, there is nothing unusual in the fact that everyone receives an elementary education or that hospital facilities and modern medical attention are readily available to every one of the small number of Nauruans.

One could hardly be impressed when informed that social services are provided by the Administration, that houses destroyed during the war are part of

the rehabilitation programme, or that the whole male population is in wage employment. Could one expect to find less in a Territory with the resources and the small population of Nauru? Due to such unfavourable circumstances, it would be surprising indeed if such facilities did not exist, and it is a matter of some concern that in spite of them advancement has been so slow in other important aspects of Nauruan public life.

Nauru also differs from all other Trust Territories in a very fundamental way: it is the richest. The 1,700 Nauruans have only a few square miles of land, but the few square miles of land happen to bear an estimated 90,000,000 tons of phosphate. It is no more than a modest degree of exaggeration to term the Territory a land of millionaires. It is not a Territory that needs, requests or receives grants to support or assist the advancement of its people. It is able, and more than able, to pay for any measures which the Administration may sponsor in this direction. In this connexion, I might add that even the original Nauru Agreement of 1919 placed no obstacles in the path of an accelerated rate of advancement, for the special representative has stated that the Agreement provided, among other things, that "all expenses of the administration", so far as they were not met by other revenues, should be defrayed out of the proceeds of the sales of phosphate.

Before I discuss the phosphate industry, I wish to make one observation regarding the reply which the Administering Authority has made concerning a view expressed by the last Visiting Mission, a view which the Council also endorsed: that the Administering Authority should intensify its programme of training Nauruan officials to fill higher positions in the Administration. The Administering Authority states that it is the policy to advance Nauruans to responsible positions as and when they are capable of giving reasonably satisfactory service in these positions; that arrangements have been made to intensify the programme of training, but that there are two sides to achievement and that just as much depends on the latent capacity, initiative and energy of the Nauruans as upon the training facilities made available.

I shall not dispute the fact that there is more than one side to any achievement. But I should like to observe that the Nauruans cannot be prejudged

as lacking latent capacity, initiative and energy in view of the limited field which they have had for exercising such abilities and the limited educational and training facilities which have been provided for them. Here I should like to recall a comment of the Visiting Mission regarding the Nauru Council:

"The Mission was impressed by the ability and the seriousness shown by the councillors and noted that they appeared to have a good grasp of the problems affecting their community and were desirous of improving the effectiveness of the Council."

Earlier I have stressed the absence of physical and financial obstacles in the administration of the Territory. With this in mind, one cannot agree to any thesis which would place responsibility on the Nauruans for their slow advancement.

I turn now to the phosphate industry. At this session, as at past sessions, the Council has learned that the selling price of phosphate has no bearing whatsoever on, and in no way influences, any payments made to the Nauruans or for administration purposes. Since this is the case and phosphate is sold at cost, I feel that good reason exists for a re-examination of the payments made by the phosphate industry toward Nauruan advancement. There appears to have been a general impression that the things that could be done and the progress that could be made were dependent on certain fixed sums which were slowly accumulated from small royalties on the amount of phosphate exported in any particular year. This does not represent the true state of affairs. The Administration's policies and their implementation are quite independent of such limitations. Consequently, its hands should not have been tied by a rigid pence-and-shilling formula. Since no profits are made and phosphate is sold at cost, any expenses incurred by the Nauru Administration, when distributed over the vast amount of phosphate exported each year, can be no cause for alarm. Furthermore, it can cause no hardship to the industry or the people who buy the phosphate. Actually, it would have little or no perceptible effect. The sums received now by the Nauruans and the Administration must make up but a very small part of the cost of a ton of phosphate to the consumer.

I think it is quite plain that, if the Administering Authority's activities have been limited financially in any manner whatsoever, this was an entirely artificial limitation which it imposed on itself voluntarily. As I have said earlier, Nauru is not and has not been a burden, financially or otherwise, and there is no justification for any failure to utilize its abundant wealth for the benefit of its people.

I would have liked to go in some detail into these benefits that accrue to the Nauruans from the phosphate industry, in order to demonstrate how disproportionate these benefits are when compared with those of another Trust Territory which happens also to bear phosphates. Unfortunately, I lack the necessary information at this moment, which is indispensable to a correct and fair comparison. I hope to be able to avail myself of a future opportunity to deal copiously and thoroughly with this question.

The existence, however, of certain agreements which were concluded under circumstances unfavourable to the people of Nauru cannot bind them eternally, irrespective of the great changes which have overtaken not only that small island but the whole philosophy of international relations. It is time that such agreements were reviewed and altered in such a way as to make them more just and equitable. This is particularly imperative in view of the uncertain future of the Nauruans, for nothing can guarantee them a promising future if the necessary funds for the purpose of their resettlement are lacking. The amount accumulated in the Nauruan Community Long-Term Investment Fund is a clear indication of how inadequate is the small royalty for meeting the purpose to which it is assigned.

With the abundant wealth of this island, its problems could look very simple. But I must confess that I am unable to understand them as they appear before us now. In any other Trust Territory, some of the gains made by Nauru could well be applauded and be worthy of commendation. But in Nauru they must be received with an element of surprise and a sense of disappointment that they are so modest when they could be so impressive.

Before I terminate my observations, I wish to refer briefly to the field of education. It is clear that as long as the future of the Nauruans is shrouded in mystery no proper and valuable education could be imparted to these people. UNESCO has pertinently pointed out that "education is only a means to an end, and official policy on resettlement (including likely places and occupations) will have to be clarified if the educators are to play their part adequately". Thus we have here another argument which militates in favour of an urgent solution to the problem of the future of Nauruans.

Aside from this general remark, the progress in the educational field seems satisfactory. However, before concluding, we should like to associate ourselves with those who called for larger appropriations for educational purposes. We hope that the Administering Authority will give this question its sympathetic consideration.

Mr. MUNRO (New Zealand): In speaking on this report, I should like to refer to what is really the first sentence in the report itself. It says:

"The Territory of Nauru is a small island situated in the Central Pacific ... It has an area of 5,263 acres, is oval-shaped, approximately 12 miles in circumference and is surrounded by a coral reef which is exposed at low tide."

As I understand the position, Nauru has 3,404 people of whom 659 are immigrant workers. It is a matter for congratulation that these very fine people have a Territory which is now being investigated by all the important people who are sitting around this table, representing as they do great nations and millions of people. The people of Nauru are especially deserving of our consideration because, as I understand the position, during the last war they and the people of Ocean Island probably suffered more at the hands of the Japanese than any other people in the Pacific. I should like the Council to take

into consideration and perhaps to remember with some sense of proportion the fact that we have given for some days now in this particular discussion as meticulous consideration as we have given perhaps to Tanganyika with its 8 million people. I think it is proper to recall the comment of the 1933 Visiting Mission on this society in microcosm "that the Nauruan people cannot be regarded as more than a small community and in no case as a potential State; moreover, this community, isolated as it is in a small island in the Pacific, has services exceeding by far those of any other community of similar size". More than that, its interests are watched over by the Commonwealth of Australia, a very considerable democracy.

Let us not hold a magnifying glass up to nature in our examination of Nauru. It is common ground among us all that Nauru is fortunate in possessing the great national wealth of its phosphate deposits, the development of which has made these people a fortunate people today in the Pacific. It is also contributing to the prosperity of some of the southern democracies and therefore, it is materially helping the development of their food resources and is of great benefit to the rest of the world.

The people of Nauru may reasonably expect that in their lifetime they will continue in increasing measure to benefit from this phosphate wealth. At present, the Administration provides them with free education, free medical treatment and hospitalization, family allowances, widows pensions and orphans allowances. The Nauruans pay no direct taxes. Indirect taxes in the form of customs duties are levied only on cigarettes and tobacco, liquor and I am creditably informed on cylinder blocks for motorcycle engines. Therefore, they are a fortunate people in that respect.

Since 1951, the basic wage has been raised from £100 to £236.10s.0d., or an increase of 136.5 per cent in three years. The special representative told us that practically the whole of the adult male population is in wage employment and that the wages earned are supplemented by land rents and phosphate royalties. And when it is remembered that the Nauruans live in their own houses, the special representative was certainly not guilty of an overstatement in his remarks that the majority of the Nauruan people are very well provided for, as indeed, I hasten to add in my own words, they should be.

In addition to the provision of these social services, the Administering Authority has provided a complete governmental and administrative organization in which the Nauruans are progressively participating and which, no doubt properly, does not cost them anything. I may say to you in the presence of this Council that there are few if any other communities in this world that can boast of similar conditions. It has been suggested, nevertheless, that the Nauruan people do not receive an adequate return from the exploitation of the phosphates. I feel that we should be careful not to be misled by such contentions and not to misunderstand this position. There is no reason to believe that the provision voluntarily made by the British Phosphate Commissioners for the benefit of the Nauruans in the past will be less generous in the future. Even at the present rate of increase, the Nauru Long-Term Investment Fund alone will amount to £1,330,000 in fifty years, and the royalty rate has already been more than doubled in the first three years of its institution.

History is full of examples -- I think I can say that it is littered with examples -- of the disastrous effect on a community or population of the too sudden acquisition of material wealth. It must be remembered that the Nauruan people is still essentially an unsophisticated community only one or two generations removed from a primitive civilization. Some may regard as disquieting the statement of the special representative that, with the money received by way of royalties and from wage employment, the Nauruans have become an urbanized community and are fast losing their native skills, particularly with regard to agriculture and fishing, and that they are making very little use of their land, preferring to purchase most of their food requirements from local stores. It is a moot point whether there is really a great advance of civilization when people -- wonderful people such as these Nauruans -- abandon their native skills and acquire tinned foods from stores which are generally regarded as a blessing of modern civilization.

The problem of the future of the Nauruans is, first and foremost, not a political or an economic problem: it is a social and moral problem. The representative of India asked the other day whether there were political parties in this village community. Whether the possession of political parties in a community of some 3,000, of whom about 700 are indigenous, is an essential element towards their progress towards the happiness of mankind, I do not know. The Polynesians do not approach these problems in precisely the same way as we do. I have not an expert knowledge on the subject, but I am a New Zealander and I am acquainted to some extent with the Polynesians, and as I understand the position they are not politically convinced of the necessity or the wisdom or the advantage of having political parties. They reach solution of their problems by discussion in other ways. But, as I have said, the problem of the future of the Nauruans is essentially, I think, a social and a moral problem. I am not discussing now what will be their disposition if, after the expiry of some decades, they do not occupy the present Island. Essentially, ^{the question} is a matter of their assimilation of different values and standards, and of their rapid adjustment to a pattern of living and civilization that are really poles apart from their own. We believe that the Administering Authority is wise to hasten slowly and carefully its guidance to the Nauruans across the bridge that spans these two worlds.

