

# UNITED NATIONS TRUSTEESHIP COUNCIL



PROVISIONAL

T/PV.831  
2 July 1957

ENGLISH

## Twentieth Session

### VERBATIM RECORD OF THE EIGHT HUNDRED AND THIRTY-FIRST MEETING

Held at Headquarters, New York,  
on Tuesday, 2 July 1957, at 2.30 p.m.

President:

Mr. HOOD

(Australia)

1. Examination of conditions in the Trust Territory of New Guinea: annual report on the administration of the Trust Territory of New Guinea [4b] (continued)
2. Examination of conditions in the Trust Territory of Western Samoa: annual report on the administration of the Trust Territory of Western Samoa [4f] (continued)

RECEIVED

3 JUL 1957

INDEX SECTION, LIBRARY

Note: The Official Record of this meeting, i.e., the summary record, will appear in provisional mimeographed form under the symbol T/SR.831 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

EXAMINATION OF CONDITIONS IN THE TRUST TERRITORY OF NEW GUINEA: ANNUAL REPORT  
ON THE ADMINISTRATION OF THE TRUST TERRITORY OF NEW GUINEA (T/1326; T/L.776)  
[Agenda item 4b] (continued)

At the invitation of the President, Mr. John Herbert Jones, special representative for the Trust Territory of New Guinea under Australian administration, took a place at the Council table.

General debate (continued)

The PRESIDENT: Today the Council will hear the concluding statements of the special representative and the representative of Australia with respect to the Trust Territory of New Guinea.

Mr. JONES (Special representative): I have listened with much interest to the statements which have been made by the members of the Council in the course of the general debate on the Trust Territory of New Guinea. I have noted that with one exception only the members of the Council have appreciated the particular conditions of this Trust Territory, the material and physical difficulties in its administration and the backward nature of its people, and they have recognized the progress that has been made, particularly over the last three years. I have noted also that the majority of the members of the Council have expressed their satisfaction with the efforts being made by the Administering Authority in all fields of advancement. To all of these members I would offer my thanks and appreciation for the goodwill which they have manifested and the constructive contribution they have made to this discussion.

(Mr. Jones,  
Special representative)

As in previous years, the representative of the Soviet Union has either failed to recognize the actual situation in this Territory or chosen to ignore it. I regret to state that this basic deficiency in the approach adopted by the representative of the USSR has vitiated the value and utility, at least so far as the administration of the Territory is concerned, of the comments and criticisms which he has to offer.

The representative of the USSR drew attention to what he called a new phenomenon evidenced in the annual report, in my statements and in the photographs displayed in the Council chamber. The Administering Authority is attempting unduly to emphasize, in his belief, the backwardness of the indigenous population of New Guinea, their liking for warfare and their cannibalistic orgies. He questioned, in the same context, why so much attention was given to actual and fictitious difficulties and to individual cases which are not typical of the majority of the population.

The annual report refers to tribal fighting because such reports have been requested by the Trusteeship Council in the questionnaire. I have referred to tribal fighting, to related and cannibalistic practices and to two patrol clashes which took place in the period since the report was prepared, for precisely the same reason and because in this fighting and in these clashes some thirty indigenous people were killed or wounded. Given the number of casualties involved, it would have been indeed astonishing if I had not. Similar specific references have been included in the annual report and in my own statements ever since the provisional questionnaire was adopted by the General Assembly.

So far as the pictures displayed in the Council chamber are concerned, they depicted for the most part the more advanced elements of the population and were selected to demonstrate not how backward, but rather how progressive these elements are. When the representative of the USSR suggests that these official reports of attacks on patrols, of tribal fighting and cannibalism are deliberate representations of fictitious difficulties, the unreality of his point of view becomes unmistakeable. His suggestion that the Administering Authority represents these incidents as typical of the behaviour of the majority of the population is equally erroneous.

(Mr. Jones,  
Special representative)

Thanks to the work of the Australian Administration, these events are no longer typical and are indeed becoming year by year less evident. The Council should nevertheless note that these practices were until recent years familiar to a very large proportion of the population. They constitute, therefore, a harsh and immediate background to the lives of these people, a background which will not be neglected by those who wish to assess realistically the problems which confront the Administration of the Territory.

A number of representatives again referred to the possibility of increasing indigenous membership in the Legislative Council. The Administering Authority fully appreciates that the participation of the New Guinea people in the legislative institutions of the Territory will have to be increased many times over before the political objectives of Article 76 b can be regarded as even near achievement. However, while the Administering Authority continues to keep in view the objective of increasing indigenous representative at this political level, we do not feel that such an increase at this stage would reflect any significant advance in the political evolution of the people of New Guinea.

The political horizons of these people are still largely restricted to their village or local communities and their political education can only be significantly furthered at the present time by political organization at that level. Local government development is therefore the primary concern of the Administration and will continue to be so for some time to come. New councils will be established in all areas where the minimum economic conditions exist and where the people are willing and able to undertake the responsibilities of local government. Vigorous steps towards the promotion of these conditions are being taken throughout the whole of the Territory and special investigations are now in progress in eleven of the more promising areas in order to ascertain whether additional local government councils can be effectively established.