Finally, I would make a few comments on the question of the publication of the accounts of the British Phosphate Commissioners. We believe that this Council is fully entitled to information concerning the quantity of phosphate produced in the Island, to a knowledge of its destination and value, as well as to information concerning conditions of employment, wages, housing and other matters relating to the persons employed in the industry on Nauru. But it is against all usage in this Council for details of the confidential accounts of the Commissioners to be disclosed. This information is hardly necessary to enable the Council to carry out its duties effectively. The Commission -- and I should add this fact -- operates as a business concern both in Nauru and elsewhere, and no other company would be expected or would be prepared to make public information which would place it at a disadvantage with its competitors.

The special representative has indicated that the British Phosphate Commissioners are concerned with the mining of phosphate in other territories which are not under trusteeship, and that it would be impracticable to present completely separate information on their operations in relation to Nauru phosphate alone. Such information as is contained in the report enables members of the Council to calculate the f.o.b. price of Nauru phosphate. Indeed, the special representative has told the Council that in 1953 the f.o.b. price was between £1.12s.6d. and £1.13s.0d. If such a figure as a world price of phosphates exists -- and if a world price does exist my delegation has not been able to discover it -- doubtless a comparison can be made with it, but I must confess that I cannot see the relevance of such a comparison. The British Phosphate Commissioners sell phosphate on a cost basis only, and the royalties are in no way related to the actual cost per ton.

I have really reached the conclusion of my statement. I would merely like to repeat, if I may, what I said at the outset of my remarks, namely, that the Commonwealth of Australia is administering its trusteeship in respect of this important island -- and it is indeed an important island -- in the South Pacific; that its inhabitants, in the last war, very bravely and with great fortitude passed through many sufferings and have now returned to roughly the same sort of trusteeship or curatorship which they enjoyed before the Second World War;

and that we have every reason to believe not only that their progress is great and that their material comforts are considerable, but also that they are satisfied with the dispositions made for them. There is an important responsibility for such peoples, and it is a matter for congratulation that, in the great ocean of the Pacific, their development is being looked after by one of the members of the Commonwealth of Nations, and that this important body here has devoted so much time to the consideration of the present report.

In conclusion, it remains for me to express my thanks and the thanks of my delegation to the special representative for the care which he has taken in answering such questions as we have put to him.

Mr. Krishna MENON (India): Before I submit to the Council the observations of my delegation of this Trust Territory of Nauru, I would ask the President's indulgence in permitting me to convey our sentiments to the Commonwealth of Australia, which appoints the Administrator for the Territory. I am sure that the representative of New Zealand, who is my neighbour on my right, and all of us are very pleased to learn that just a few hours ago an Australian broke the mile record. It is a great tribute to them, and I cannot let this occasion pass without offering our congratulations to the representative of Australia on this great feat of his countryman. Of course, they have beaten the English, but that is between them. The time was three minutes and fifty-eight seconds.

Now we come to a problem that is entirely a matter for congratulation so far as certain administrative feats are concerned, but I join with the representative of New Zealand in taking into account the fact that we must have a sense of proportion in considering this Trust Territory. Here we have a little island of some 8.2 square miles, with a small population, which has come under the same set of trusteeship conditions and principles as govern other territories. That factor throws into relief two considerations.

On the one hand, the detailed examination of how many hospitals, whether there are political parties, whether elections have been held recently or various other questions of social organization are important. They are to a certain extent modified by the smallness of the Territory and the sparsity of its population. On the other hand, a Trust Territory is a Trust Territory, large or small. A country or a territory is the homeland of its people, large or small, so both these considerations have to be in our minds.

I personally did not have the privilege of sitting here to listen to the opening statement of the special representative or to ask questions in regard to it. I have, however, read all the notes in connexion with it as well as all the relevant papers. Perhaps it is an advantage that I have not been involved in the detailed questioning on this because, in the view of my delegation, this problem of Nauru opens up a whole set of considerations which are fundamental to the administration of trusts, considerations which will come up again in regard to other Pacific Territories. These considerations were again brought to my attention very sharply by the observations made this afternoon by two delegations. Therefore, in addressing myself to this subject, I should like to give the greater part of my time to the main problems with which the United Nations will have to concern itself in carrying out its obligations under the Charter.

So far as we are concerned, the Administering Authority for Nauru Island is a joint authority consisting of the United Kingdom, New Zealand and Australia. Therefore, when we refer to Administering Authorities we are referring to these three States. If they have chosen to make an agency agreement between them in order to perform this work for somebody else, that is a purely internal arrangement. It is convenient for us that the special representative should be present here from one country, but whatever he said in connexion with this must be addressed to the Administering Authority in terms of the Trusteeship Agreement. I want to make this position clear because it does not seem to have been seized of in the discussions as they have gone on.

Article 2 of the Trusteeship Agreement states:

"The Governments of Australia, New Zealand and the United Kingdom... are hereby designated as the joint Authority which will exercise the administration of the Territory."

The Commonwealth of Australia comes into this matter, so far as I can make out, by a domestic agreement between these three countries. I may be wrong -- I will stand corrected if I am -- but the Trusteeship Agreement does not show anything else but this. It says that they are a "joint Authority", and the three members of this joint Authority have concluded an agreement between themselves, and on this researches have not enabled me to find a date later than 30 May 1923. I may be wrong about this; there may be subsequent agreements but if that is correct then the administration of this island is vested in an Administrator, and the first Administrator in 1923 was appointed from Australia and the practice has been continued. This matter is of some importance at a later stage, when we come to the consideration of the question of the future of this island.

Having said that much, I should like to commend the Administering Authority on the achievements in this place where, according to the information before us, considerable advances have been made in the housing of its population, in the building of administrative offices, of radio facilities and also in enlisting the assistance of the Commonwealth Scientific Industrial Organization to undertake an agricultural land survey. However, what is to be done about the rehabilitation of this place is still a matter for the future.

One is also glad to note that so far as ratios and percentages are concerned, there is an increase in the minimum wage of the workers on this island by over 51 per cent. Medical students have been sent abroad, but the most outstanding factor of education in this island is that the percentage of illiteracy is small, being only about 10 per cent.

We are also happy to see that the World Health Organization in its report has made favourable comments about the medical conditions on this island, and they have also made suggestions which I have no doubt the Administering Authority will take notice of and execute.

The UNESCO report also speaks of the supplies of schools and teachers; it states that they are quantitatively adequate but that there is qualitative room for improvement. I suppose that last statement is general to all our populations all over the world. Teachers are now being trained abroad -- I hope with wholesome consequences. The curricula in schools are providing for vocational guidance. All these are matters on which we can well congratulate the Administering Authority and say that so far as administration goes and as far as the general report of the

special representative is concerned, we are in the happy position of saying that we hope they will go from better to even better conditions.

We now come to the question of the Trust Territory itself. The debate in this Council and the whole of the relevant material on this island throws into relief an entity called the British Phosphate Commissioners. I am not at all sure whether in reality it is the island of Nauru or the British Phosphate Commissioners that should have been placed under trusteeship. It appears to me that the Commissioners should be under trusteeship so that we might know how it is being administered, what are the conditions in regard to it and so on. I therefore want to refer to the agreement of the British Phosphate Commissioners. That goes back to the time when, as then it was, His Majesty's Government in the United Kingdom, the Commonwealth of Australia and the Dominion of New Zealand concluded an agreement at the time of the mandate. Correct me if I am wrong, but I think that the status of this agreement is that it is not a League of Nations document or a United Nations document; it is an internal agreement between the three members of the Administering Authority. Some day the United Nations will have to examine -- I will be wholly open on the subject at this moment -- whether the status of this agreement is one of a contract or an undertaking between these three Authorities with the United Nations or with any other peoples and to what extent it is in conformity with the Trusteeship Agreement. Article 6 of this Agreement says that:

"The title to the phosphate deposits on the Island of Nauru, and to all land, buildings, plant and equipment on the Island used in connexion with the working of the deposits, shall be vested in the Commissioners." Of course, the second part of it is entirely unexceptionable; it is their plant and their equipment; it does say that the title to the phosphate deposits on the island of Nauru -- and we are told time after time that the sole wealth of this island is the phosphate deposits -- is vested in the Commissioners. Article 9 states:

"It shall be the duty of the Commissioners to dispose of the phosphates for the purpose of the agricultural requirements of the United Kingdom, Australia and New Zealand so far as those requirements extend."

My recollection is that all mandates and trusteeship agreements were fundamentally based upon the principle that no Member States of the League of Nations or the United Nations had any special advantages in any Trust Territory as over anybody else. Article 10 states:

"The Commissioners shall not, except with the unanimous consent of the three Commissioners, sell or supply any phosphates to, or for shipment to, any country or place other than the United Kingdom, Australia or New Zealand."

Article 11 states:

"Phosphates shall be supplied to the United Kingdom, Australia and New Zealand at the same f.o.b. price, to be fixed by the Commissioners on a basis which will cover working expenses, cost of management, contribution to..."

That is to be on terms agreed by the Commissioners. Article 11 continues:

"Any phosphates not required by the three Governments may be sold by the Commissioners at the best price obtainable."

Article 12 states:

"All expenses, costs and charges shall be debited against receipts; and if by reason of sales to countries other than the United Kingdom, Australia or New Zealand, or by other means or circumstances, any surplus funds are accumulated, they shall be credited by the Commissioners to the three Governments" -- not Nauru -- "in the proportion in which the three Governments have contributed under Article 8 of this Agreement and held by the Commissioners in trust for the three Governments to such uses as those Governments may direct."

These articles have relevance in so far as they are necessary for an examination as to whom Nauru really belongs. That is to say, does it belong to its population? What is the status of the United Nations in this matter, and how far can it carry out Article 76 of the Charter in relation to these islands?

There is no doubt at all that this agreement was reached at a time when public thinking on this subject -- the conscience of mankind, if you like to call it that -- was in a state of lesser progress than it is today. In those days, the mandate system was a great improvement on the old colonial system. We have advanced now into the scrapping of the old colonial system, except where it hangs on by its physical power. Therefore, the whole conception of this agreement will have to be examined by the United Nations as a whole, that is, whether the Administering Authority, by some internal agreement within itself, can appropriate in the form of a legal document the entire property of the island. The whole of the deposits are vested in them, and, in a sense, they become a mine-owner of the whole peoples with rights to everything that is on the surface or underneath the soil.

Articles 10 and 11 of that agreement, those which relate to price and disposal and so on, have a bearing on what I have heard repeatedly said in this Council during the last few days, that is, that the British Phosphate Corporation is a non-profitmaking company. But it is non-profitmaking for whom? That is a question to be examined. The Phosphate Commission, if you consider it as a contractor working on a cost-plus basis, is taking out the phosphate without any seen profits on the exportation and sale of the phosphate to farmers in New Zealand, Australia and other places. It is selling the phosphate either at a price that is lower than the price on the world market or at a higher price where the profits go either to those Governments or to intermediaries, whatever it might be. There cannot be non-profitmaking in this so long as there is phosphate production elsewhere in the world.

The question of where the profit goes is a different matter. The term "non-profitmaking concern" would have application only if the Nauruan administration under the terms of the Charter, reaches the situation where the Nauruan local authority has become the Phosphate Corporation. Then it would be a non-profitmaking company for the 1,700 people of Nauru if, by the advance of

function and authority, under the very good guidance of the Australian authorities, they advanced to a situation when the resources of these islands were exploited and developed by the Nauruan population, with such assistance as the more civilized and advanced people can give them, and such protection as they could probably give them from foreign or other aggression or things of that character. Then, if these resources were so developed on this non-profit-making basis, the differences that there may be between the cost of exploitation and the selling prices to other countries would be ploughed back for the benefit of the Nauruan population.

At present, all that Nauru gets is 68 cents per ton and the various royalties and things like that. From the figures for 1953, the cost of the phosphate presumably on this non-profitmaking basis, is estimated at just under £2 million. The total that was ploughed back into Nauru, including the cost of administration, is something just over £300,000. Yet no one has hitherto suggested that a Trust Territory should pay for its own administration. Time after time, we have been told here by Administering Authorities that the cost to the metropolitan country is this, that or the other. In that total, there is the cost of rehabilitation, sinking funds, royalties and everything. Therefore, the term "non-profitmaking" does not have a wholesome bearing in relation to the Nauruan population.

This is not said by way of criticism of the Administrator Authority, because this is part of an agreement that was reached between them. Whether that agreement will hold water under the terms of the Charter or whether the agreement will have to be changed or the Charter, that is a matter of political power in this Organization. At the present moment, however, the Charter will not fit in with that agreement. What has happened is that the trustees have come to an agreement between themselves to utilize the resources of Nauru for the benefit of their own countries and their populations. In the course of that, by the general impact of their liberal traditions and their humanitarian ideas, they have advanced the conditions of the population of Nauru to a certain extent. Nobody denies that. This is one of the aspects that will have to be very carefully examined by the United Nations in due course.

That brings me to a consideration of the propositions that have been put forward by the representative of Syria, and I want to say at once that this is not a question of what either the distinguished representative of Syria or the less distinguished representative of India thinks can be done. We are bound by the Charter. It is not for us to have fancy ideas about transporting populations. Who is to draw the line on the optimum or the minimum population that is required to make a community? I come from a community that is comparatively vastly populated. There are 365 million of us. There are other countries with larger populations, and if I were foolish I could say that any population of less than 300 million is not a community and ought to be absorbed. There are other countries whose population may be only 57,000. I will not mention the names of any countries, but there are countries in the United Nations whose population is far less than a million, that is, less than one of the smaller towns in my country. The fact that the population of the whole of Nauru is that of a rural district council in Australia, the United Kingdom or New Zealand is not an argument for us to say that they shall be found other places.

Where would they go? Certainly not to the administrator country; they are Polynesians. Therefore, I want to utter a word of warning about this. Whatever may be the merits of this argument, it is premature. Not only is it premature, but it has consequences which must be fully estimated and examined by the United Nations, and if there is any trend of thought in that direction, we must undertake it with a realization of its full implication.

The idea of authorities, whether it be one place or another, and I must not refer to any country, trying to transfer populations to other peoples when they become inconvenient is a new device of administration on which my country does not look kindly. What is more, it is entirely in contradiction to the provisions of the Charter. We are bound by the Charter for the time being, and Article 76 b. states:

"to promote the political, economic, social and educational development of the inhabitants of the trust territories"

The advancement of the inhabitants of these Trust Territories cannot be promoted if they cease to be the inhabitants of those Territories. By definition, therefore, taking them away or making them cease to be Nauruans is impossible. The article goes on:

"... and their progressive development towards self-government or independence..."

If they are absorbed into another community, they cannot be self-governing. It is true that they can join a self-governing community, if they are permitted. The article continues:

"... 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 each trusteeship agreement."

One does not want to argue a situation into an impossibility by merely sticking to the words of the Charter, but in this case it is not a question of the words of the Charter. The Charter takes into account that there are populations who are regarded by others, not necessarily by those peoples, as unfit for self-government, as "primitives", and I want to examine this term "primitive", to which the representative of New Zealand has made reference. It is quite possible that all the Nauruans may want to go and inhabit some other country. I hope it is not mine, because we are too many. It is, however, quite likely, but if that is so, it must be a self-determined situation created by the Nauruans themselves and, therefore, their independence or freedom is a condition precedent to any migration and to any transportation of them. After all, the village of a Scottish highlander may be very sparse, but to him it is very precious and he does not want to be sent to an industrial town, any more than any Nauruan may want to go. After all, so far as we know the Nauruans have been there for three or four thousands of years, and what is more, this country has been populated by these people, even if it has sunk into the sea once or twice, according to geological history. It is not for us, sitting here in a small committee of humanity, to decide that these peoples shall have their homes obliterated and be absorbed in some other community which may or may not assimilate them and with whom there is little reason to think they will be at home.

With regard to this conception of transplanting the Nauruan population, I was rather distressed to hear the representative of Syria saying that it was common ground that we have to do something about it. It may be ground, but certainly it is not common ground, since it is not possible for us to subscribe to this doctrine at the present moment. Therefore, the bounden duty of the Administration is to seek to implement the provisions of Article 76 b. of the Charter, and I propose to confine the greater part of the rest of my observations to one point only.

It is not my intention to go into the question of detailed administration in Nauru. I am sure that the Kingdom of Australia, with its traditions and its pioneering history, will do everything that is required in this matter, and if it does not, it is a far smaller proposition compared to the other matters which we must consider. Therefore, if the British Phosphate Commissioners have all these rights -- and may I say, incidentally, that, reading through the papers, I find that the estimated value of an acre for the British Phosphate Commissioners, exclusive of royalties, is £45; and if there are 5,000 acres in the place, the cost of the whole island is a quarter-million pounds -- under this agreement, whether it is phosphate-bearing land or otherwise, if it chooses to take the whole area, all it has to do is to pay its quarter-million pounds and its royalties after -- no question of self-government arises thereafter. So that, the question for examination is, what is happening with regard to these populations acquiring the capacity for looking after their own affairs? I do not say that they should have a parliament, or that the Speaker of the Parliament should wear a horse-hair wig, or that the institutions should be as they are in New Zealand, or Westminster, or New Delhi, or somewhere else, but it means that they must be able to determine for themselves what can be done. And I am glad to see that the representative of Australia does not question this. He said that the phosphate deposits were sufficient for another sixty or seventy years and that it would be a pessimist who would say that independence could be not be achieved before the expiration of that period. Therefore, he also contemplates that independence at some time. I do not want to make cynical observations, because I am not cynical by temperament, but one would wonder why independence should wait until almost the time when the phosphate deposits are exhausted. Could it be that nobody else would be interested after that time?

The United Kingdom, New Zealand and Australia have had responsibility for this place almost since the end of the First World War, when the mandates were conferred in 1920 or 1921, and I have no doubt that they took on onerous responsibilities in those far off islands fertilized by the birds that fly across the Pacific. Two or three years afterwards it was pointed out that in a comparatively short time the place would advance in such a way that all the administrative posts

would be filled by Nauruans and, what was more, they could become a self-reliant community. May I read from the 1926 report on Nauru by the administrator country?

"The Nauruans are a gentle, law-abiding and pleasant mannered people.

It is a pleasure to help them, and it requires but little imagination to foresee, as the rising generation reaches maturity, a happy, contented, prosperous and self-reliant community."

That is to say, in terms of a population of 1,700, that self-reliant community could only refer to what the special representative said, namely, that it would be a pessimist who would say that independence could not be achieved before another sixty or seventy years.

Of course, there are various forms of independence. It may be that the independence of a small community, in our civilized age, could not survive without association with more powerful people; that is another matter. But if that was so in 1926, with regard to the whole of the administration being taken over by these people, even earlier, the annual report of 1923 said:

"All administrative appointments are filled by Nauruans and, with better educational facilities existing, there is nothing to prevent practically the whole of the service appointments being, in the course of time, filled by Nauruans."

That was in 1923. Thirty-one years have passed, and still it cannot be said that effective administrative functions rest in the hands of the inhabitants of the country. In 1927, four years later, the same story is repeated: "All vacancies in the junior posts in the administrative staff are now being filled by the appointment of intelligent, well-educated Nauruan youths." That is to say, in 1927 there were intelligent and well-educated youths. Unless it is customary in the Nauruan community for people, when they become older, to become less intelligent and less well-educated, the situation cannot have changed.

The report continues:

"The greatest care is being taken in the training of these youths, and it is the firm belief of the Administrator that, in a comparatively short time, with the development of the educational system and the training of the mental powers of the rising generation, practically the whole of the Nauruan service positions will be filled by Nauruans."

There are quite a number of them in inferior positions -- there always are in every country that is administered by a former colonial Power. But the question is, where does effective authority rest?

Now we come to the present position. In the year 1952-53 there was only one Nauruan holding a position of high responsibility. In recent months two more were appointed -- a postmaster and a senior foreman of the Works Department. After thirty-three years of compulsory education and training, the special representative tells us in his opening statement:

"The appointments do not mean that these Nauruans have reached a standard of education or have the qualifications and experience usually required of applicants for these positions. Their limitations are well-known...." (T/PET.5/35, page 28)

Then we are told that the average Nauruan is intelligent but uneducated. If you had said he was educated but was not intelligent, then you could blame nature; but if you say that he is intelligent but uneducated, then, of course, it is easy to see where the responsibility lies.

Therefore, if we take all these reports together, all made by the Administering Authority, there is no doubt at all that either there has been a retardation in educational advance and the devolution of powers and authority to the Nauruans, or there has been a different estimation of the standard required and, since we know that in Australia there are democratic institutions where a considerable number of Australians are employed -- probably it is one community in the world with the largest percentage of public servants -- it is, in our view, illogical to think that there will be an attempt on the part of the Administering Authority to retard it; therefore, it seems that there must be some problem here that requires examination.

Then we come to the political institutions. There are political institutions in this territory although, unfortunately, the report says that the only non-governmental organization is the Local Government Council. I am not at all clear about this. If this Local Government Council really is intended to be part of a constitutional administrative or ruling authority, why is it called non-governmental? Is the idea that it is a kind of durbar at which people can meet? This Local Government Council is a body of nine members, and it is a body corporate with perpetual succession, etc., which means that it is in terms of a national body.

The 1926 annual report says:

"This island, from time immemorial" --
and I suppose that "immemorial" means quite a long time before there were other civilized communities in the Pacific --

"has been divided into fourteen districts, each district being under a chief, the chiefs being controlled by head chiefs. The chiefs are charged with the maintenance of order in their district. The chiefs are called together each month and afford an opportunity of bringing matters to the notice of the Administrator. Advantage is also taken of this meeting to obtain the views of the chiefs on native administrative matters generally. The office of the chief is not hereditary but elective, the whole of the people of the district having a voice in the election. Women are eligible for appointment."

That was the position in 1926: there was universal suffrage, there was equality of men and women, there was consultation at that time. We do not seem to have advanced from that position, from the point of view of consultation or anything else. The main change we see here is that fourteen districts have been shrunk into eight districts, with nine members. Now, it need not necessarily be so, but, prima facie, it appears that when you shrink constituencies there is a tendency towards centralization. I do not say that it is so in this particular case. At any rate, that is the only change we see in this matter.

Let me now come to another aspect of this question of the future of the Nauruan population. I read in this report that the island presents a spectacle of excavated cavities created by the excavation of the phosphate, with pylons of coral standing up. And when, of course, in sixty or seventy years, the phosphate is exhausted, I suppose the pits will still remain-- and, if the populations are not absorbed, they will either die out or do something else.

I want to ask the Administering Authority, through the President, whether it does not stand to reason that, when an excavation of this kind is made, there should be, as happens in the Administering Authority's own home country or anywhere else, a rehabilitation or filling up of these excavations at the same time. We are told that nothing grows there. When I look at what does grow, there seem to be growths which are economically productive: the coconut palm, sugar cane, bananas. There have almost been wars waged about bananas -- for the possession of banana countries. The coconut palm is supposed to be the symbol of wealth in our part of the world. Almonds are supposed to be very expensive. All this -- sugar cane, and so on -- are sources of wealth in this place. The question naturally arises whether, since the ships that carry away the phosphates must be going there empty -- because obviously they cannot be filled with goods for a population of 1,700 Nauruans -- the Commonwealth Scientific Organization, or whoever has knowledge of these matters, would not devise some scheme whereby the ships would be filled with cultivable soil, or whatever it might be, so that these islands could become the homeland of these people when the phosphates are exhausted. The only sinking fund that one can create, the only compensation that can be paid for taking away the exhaustible wealth, is its replacement with something else -- and in this community, according to the materials supplied here, that replacement can only be in agricultural terms.

The Nauruans apparently knew that phosphates by themselves are not suitable for the growing of trees -- and, in the books about these islands that I have read, it does not appear that they ever used this kind of fertilizer for cultivation purposes. They knew the value of humus and of compost and things of that character.

There seems to be the opportunity for a very detailed and planned consideration of this matter of the rehabilitation of these islands. It is something that bears not only upon the material welfare of these people, but upon the more fundamental question: has an Administering Authority the right to take away the island -- any island? A trust is not annihilation; a trust is not absorption. Under the Charter, an Administering Authority does not have

the power to conduct affairs in such a way that the net result will be the disappearance of the Territory. In this particular case, the Territory disappears if the phosphate goes and if nothing else is put in its place. Similarly, if the Territory were by some other process made to go under the sea, that also, to my way of thinking, would not be in keeping with the Trust Agreement.

We therefore would suggest, with great respect, for the consideration of the Administering Authority, whose record in these islands is creditable in regard to education and other matters to which I have referred, whether it would not give attention to rehabilitation in the real sense. Since obviously phosphates cannot be consumed directly, and since these excavations are made in order that this rich mineral may be available for humanity as a whole, for cultivation in other parts of the world and for increasing the food supply, I would ask whether for these reasons -- quite apart from the details to which I have already made reference -- proper compensation would not be the re-creation of these islands by conveying to the islands soil or manure, or whatever it may be, in the empty ships that go for the phosphates, so that the pits from which the phosphates have been taken may be filled up and so that these islands may be converted into the pleasant land they were before the Germans came there. And "the pleasant land" is what they were once called.

If there are a people anywhere in the world who have claims to be called civilized, then, from all descriptions, these Nauruans have such claims. This report is a very generous factual report which refers to all their qualities. They are not quarrelsome. There were only twenty-five convictions in a year. I think that would be very creditable for a great number of civilized communities. There is no drunkenness, there are no drug habits. What is more, women have equality in these islands. A community should always be judged by the place that women occupy in it -- and here there is equality of rights. Moreover, in times gone by, they managed to arrange their own affairs by consent, without having resort to courts. They seem to have had all the indices of civilization before our own civilization came there.

They seem to be a people who have no desire to quarrel with anybody, who have done no wrong to anybody. There is one case given of a conviction for the use of bad language -- which would be a creditable record for the United Nations if it were true here. There is no prostitution in these islands, no social vices. They are probably the model of civilization -- and we talk about them as a primitive people. I suppose it all depends on which end you look at it from.

Mr. MUNRO (New Zealand): Point of order: I would interrupt my distinguished friend only with the greatest reluctance. I did not call these people "primitive". I said the Mauruan people are still essentially an unsophisticated community, only one or two generations removed from a primitive civilization. They are civilized. For example, I am civilized -- and I come from a young country. I am probably unsophisticated. My distinguished friend is both civilized and sophisticated. There is a complete difference. I am speaking purely of an unsophisticated community.

Mr. KRISHNA MENON (India): I have no desire to quarrel about these words -- but the fact of the matter is that the Mauruans have all the qualities that make humanity worthwhile. They know the art of living together; they have no social problems in their islands, no social vices. As I have said, they have no prostitution, no drunkenness, no drug addiction. Very few people go to jail there -- and, in fact, the jail is a new invention there, having been built only recently, along with the houses. But they are now arriving at a system such that the representative of New Zealand spoke, quite **rightly**, about tinned food and everything else. In other words, they are coming into a wage system whereby, just as in Africa, civilization imposes a tax upon the individual, and the individual has to collect money and therefore has to go to work for somebody else. A situation is now being created whereby these people are coming into a wage system.

This island is extremely wealthy. According to the administrative account, the value of the phosphates last year was just under 2,000,000. And the royalties that go to this place, we are told, are lower than in some other places -- but that is immaterial.

I am unable to understand the economics of things when people say there is no world price. There must be something wrong with the whole conception of the pricing process if it is not possible to find out what is its value in the world. Therefore, for the Council to take the view that this phosphate corporation is some philanthropic enterprise which does not make profits would be only correct in regard to the enterprise in relation to the Administering Authorities themselves. But so far as the Nauruans are concerned, they are not getting the benefit or the use of the phosphate. The British, the New Zealand or the Australian farmer is paying for this phosphate in some form. Various other people are making profits in the general chain of distribution. Therefore, the phosphate corporation, when the purpose of the Trusteeship Agreement is achieved, sooner than later should, I suppose, become a Nauruan corporation. In that case, it would be non-profitable and, for all the relations, historical and otherwise, that the Administering Authorities have had with Nauru, no doubt it will be entirely justified for them to make their own arrangements without any injury to the Nauruan interests.

I do not want any of the observations I have made to be taken as considering that pains have not been taken, that there are not special historical relations, that as between countries there should not be trade, barter and other agreements and that there should not be special privileges in certain places. I have not gone into all those questions. All I have said is that the position is that here is a treasure island on which excavations are made year after year, from which the people of the island get a pittance. It is quite true that they get work in the normal conditions at the present time. By education, their community is 90 per cent literate. There is compulsory registration for elections under the Australian system and all those things about which we have spoken. What is more, for many, many years there have been these elected Councils.

In our opinion, there is no reason at all why the Administering Authority should not now give consideration to the fulfilment of the provisions of the Charter, namely, advance them towards -- whatever word you would like to use -- their becoming a self-reliant, self-speaking organization where they would be

enabled to have the full benefit of their resources and live as a self-respecting, equal community among other people.

Before I conclude, I wish once again to say that I do not want any observations that I have made to be regarded as ruling out of order for all time the suggestion that has come from the representative of Syria. All that I have said is that, at the present moment, even if we thought it were the right thing, we would not do so because our duty as the Trusteeship Council of the United Nations, so long as this Charter lasts and unless it is amended, is to see that these people advance towards self-government and independence and become an autonomous self-governing community in control of their own lands and resources, able to make their own relations with other people and, by the goodness of administration and the care that is taken by the Administering Authority, they grow out of tutelage. That is the function of the Trusteeship Council.

I want to point out that neither the Phosphate Commissioners' Agreement nor their arguments -- I do not want to go into the question of their accounts; I will do so at a later time -- is of any value whatsoever.

We offer our felicitations to the Government of Australia for the advance that it has made in those circumstances to which the special representative has made reference. But the fundamental facts still remain. They have nothing to do with the Australian administration or anything of that kind; they have to do with the interpretation of the Trusteeship Agreement, with its purposes and with the principal problems which bear on other places and other issues. We cannot disregard the homelands of people just because they belong to another race, another civilization, have other habits of life or are from countries that, by the accident of history or by conquest, have become colonies in the past just to lapse into the position where they can be moved about like chattel.

Mr. FORSYTH (Australia): I should like first of all to thank the representative of India for his concluding remarks in which he felicitated the Administering Authority on the conduct of the Administration of this Trust Territory.

The special representative will reply fully at the end of the debate to questions raised concerning the phosphate deposits of Nauru and their extraction. For the moment I merely wish to make two or three points.

First of all, it must be remembered that the enterprise of the British Phosphate Commissioners represents a very costly investment. It is not as if the current transaction of the Commission represents anything like the total expense of the conduct of that industry. Secondly, the phosphate deposits never were used by the Nauruans themselves. The land in the central portion of the island from which the phosphates are extracted was always useless for agriculture. The Nauruans cultivated the ring of comparatively fertile land around the seashore, and they can still do so. However, the population has increased, and it would in any event have increased beyond the agricultural resources of the island. In these circumstances, it has been and it still is necessary to find alternative means of subsistence for that increase in population. So far, employment by the British Phosphate Commissioners has been providing this alternative means and so have the expanded structure of the Administration, brought about by the conduct of the phosphate industry.

The Administration has also been providing alternative means of employment and subsistence for this growing population. It is clear from the reports, not only of the Administering Authority but of the two Visiting Missions, that the Nauruans have been living very well by these means of employment. They will continue to do so until the phosphate is exhausted. The object problem which the Visiting Mission recognized and which the Administering Authority has long since recognized is what to do for them when the phosphates are exhausted, say in another one or two generations, in order to give them a permanent livelihood. This the Administering Authority is studying carefully and in consultation with the Nauruan people themselves with a view to a practical and satisfactory plan.

Thirdly, we are here confronted by a question of acquired rights. The rights of the British Phosphate Commissioners antedate the Trusteeship System as they antedated the Mandate System. I would draw the attention of the Council to the fact that the Charter of the United Nations explicitly protects those rights. In paragraph 1 of Article 80 of the Charter in the Chapter dealing with Trusteeship, we find this provision:

"Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties."

"Except as may be agreed upon in the trusteeship agreements..."

in the Trusteeship Agreement for Nauru are the rights of the British Phosphate Commissioners diminished or in any way affected. And, as I have said before, those rights antedate the Trusteeship System and indeed even the Mandate System.

I submit that the Charter and the Agreement fully protect the rights of the British Phosphate Commissioners and the three Governments. At the same time, the interests of the inhabitants are also protected.

For example, in paragraph 1 (a) of article 5, the Administering Authority undertakes to "take into consideration the customs and usages of the inhabitants of Nauru and respect the rights and safeguard the interests, both present and future, of the indigenous inhabitants of the Territory; and in particular ensure".

Have these interests in practice been protected? The Nauruans, apart from other things which I will not mention, have been provided with schools, with houses, with employment, with medical services and with participation in the management of their own affairs, with a system of training looking towards the time when they can be fully self-governing. Again and again in this Council the question is, "What is done in practice?" I submit that what the Administering Authority is doing in practice fully satisfies the undertakings of the Charter and the agreements, and, further, that the Council's own Visiting Mission of 1953, as any fair-minded reader of its report will acknowledge, was satisfied that these obligations were being discharged. The representative of New Zealand quoted a very significant passage from the report of the Visiting Mission for 1953. The passage that he quoted reads:

"this community, isolated as it is on a small island in the Pacific, has services exceeding by far those of any other community of similar size."

(T/1076, para. 12)

This is what the Administering Authority and the British Phosphate Commission are doing for the people of Nauru Island. As I have said, detailed aspects of this question will be treated by the special representative in his reply at the end of the debate.

One final point. With regard to the ultimate solution of the problem of the people of Nauru which, like that of many other Pacific islands, is, or will be after the exhaustion of the phosphate deposits, a problem of over-population, I would say this. We should not prejudge this question. The problem is under serious examination, and that examination is being made in consultation with the inhabitants.

Mr. RIFAI (Syria): I wish to reply briefly to certain comments on my speech which were made by the representative of India. When I made my suggestion with regard to the future of the Nauruan people I certainly did not exclude any possibility of criticism. Nor, at the present time, do I wish to forestall further criticism that may come on this score. In a way, the representative of India has misunderstood my remarks. As a matter of fact, I referred in the

course of my statement to the difficulty of reconciling not only the agreement regarding the phosphates but also the Trusteeship Agreement as such with the terms of the Charter, and I said that in this connexion we were faced with a contradiction between principles and reality. Well, that contradiction will not distract us from the realities of the situation. We must certainly face it with courage and ascertain how we can attain a solution of this grave and difficult problem. It was for that reason that I offered my suggestion.

In the first place the representative of India said that, in a way, I had included his delegation. I said, however, that "in general" there was agreement on this point, namely, that of finding a future home for the Nauruans. I emphasize that I said that the agreement was "general" -- not "unanimous". I do not think that the word "general", especially since I used it before he had spoken himself, could be taken to include the representative of India. I certainly knew beforehand that he did not share my opinion in this connexion.

I have been in the Territory and have seen the areas from which the phosphate has been extracted. In my opinion these pinnacles of rock are eternally lost to human life unless some ingenious method is found -- and certainly, now that we have atomic energy, I do not want to preclude the possibility of this being the miraculous achievement of our age -- for restoring the area to fertility. But, in my ignorance of scientific possibilities, I could see no further possibility of having the people live on that island when the phosphate deposits were exhausted. However, when I made my suggestion I did not prejudge any possibility with regard to the future home of the Nauruans. I did not say that they should be sent away from the island. I said that we should try to constitute a committee to look into this problem, precisely in order to see what could be done for these people. We do not want in any way to prejudge the possibility of restoring these lost or derelict lands to fertility or to possible use.

That is all I wanted to say, and I am sure that the representative of India has misunderstood me on this point because essentially there is no difference whatsoever between his approach and mine.

The meeting was suspended at 4 p.m. and resumed at 4.35 p.m.

Mr. OBERENKO (Union of Soviet Socialist Republics) (interpretation from Russian): The consideration by the Trusteeship Council of the conditions in the Trust Territory of Nauru has shown at this session, as at previous sessions, that the Administering Authority is not fulfilling the obligations which it assumed under the Charter of the United Nations and under the Trusteeship Agreement. In violation of the Charter, the Administering Authority is not concerned with the political, economic, social and educational advancement of the indigenous population and the progressive development of that Territory towards independence and autonomy. The policy and the activities of the Administering Authority in the Territory give proof of the fact that the Administering Authority does not have the objective of leading the indigenous inhabitants towards independence and self-government. The Administering Authority is interested in Nauru only to the extent to which there is a possibility of exploiting the only natural resource of the Territory, namely, the phosphate deposits.

The taking of the phosphate by the governmental company is the main activity and concern of the Administering Authority. The Governments of the United Kingdom, Australia and New Zealand have concluded an agreement between themselves and have imposed upon the small people of Nauru conditions of enslavement and have exploited the only natural resource of the Territory. They have established a monopolistic company called the British Phosphates Commissioners, and this company has intensively exported the phosphates and made tremendous profits.

As was quite correctly stated by the representative of India, this agreement which was concluded in 1919 between the Governments of the United Kingdom, Australia and New Zealand is in contradiction with the provisions of the Charter and with the purposes of the International Trusteeship System. Since the discovery of the phosphate, about £60 million worth of phosphate have been exported. At present the exploitation amounts to about £1 million pounds per year. As a result of this exploitation, the deposits will be exhausted within a few decades. After this there will be no resources in Nauru, unless measures are taken.

However, this is not a matter of concern to the Administering Authority, which considers, in contradiction to the provisions of the Charter and to its obligations under the Trusteeship Agreement, that the people of Nauru should be resettled somewhere else in order that there might be no obstacles to the reckless exploitation of the resources of the Territory. It is quite clear that such a policy has nothing in common with the purposes and obligations of the Trusteeship system in the United Nations. It should be noted that the British Phosphate Commissioners, without the agreement of the indigenous population, arbitrarily have established low prices for the phosphate. If one compares the prices paid by the Administering Authority with prices realized in other areas, then it is seen that the phosphate from Nauru is under-sold by at least \$2.00 per ton. Thus, at the expense of the indigenous population, the Administering Authority is building up profits. If one also takes into account the fact that the phosphate from the Trust Territory is twice as good as the phosphate from the other areas of the world, then it is clear that, by means of these monopolistic prices, the Administering Authority has been able to take away each year more than \$2 million from the indigenous population.

This is not all. From the low prices established for phosphate, the indigenous population receives only a miserly contribution. On pages 18 and 19 of the annual report of the Administering Authority, it is stated that the total resources amount to approximately 90 million tons. Hence, the total value of the phosphate is about £145 million sterling. If one takes into account the fact that the indigenous population of the island has more than 4,000 acres of phosphate-bearing land, then one can see that for all this the Nauruans will receive about £6 million, or about four per cent of the total price of these phosphate.

As we see it, the Administering Authority, in exploiting the phosphate resources and converting the island into a desert, is not concerned with the future of the Nauruans. It is clear that, with such a policy, the indigenous population of Nauru have no security for the future. As it is said in the petition from the Nauruan Council of Chiefs, "What am I going to do after they have taken all the phosphate away?" (T/PET.9/6).

The power of the Phosphate Commissioners is evident not only in the economic field, but also in the political field and others. The indigenous population have no voice in the activities of the Commissioners. As was noted by the Visiting Mission, the Phosphate Commissioners have a position of complete control over the economy of the island. In this connexion it might be noted that the special representative was unable to give the Council a financial statement of the activities of the Commissioners; that is a matter which is not open for inspection. The power of the Commissioners has been intensified to the extent that, in the future, the expenses of the Territory will be met by direct contributions from the Commissioners. Thus, the Administering Authority is fully under the control of the Phosphate Commissioners.

The Phosphate Commissioners, under existing laws which are imposed upon the population, and which in no way protect the interests of the Nauruans, have the right to alienate the lands of the indigenous inhabitants for insignificant remuneration. Under the Lands Ordinance 1921-1951 the British Phosphate Commissioners have the right to lease any phosphate-bearing land and exploit it as much as they wish. The Commissioners pay only £45 per acre and a small royalty per ton. In this connexion the royalty received by the owner is only 1s.4d. per ton. The Administrator is empowered to determine what lands shall be classed as phosphate-bearing lands for the purposes of the Ordinance. The Ordinance also provides that the Commissioners may, subject to the approval of the Administrator and the owners, lease such non-phosphate-bearing lands on the island as may be required by the Commissioners and to remove any trees from the land so leased. This information can be found on page 17 of the annual report. It is quite clear that such provisions do not in any way protect the interests of the indigenous inhabitants. On the contrary, they make it possible for the Administering Authority to alienate the land of the indigenous population and to transfer it to the Phosphate Commissioners.

The Visiting Mission refers to complaints of indigenous inhabitants whose lands had been transferred to the Phosphate Commissioners and were being exploited by them. Thus we see that the Administering Authority is more interested in the affairs of the Phosphate Commissioners than in those of the indigenous population and has introduced laws which, in substance, establish that all phosphate-bearing lands can be alienated, and such land, as is known, constitutes nine-tenths of the entire surface of the island.

It must be pointed out that the standard of living of the indigenous population, despite the intensive exploitation of the natural resources of the island, and also of the Chinese labourers, is very low. According to pages 56 and 63 of the annual report the condition of the Chinese labourers is worse than that of the prisoners. In fact, the daily ration of a Chinese worker costs less than four shillings, and this is less than that of a prisoner. When the special representative was questioned on this point he gave no clarification and made no denial.

The living conditions of the Nauruans and the Chinese are much worse than those of the Europeans. Page 62 of the report shows that the houses for Europeans are occupied by one or two persons, while there are eight persons to a Nauruan house and as many as twelve Chinese in one house.

In the field of public health one can draw one's conclusions from the following data. Infant mortality is very high -- 115 to 1,000 among children of less than one year old. In a population of 3,400 the number of hospital cases was 1,695, almost half the population; the total number of cases treated was 24,193. This is found on page 59 of the report. The number of medical personnel has been reduced, during the year under review, from twenty-seven to twenty-five.

The Council has information which indicates that the Administering Authority is pursuing a policy of racial discrimination and segregation, while making hypocritical statements alleging the protection of the indigenous population. In this connexion the Visiting Mission found that the three races on the island were living completely segregated. Various groups were working together, but on different work and under different terms of employment. This segregation, to some extent, according to the Visiting Mission, was based on legislation and in accordance with the rules governing the movements of the indigenous inhabitants and the Chinese workers. The members of the Chinese community were required to have

passes, and the same provision applied to the Nauruans, if they wished to leave their own area after ten o'clock at night. The Mission stated that the Trusteeship Council, at its fifth session, objected to these restrictions, but nothing has been done to alter the situation. Sixty-six persons were punished for violation of these provisions during the year under review.

Corporal punishment continues to be applied in the Territory. Although it is stated in the report that the Administering Authority favours the abolishing of corporal punishment, nothing has been done to implement the recommendations of the General Assembly and the Trusteeship Council in this connexion.

The political and administrative structure in the Trust Territory is designed to fulfil the aims and purposes of the unimpeded rule of the Phosphate Commissioners. The legislative power and the political power are in the hands of the Administrator. From the breakdowns which are added to the reports, one can see that all controlling positions are occupied by Europeans. The Nauruan Local Council, which has taken the place of the previous Council of Chiefs, is a purely advisory body and has no power whatsoever. This body is able only to give advice to the Administrator, and advice concerning only the indigenous population. The Administrator determines the financial policies of the Administration, and no sums can be expended without his authorization. This can be found in the report. On page 11 of the report, it is stated that the Administrator, if he sees fit, may act without regard for any advice by this Council. Thus, we see that the power of the Administrator is, in effect, unlimited, since the indigenous population does not participate in the administration of its Territory.

In this connexion, it seems indispensable that the Administering Authority should take steps in order to establish in the Trust Territory legislative organs and executive organs in which the indigenous population would participate, in order to make it possible for the population of Nauru to settle its own affairs. The Administering Authority must take steps to pass from the old forms of administration, the tribal forms, to a modern democratic form of administration. It is quite clear that the Administering Authority must reconsider the existing agreements with the Phosphate Commissioners and the legislation of the Territory in order to establish fair prices and fair royalties for the benefit of the Nauruans and in order to protect the economic rights and, in the first place, the land rights, of the indigenous population, and the Administering Authority must prevent the alienation of land for the benefit of the Phosphate Commissioners. It must increase allocations for public health and for education in order to train, among the indigenous population, the personnel which will administer the Territory.

Such are the brief observations which the USSR delegation wishes to make on the report of the Administering Authority for Nauru in 1952-1953.

The PRESIDENT (interpretation from Spanish): Does any other representative wish to speak in the general debate on the Territory of Nauru?

It appears that no other representative wishes to speak, and I would therefore ask the special representative whether he wishes to speak today or to wait until tomorrow.

Mr. JONES (Special representative): I would much prefer to speak tomorrow.

The PRESIDENT (interpretation from Spanish): For the time being, then, we shall suspend our discussion of the Territory of Nauru.

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

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

Economic advancement

Mr. RYCKMANS (Belgium)(interpretation from French): On page 35 of the report, information is given concerning public finance. If my understanding is correct, the sum of £2,769,543 is the part of New Guinea in the subsidy of the Australian Government. I should like to know whether the figure of £1,544,542 represents the internal revenue of New Guinea alone or of the two combined Territories of New Guinea and Papua.

Mr. JONES (Special representative): The figures given on this particular matter refer only to the Territory of New Guinea.

Mr. RYCKMANS (Belgium)(interpretation from French): On page 37, the question comes up again concerning a development plan. The special representative has dealt with this in his introductory statement. It is

clear from the statement that the Administering Authority does not intend to establish a detailed development plan. But it seems to me that its general development plan, or its programme for general development, which will be carried out in annual parts or bits or sections, does not make it possible to envisage that there will be any co-ordination -- which is, of course, essential -- between the different types of work to be done in the different fields. For instance, if it is intended to have any development in the field of education, one must at the proper time also consider the setting up of normal schools. If one decides to set up a normal school, then one must also consider the problem of how many teachers can be provided for that school, and one must also in due time erect the school buildings for them. If, in addition, there is a building programme for hospitals, let us say, it is bound to happen that the public building works of the Territory will be unable to meet all these needs at the same time: they will not be able to build the hospitals and the schools which have been provided for separately. Likewise, if one envisages economic development, it seems that one must at the proper time consider the setting up of a proper road system, and so on and so forth.

It seems to me that, in this matter of co-ordination, there is unquestionably room for longer-term programmes, which, of course, should not merely be arbitrary decisions or absolute decisions, but which should certainly reflect the intentions of the Administering Authority -- and, of course, they can be subject to review and correction.

On page 39, information is given concerning the price of copra. On page 40, in the second paragraph, it is stated that in the year 1953 the price for a ton of copra was £81 5s. I should like to know how that price compares with the world price for copra during the same period.

Mr. JONES (Special representative): Replying specifically to the last question of the representative of Belgium, in regard to the world price of copra, I regret that I am unable to supply that information.

I do not have it with me. However, I feel sure that it would be available and, if the representative of Belgium really desires that I obtain that information, I can of course do so. I can get it from the information that is available to any member of this Council.

If I may say so, the whole point in regard to the copra agreement and the value of any long-term agreement is to prepare more or less against any fall in price. The agreement provides for a 10 per cent increase or decrease, each year of the agreement, in accordance with the world price of copra. That is the basis which is more or less used.

I feel sure the representative of Belgium will remember when the price of copra fell below production costs some few years ago. It is considered to be in the best interests of the territory generally -- including the indigenous people who are fairly big producers of copra, and their output of course is increasing year by year -- to protect all the interests of the copra producers by arranging a long-term agreement which would give them stability and a fair and reasonable price over a long period. This is far better than to allow the industry perhaps to obtain the benefits of a better price for one or two years and then to find itself in a position where the world market price falls below the price of the production of copra. The whole basis of the agreement is stability in the industry and to enable the copra producers to plan some years ahead.

Mr. RYCKMANS (Belgium) (interpretation from French): I entirely agree on the principle. It is a certainty that the establishment of a long-term contract or a stabilization fund is an advantage for the producers, particularly the indigenous producers.

If I ask for information concerning the world price of copra, it is because if there is considerable difference between the agreed price -- in other words, the price foreseen over a long period -- and the world price at a given time, it may be necessary to review the contract because the real value of copra would make it possible to raise the price and yet to conserve a margin which could be used to ward off any decrease. I am not in any way criticizing the fact that there is any difference between the world price and the agreed price.

On page 41 of the report, it is stated that the policy of the Administration is intended to create considerable cocoa plantations which would belong to the natives. Could the special representative give us some idea of the total area of such plantations?

Mr. JONES (Special representative): I am afraid that I cannot give the actual area that has been planted. The only information I have at my disposal at the present time is that the number of trees amounts to about 750,000. The actual spread of the cocoa industry is over a fairly large area on the Gazelle Peninsula in New Britain, but I cannot give the actual acreage that has been planted. However, I would be very happy to obtain that information and to see that it is included in next year's report.

Mr. RYCKMANS (Belgium) (interpretation from French): The information concerning the number of cocoa trees is useful because we can certainly deduce from this figure the rough acreage in this regard. However, I think it would be very interesting if we had this information in subsequent reports.

The Council will note with satisfaction, I think, that the Administering Authority has set up a section for co-operatives in the Department of District Services. On page 43, information is given of a very encouraging nature concerning the development of the activities of those co-operatives. I note that the total figure rose from £15,000 in 1951 to £118,000 in 1953, which is very considerable.

On pages 43 and 44, there is information concerning foreign trade. I regret that on those two pages there is only reference to prices and no reference to quantity. I agree that you can find those quantities expressed in appendix VII on page 152. However, except in that particular case, there is only reference to value and not to quantity throughout the report. I would suggest that, in future reports, wherever value is mentioned, quantity should also be mentioned because value is a factor upon which the Administration has no influence. It is a fluctuating factor. On the other hand, from the point of view of production, it is much better to get an idea of the development of the volume of production rather than just to get an idea of the value of the price.

On page 45, information is given concerning the ownership of land. The principle as regards the indigenous land is that no indigenous land can be alienated except by the Administering Authority. This means that it is impossible for indigenous inhabitants to surrender their lands directly to colonists. If direct transactions between an indigenous inhabitant and someone else were possible, we might have reason to fear that Europeans would acquire indigenous land whereas true prudence would in fact counsel those inhabitants not to surrender their lands.

This is a policy based on a principle which is good. However, in the example given, the phrase "land tenure of an indigenous community" is used. That is at the bottom of page 45. There, you find a list of indigenous rights concerning land. I should like to know if, in this instance, with respect to all this land which is considered to be tribal land, the Administration considers that such land is native-owned?

In the report, it is stated, "The following is an example of land tenure of an indigenous community". There is reference here to the social organization. It is stated that there is an area which is clearly limited by natural frontiers and which is considered as belonging to the group. Within that area, all members of the group have certain rights which are shared, as a general rule, among the inhabitants of the villages. For instance, there are rights as regards the inhabitants of a particular village. They have the right to secure building materials at such and such an area. Likewise, the inhabitants of another village have the right to hunt in a particular section where the members of some other village will not have the right to do so. But no one who is foreign to the group can hunt on any other land which belongs to it.

I should like to know if all that land over which the indigenous inhabitants exercise cultivation rights or rights to collect building materials or hunt etc. is considered by the Administering Authority to be the property of the natives, in other words, what is called native-owned land?

Mr. JONES (Special representative): As I mentioned in my opening statement, I endeavoured to cover many matters that had been mentioned by the Council, and land ownership was one of them. Here, I have gone into land ownership of a group so that the Council may obtain some idea of indigenous land ownership in the Territory. As to all of the land that has been mentioned in the report, on investigation by the Land Commissioner, the natives satisfy him that they are using that land for the purposes shown here, even so far as some of the land which they mainly use for hunting purposes, and that land is considered as being owned by the indigenous people. Should it appear that some of the land over which they claim hunting rights would be far in excess of their future requirements and owing to their difference in advancement so far as the standard of living is concerned in that they no longer require some of that land, subject to the agreement of the natives, land would be acquired for development purposes from the native owners. Of course, however, they would receive payment for it.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 47 of the report it is stated that Administration land falls into four categories, category (iv) of which comprises "land of which upon inquiry it was found that there appeared to be no owner and was taken possession of by the Administration". I should like to know whether the 39,150 acres mentioned in the next paragraph, under the heading "Ownerless Land", represents the Administration land referred to under (iv) of the previous paragraph.

Mr. JONES (Special representative): The 39,150 acres of land mentioned as having been possessed by the Administration under the provision to which the representative of Belgium has referred does include land "of which upon inquiry it was found that there appeared to be no owner" and which has been taken over under that provision.

Mr. RYCKMANS (Belgium) (interpretation from French): On the same question of land, I understand that some fifty-eight million acres, the vast majority of the area of the Territory, has not yet been parcelled out. May I assume that the natives are free to occupy that land which has not been parcelled out, always providing, of course, that we are dealing here with land which falls within the limits of tribal land? In other words, I am referring to land which at the present time is not occupied and which has not been acquired by the Administering Authority. Are the natives free to set themselves up on that land?

Mr. JONES (Special representative): The position is as stated by the representative of Belgium. There are many millions of acres of land in the Territory which, obviously, we have not yet had the opportunity to investigate, and we know already, even from aerial surveys, that, particularly so far as concerns forest land, there may be many square miles where there are no natives at all in the vicinity and where, undoubtedly, we shall find no indigenous people whatsoever.

The other point raised by the representative of Belgium was whether or not indigenous persons could occupy any of this land which really has no actual ownership. The reply is that in some circumstances that has in fact occurred.

We have certain tribes that have migrated from their own areas and more or less occupied land which they have not inherited and over which they have no right of indigenous ownership. They have merely occupied the area in question. All these cases are dealt with on their merits. For instance, if a tribe is living on land which is swampy it may -- now that tribal fighting has come to an end under the advice of the Administration -- go further afield perhaps and occupy a more fertile area. Where this happens, and where inquiries elicit that there is very good reason for it, then, despite the fact that the tribe in question cannot, even under the provisions of some indigenous custom, lay claim to ownership but has merely occupied the land because it is far better than that on which it was living previously and of necessity on account of tribal fighting, we will, naturally, accept their ownership, and when the area is thoroughly investigated they are given title to the land.

Mr. RYCKMANS (Belgium) (interpretation from French): I must admit that, as far as I am concerned, I would prefer that the occupation of land by the indigenous inhabitants should in itself be considered as sufficient title. If the indigenous inhabitants who are found occupying a particular piece of land which has not been parcelled out and surveyed have to demonstrate title to that land that is likely to give rise to innumerable complications, whereas if the Administering Authority accepts de facto its occupation by the persons concerned and authorizes them freely to spread out over land which has not been alienated or acquired by the Administering Authority it seems to me that any native occupation would be tantamount to title and would constitute reasonable and legitimate evidence of ownership.

On page 49 of the annual report reference is made to agricultural experimental stations, and particularly to that at Keravat. It is said elsewhere in the report that the personnel of these stations has travelled in other areas and had occasion to visit cocoa experimental stations, and so on. I should like to know whether these agricultural experimental stations have any constant, regular and systematic contact with similar experimental stations in other countries with tropical climates.

Mr. JONES (Special representative): Yes, the very closest co-operation is maintained with most of the tropical countries of the world. The Director of Agriculture, in particular, has also travelled to a number of these other experimental stations, and I can assure the representative of Belgium that, as I say, the closest contact is maintained with these other tropical countries. We receive copies of their reports -- monthly, quarterly or half-yearly, as the case may be.

Mr. RYCKMANS (Belgium) (interpretation from French): I should like to thank the special representative for this piece of information which is of very great interest to me because, throughout the world, there are agricultural stations engaged in work which is often similar in nature. I think it is highly important that all the information concerning the results of their work should be exchanged between similar institutions throughout the world in order to avoid overlapping of their efforts and also to ensure that any profitable research carried out or knowledge gained in a particular field may be made available everywhere.

On pages 51 and 52 of the report reference is made to progress in agriculture, and the special representative dealt with this in his introductory statement, particularly in connexion with the increase in cocoa production, which has been both substantial and rapid. I should like to know whether the indigenous inhabitants share in this increase in cocoa cultivation.

Mr. JONES (Special representative): Yes, particularly in the Gazelle peninsula where, as I mentioned previously, they have planted 750,000 trees. In addition, the Keravat Experimental Station is open to them and they have taken full advantage of it and have received training in planting and in the actual production of cocoa for the market. This is one of the most successful agricultural developments we have among the indigenous population.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 53 of the report reference is made to the very interesting experiment that is being carried out by the Hallstrom Trust for the introduction of sheep into the area. The figures in this connexion are to be found on page 160 of the report, and it seems to me that the number of sheep is quite modest. The table on page 160 also gives a figure of 3,809 pigs. I had thought that pig-raising was very popular among the indigenous inhabitants. Does this 3,809 include all the native pig stock, or does it represent merely pigs belonging to Europeans?

Mr. JONES (Special representative): We have been unable so far to carry out a census in regard to stock owned by the indigenous inhabitants. There is a little note which mentions the fact that no information is available from the inhabitants, but we are now endeavouring to arrange for what I might call a percentage survey of the stock owned by indigenous inhabitants. The Department of Agriculture, Stock and Fisheries, so far has been mainly concerned with trying to improve the stock held by the indigenous people, and at the animal industry stations, which are scattered throughout the Territory, we are importing stock at very high prices -- it is very expensive to get it to the Territory but we are importing them -- for the express purpose of improving all stock in the Territory. As you no doubt have heard, we recently purchased some cattle from Pakistan, with the idea of trying to breed particularly resistant cattle in the Territory. Later on, no doubt, we will be in a position to give the Council some idea of the stock owned by the indigenous inhabitants. At present, we just do not have the information.

Mr. RYCKMANS (Belgium) (interpretation from French): I should like to know if the raising of pigs or any sort of stock raising is, from the point of view of the indigenous inhabitants at the present time, a source of nourishment or food or is the stock raised merely for ceremonial or religious purposes, or something of that kind? I should also like to know if this is a factor in the nourishment of the people.

Mr. JONES (Special representative): It is definitely a factor in the nourishment of the indigenous people -- that is, the breeding and raising of pigs.

Mr. RYCKMANS (Belgium) (interpretation from French): Some information is given on page 60 concerning the road-building programme. The figure of 329 miles is given for the roads built during the year. This is a rather interesting figure when we consider what is required as regards road building in a difficult country, and we must admit that this figure of 329 miles

represents a very considerable effort; however, bearing in mind the vastness of the Territory, the present road network is quite obviously insufficient, and we can only hope that the Administering Authority will do its utmost to extend the present road system. That is all I have to ask as regards economic advancement.

Sir Alan BURNS (United Kingdom): With reference to page 37 of the report, I should like to ask the special representative to what extent replanting is taking place in the cocoanut plantations and what increase in the area of plantations is contemplated as compared with pre-war?

Mr. JONES (Special representative): I am not able to give the actual area that has been replanted, but it may be given in the appendices of the report -- I am not sure. However, I can say that since the visit of Mr. Pieris from India, who is an expert in regard to cocoanut culture -- and he has submitted a report, more or less, -- this particular problem was discussed with the planters throughout the Territory, and various means by which they could be replanted were studied. I do know from my personal knowledge, during my visit to the Territory, that quite a number of planters are trying out the various methods which he recommended. At the moment, I cannot say what is the actual area being replanted.

Sir Alan BURNS (United Kingdom): With reference to page 39 of the report, can the special representative tell me whether it is proposed to expand the production of cocoanut oil and cocoanut meal for export? Could the special representative also tell us whether there would be an assured market for any such increase in exports?

Mr. JONES (Special representative): As the Council knows, this is a new development so far as the Territory is concerned. There is an assured market for the quantities now being produced. As the product

is developed and as it proves satisfactory, I have no doubt that the companies and other people developing this particular industry of cocoanut oil and cocoanut meal will be able to expand into other markets. However, I have no definite information other than that the present quantities have an assured market.

Mr. SEARS (United States of America): Can the special representative tell us if there are any plans to undertake an over-all, comprehensive survey of the economic possibilities of the Territory?

Mr. JONES (Special representative): I am not sure regarding the question of the United States representative. Is that in connexion with the potential development in the Territory or is it in regard to the production of certain commodities?

Mr. SEARS (United States of America): I meant the total potential of the whole area. I asked this question because I assume that the inhabitants can never develop very far politically unless economic development goes hand in hand with it. I wondered what was being done to try to ascertain the future possibilities as regards mining and every other field in the whole Territory.

Mr. JONES (Special representative): So far as agriculture is concerned, last year I mentioned that we have made arrangements now for a complete land-use survey and a resources survey of the whole of the Territory of Papua and New Guinea. The Commonwealth Scientific Industrial Research Organization has started its field work in the Territory of Papua. I should like to explain now to the Council the reasons why the first start was made in Papua and not New Guinea. We had quite a good photographic coverage of one particular area in Papua which was suited for development and only a limited amount of work was necessary to complete the photographic coverage for that particular area; it was decided that the first work by the CSIRO would take place in that particular area.

Later they will proceed to the Territory of New Guinea. In the meantime we are carrying out land use surveys in various parts of the Territory. As mentioned in the report, we have a Soil Survey Section and Land Use Section which is now working in certain areas. We have quite a lot of information available which would enable a certain amount of economic development to take place. However, prior to that, we did have quite a fair knowledge of the various areas of the Territory of New Guinea, and this enables us to proceed with agricultural development. We have a section which is dealing with a mineral resources survey; so far they have submitted no reports, but they are investigating the mineral wealth of the Territory and the possibility of its future development.

Mr. SEARS (United States of America): Page 41 of the annual report contains a statement that sixteen co-operative societies were registered under the 1951-52 Ordinance. Can the special representative tell us how many inhabitants are members of these organizations and what is being done to encourage the development of more co-operatives?

Mr. JONES (Special representative): I think that the development of the co-operatives is one of the most encouraging examples we have had of the economic advancement of the indigenous inhabitants. For instance, it will be noted on page 43 that as of 30 June 1953 there were a little more than 20,000 members; capital was a little over £61,000; store turnover was over £28,000; copra production amounted to over £90,000; the total turnover was over £118,000.

That development has taken place from the modest figures of 1951. We have a co-operative section in which there are officers who are experts in the development of co-operatives. These officers assist the indigenous inhabitants in the development of the co-operative movement. Most of the inhabitants are very keen to improve their economic position, and we give them every assistance.

It may be of interest if I give the figures which show the advance made between June 1952 and March 1954. These figures concern the Territory of New Guinea only. The number of members has increased from 20,000 to more than 26,000. The capital has increased from £61,000 to more than £79,000. The turnover in the co-operative stores has increased from £28,000 to £53,000. The production of copra has increased from £90,000 to £232,000. We are now getting the first results of persuading the indigenous inhabitants to move from monoculture into the cultivation of other crops, and in nine months, from June 1953, the value of this production increased from £118,000 to £307,000. I mention this to show the rapid development that is being made in the economic advancement of the indigenous inhabitants by means of the co-operative movement.

Mr. SEARS (United States of America): I was glad to hear that encouraging report, because it goes without saying that the co-operative movement is one of the best ways to encourage the indigenous inhabitants to participate in the development of the economy of their Territory.

Mr. BHANDARI (India): I cannot, at the moment, find the reference for the figures which I am going to give, although I believe they are contained in the annual report of the Administering Authority. It is stated that in July 1953 the alienated land consisted of 5,196 acres held in freehold, 125,000 acres held in leasehold by non-indigenous persons, and 291,875 acres held by the Administration. This represents an increase of 67,826 acres in the land held by the Administration and 5,595 acres in the land held by private individuals. It is further stated that the presence of European settlers is essential to the healthy and rapid development of the Trust Territory. Could the special representative tell us whether any decision has been taken by the Administration with regard to the extent that European settlers would be allowed in New Guinea?

Mr. JONES (Special representative): I take it that the representative of India is alluding to agricultural development and to making land available for non-indigenous development, and not to secondary industries. The whole matter is governed by the present and future foreseeable requirements of the indigenous inhabitants. I have mentioned this before, and it may be that some members of the Council may think that this is a generalization and, perhaps, may have some doubts in their hearts about the manner in which we can do this. I admit quite frankly that it is very difficult to assess the future requirements of the indigenous inhabitants. Therefore, we have to take a very liberal view. Before any land is made available to non-indigenous persons, a thorough investigation is carried out in the particular area. An administrative officer, accompanied by an agricultural expert, visits the area, and the whole question of what land may be required is gone into very thoroughly.

We are very liberal in our assessments, but I hope you will not ask me exactly how we make the assessments. We make an assessment of what may be required by the inhabitants over a period of forty or fifty years, and we also take into consideration the fact that it is sincerely hoped that before that time is ended the indigenous inhabitants will have improved their present methods of agriculture. We hope that at the end of that period the agricultural methods of the indigenous inhabitants will not simply consist of cutting down some bush, replanting crops for one, two or three seasons, and then moving on, possibly returning after a period of ten, twenty or thirty years to the first area. We hope that the agricultural methods will have improved, and that will mean, to some extent, that less land will be required.

After all these matters have been fully considered in every possible way, the administrative officer usually doubles the figure arrived at. I want to make it quite clear that there is no shortage of land in the Territory, and this may be seen from the map of the alienated land. Therefore, we are able to be very liberal in our assessment of what the future requirements of the indigenous inhabitants may be. No land is made available if we think it may be required by the indigenous inhabitants of the particular area, and if the Administering Authority considers that the land should not be sold, even if the indigenous

inhabitants themselves wish to sell it, then approval for the sale is not given, since we do not think that the indigenous inhabitants in any part of the Territory have really reached a thorough understanding of the provision which they should make for their future. Land is their main inheritance, and we are determined to protect it for them to the fullest possible extent.

Mr. BHANDARI (India): Could the special representative tell us the exact terms on which the land held by the Administration is given to the settlers? Obviously, some form of encouragement is given.

Mr. JONES (Special representative): The land is given on leasehold. It will be noted that a certain amount of land is held in freehold, but the grants of this land were made during the German occupation and administration. Since Australia became the Administering Authority, there have been no freehold grants, only leasehold. There are two reasons for this, and one of these reasons will be obvious to the members of the Council. The maximum term of the leases is 99 years, and some of them are for 40 years only. It may be that at the end of the term of lease this land will be required by the indigenous inhabitants, and, if circumstances make it necessary, that land will be available again to those inhabitants.

Mr. BHANDARI (India): Possibly the special representative will not have this figure, but could he give us an idea of the non-indigenous settlement that is taking place? Could he tell us how many settlers came to New Guinea during the year under review?

Mr. JONES (Special representative): I cannot give that information now, but I could give the answer later, since I believe that information is available.

Mr. BHANDARI (India): Could the Special representative tell me, approximately, from which countries the largest number of settlers come to New Guinea?

Mr. JONES (Special representative): The information will be found on page 107, Appendix I, table 3 of the report.

Mr. BHANDARI (India): May I now turn to the question of the Native Land Commission which, I believe, has been established to determine as to what is rightfully the property of the Native communities, according to hereditary and native custom, and by whom the land is owned. The decision of the Native Land Commission may sometimes create a situation in which the native might find that some land had been alienated and there might be a dispute later. Could the special representative tell us whether there are any indigenous members on this Commission, or whether there is a system of getting some of the more educated indigenous persons to advise the Native Land Commission on what the customs are and what is rightfully native community property.

Mr. JONES (Special representative): There is a system which is followed very carefully. The Commissioner -- there are a number of Commissioners and each one has, of course, the authority of the Commission -- is accompanied by an officer of the Native Affairs Department and a surveyor, and when they decide to go to an area full information is given to the indigenous inhabitants concerning the visit on a particular day. When the enquiry starts, a conference is held with all the people in the area; there may be several thousands and the conference may last two or three days. Everything is explained fully through their representatives and leaders -- and interpreters, where necessary -- until there can be very little doubt as to the reason for the visit of these Government officers. Then they take up one tribal boundary at a time and the particular tribe is asked to cut the boundary of the land which they claim. Naturally, they are not making an attempt at extending a family group at this stage, but they invite all the neighbouring tribes to be present while the boundary is being cut. Once they have cut the boundary, representatives of all

the other tribes in the area go round with the Administrating Officer and if any objection crops up it is dealt with on the spot. If there are no objections, as soon as the opportunity arises the boundary is then more or less roughly made and an interim title issued to that particular tribe, which title is registered with the Registrar-General in the Lands Office. A period is allowed -- I think it is six months--during which any person may make any objection to the granting of that particular title. If they do, the matter is taken to an Appeal Court and heard on the spot, and the objection is then decided for or against. Eventually, when all objections have been settled, the title is issued. That is the procedure which is followed.

Mr. BHANDARI (India): I read in the report that there were some cases where the natives reclaimed some land which had been alienated. In such cases -- obviously it is a matter that should be gone into thoroughly as to whether the claim is justified or not -- I presume that the natives do not have to pay any money for having the case reinvestigated, but in case a decision is held that the native has a valid claim, is the land given back to him without any charge?

Mr. JONES (Special representative): I know of no case in which the indigenous people have made a claim of actual ownership to any particular area of land. I do recall one or two instances some years ago in which one little group claimed that when their forefathers had disposed of the land they had not received the amount of money which they should have, basing their claim, I think, on the price which was being paid for land now. It was pointed out to these people that, probably, in another ten years' time, the value of land would have increased and ^{told} that whenever land was sold it was always under the direction of the Administrative Officer. The matter was thoroughly investigated and they were advised as to whether the payment was considered reasonable or not and that all sales of land were, of course, purely voluntary.

Mr. BHANDARI (India): It is stated in the report of the Visiting Mission that the Administrator at Port Moresby informed the Mission regarding certain plans for the agricultural and economic advancement of the Trust

Territory. Have any further steps been taken regarding these plans? Have they been formulated?

Mr. JONES (Special representative): I have endeavoured to cover some of these points in the report. The plans referred to were actually a matter of making technical assistance available to all inhabitants of the Territory -- both indigenous and others -- and also for improving methods of production. So far as improving the crops in the Territory is concerned, quite a lot of work has been carried out at experimental stations and there has been improvement in the production of cocoa, coffee and coconut. That has been gone into thoroughly and planting material has been made available to all planters, indigenous or not.

There is another point in regard to making land available for new settlement. I think I have explained, in the report, the Land Settlement Board which is giving effect to what was mentioned to the Visiting Mission during its visit to the Territory.

Mr. PIGNON (France) (interpretation from French): I have asked to speak, not as the representative of France, but as the only member present of the Visiting Mission of 1953. One of the questions of the representative of India dealt with claims of indigenous inhabitants concerning certain lands. It was a question which came before us.

There are plantations of cocoa trees which have been abandoned and which the regular owners, for many years, have not exploited.

Mr. BHANDARI (India): From the figures, it appears that the revenue obtained is through customs duties and things like that, but not by direct income tax or head tax. Is the reason for not levying this tax at the present moment the fact that this might be a deterrent to further investment, the idea being to encourage other settlers to come in? Or are there other reasons, and is this policy under review?

Mr. JONES (Special representative): It is continually under review so far as revenue is concerned. And I might say that, while every source is certainly to be investigated, it is necessary, as I mentioned last year, to ensure an adequate balance which, on the one hand, will retain a reasonable contribution to the revenue, and, on the other hand, ensure that capital investment is not unduly discouraged. In the report of the Visiting Mission, in paragraph 113, it is stated:

"Even the imposition of direct taxes may fall short of a solution of the Territory's financial problems. These, based on an individual's capacity to pay, would be impracticable over much of the Territory at present..."

All I can say is that the matter is being continually kept under review. One of the resolutions of the Council mentioned the possibility of improving the fiscal system of the Territory, and so on and so forth, and the considered reply of the Administering Authority to that was:

"The financial system of the Territory is continually under review. The Administering Authority does not consider that the conditions in the Territory are yet opportune to institute a form of direct taxation."

Mr. BHANDARI (India): I find from the import and export information given in the annual report that practically all manufactured goods are imported into New Guinea. I also find that encouragement is being given to foster community handicraft products. But I should like to know whether any consideration is being given by the Administration to fostering small-scale industry in New Guinea. Essentially, of course, the Trust Territory cannot launch itself on a plan of heavy-scale industry, but I suppose that some

encouragement should be given to small-scale industry. Am I correct in assuming that such encouragement is being given and that there are some concerns which are going into small-scale industry in the Territory?

Mr. JONES (Special representative): So far as the indigenous people are concerned, they have what are sometimes referred to as cottage industries or village industries, where they manufacture mats, cane furniture and such articles. There is a section of the Department of Education which deals with that and gives them every encouragement. Quite a number of the co-operative stores are now selling these articles for the indigenous people. But, with a few exceptions, which are in the nature of articles that are usually referred to as curios and that really cannot be obtained anywhere else, I am afraid that there is little chance of their really competing against the manufactured article of a similar nature. However, encouragement is being given to them.

Mr. BHANDARI (India): I am sorry, but I think the special representative did not quite understand my question. I admit that that is a very fine encouragement that is being given to the indigenous population -- but it is not in that area that I was asking my question. It is more in the other area: whether the Europeans or the Asians are being encouraged to start small-scale industries involving manufactured goods in the Territory itself.

Mr. JONES (Special representative): So far as the non-native population is concerned, a few small industries have sprung up over the last few years, such as furniture-making, particularly cane furniture. There is a small factory that has now started for the manufacture of cane furniture. There is also another factory which manufactures soda water and soft drinks. There are one or two plumbers who manufacture tanks and that sort of thing. Generally speaking, however, there has not been any great development in small secondary industries.

Mr. BHANDARI (India): Once there is further economic development in the Territory, I presume, this type of thing will come in naturally. It is also dependent upon the demand, upon the economic unit, and other such factors.

My last question is this: Are there any indigenous interests in the large concerns -- economic and financial interests -- in gold mining or the large plantations? Have any indigenous people invested any money, and is there any restriction on the indigenous people's buying shares in large concerns and corporations?

Mr. JONES (Special representative): So far as I know, there is no restriction whatsoever on their having an interest in a non-native industry. So far, however, most of the development, of course, has been with the co-operatives, rural progress societies, and what might be referred to as native companies. For instance, we have one or two firms of carriers that are indigenously owned, and there are also a number of indigenous people who have boats with which they do a certain amount of freighting. But, in those cases, it is purely and simply an indigenous matter. I know of no case where they more or less have shares with any non-native company or corporation.

The PRESIDENT (interpretation from Spanish): Before the meeting is adjourned, I should like to inform the Council that the Drafting Committee on Somaliland under Italian Administration will meet tomorrow at 10.45 a.m. in Conference Room 8. The Council will continue its consideration of Nauru and New Guinea at 2 p.m. tomorrow.

The meeting rose at 6 p.m.