(Mr. Jones,  
Special representative)

Some members have suggested that the rate of establishment of local government councils has hitherto been slow and they have looked for reassurance regarding future developments. The facts themselves would seem to provide such assurance.

The economic and educational development of large areas of the Territory, is, as many members of the Council have observed, constantly increasing. Administrative techniques for this type of development have been greatly improved and the number of trained administrative personnel has been greatly enlarged. All of these factors may be expected to contribute towards an acceleration of development in this field in the next few years. Even so, a realistic approach demands recognition of the fact that vast changes have to be effected before primitive people can be prepared effectively to operate modern local government organizations.

(Mr. Jones, Special representative)

No matter how great may be the desire of the Administration, this must be complemented by an equal desire on the part of the people for political change before old tribal institutions can be replaced. I must emphasize, therefore, that, while the desire of the indigenous people for economic and social change is unmistakable, desire for political change is, as was indeed evidenced in the report of the 1956 Visiting Mission, by no means either so widespread or so intense.

As the members have noted, the local government councils that have been established to date were a product of Administration initiative and reflected in no sense a response by the Administration to initial demands from the indigenous people themselves.

However, it would not be at all correct to suggest that these councils were imposed on the people by the Administering Authority. In designing their mode of operation, the Administering Authority paid the most scrupulous regard to the views of the local people. If the development of the councils was for that reason delayed more than some members of this Council might have wished, the Administering Authority for its part is entirely satisfied that its policy of consultation is justified by all principles of sound administration and demanded indeed by the provisions of the Charter and the Trusteeship Agreement.

Reverting once more to the Legislative Council, I note that some representatives have suggested an increase in the representation of the Trust Territory on this organ, and suggestions have been made that the indigenous representatives currently nominated from New Guinea should henceforth be elected by the population of more advanced areas. Regarding the first of these points, I should remind the Council that, among the unofficial members of the Legislative Council, New Guinea representatives already outnumber those of Papua by approximately two to one, and the possibility that the Trust Territory's interests will be subordinated to those of Papua simply does not arise. Regarding the second of these points, I should recall to the Council that the present indigenous nominees on the Legislative Council have been chosen with a view to representing as far as possible the people of the Trust Territory as a whole, and facilities are put at their disposal to ensure that their contact with the whole indigenous population and understanding of its interests will be maximized. Proposals to the effect that indigenous members should at the present stage be elected from and thus

(Mr. Jones, Special representative)

represent strictly limited constituencies could only have the effect of advancing the parochial interests of those constituencies and depriving the bulk of the population of any indigenous representation whatsoever.

In the economic field, some mention has again been made of the desirability of drawing up a long-range development plan for the Territory. The need for a long-range policy for development is apparent, and my Government has such a policy which, in brief, aims at the conservation and development of the natural resources, the provision of adequate communications and the improvement of the standard of living in the Territory, in particular to assist, educate and advise the indigenous inhabitants, to ensure that they are enabled to participate to an ever increasing extent in the fruits of development and to promote their progressive advancement towards self-government.

Views differ as to what form an over-all plan of development should take. Some regard it as a definition of objectives, towards the achievement of which many individual plans will be developed from time to time as knowledge of the circumstances permits; others visualize it as an attempt to blueprint the whole pattern of development procedures and action in a master plan in which objectives, financial provisions, phasing and organization are mapped out in detail for years in advance. In the view of the Administering Authority, the former type of planning is best suited to the existing conditions in the Territory.

I should say that a long-range development plan of the latter type, as is envisaged by some members of the Council, while desirable from some points of view and possibly preferable under some conditions, should not be regarded as the one and only method of effecting adequate development of the Territory. At this stage a blueprint plan projected some years ahead, say five to ten years, would not, in the present circumstances of the Territory, in itself result in any greater rate of progress than is already being achieved. As I have mentioned earlier, my Government is fully aware of the desirability of adequate planning and has given much thought to this question. For the time being, however, we feel that it is a more realistic approach to our developmental problems to have long-range objectives and plan for the fulfilment of these objectives by means of annual work programmes. We feel that, since surveys throughout the Territory to determine potential resources have not yet been completed, and since some time may elapse before we can obtain an over-all picture of its economic potential, it is preferable to retain flexibility in planning so that adaptations to changing circumstances can be made.

(Mr. Jones, Special representative)

On the basis of accumulating knowledge the Administering Authority has been implementing specific plans for economic and social development. The number and scope of these plans has been extensively recorded in this year's annual report. The plans in the economic field have already produced and will continue to produce, we believe, very satisfactory results and progress.

Several representatives referred to the possibility of introducing direct taxation with a view to increasing the revenue of the Territory. The Administering Authority has been considering the question of widening the present system of taxation for some time, and the Council will not fail to appreciate that the Administering Authority, whose effective annual contribution to territorial revenues has now risen to approximately £6 million, is no less anxious than Council members to promote territorial budgetary self-sufficiency at the earliest possible date. The Administering Authority appreciates, however, that it is important to arrive at a balance between the desirability of increasing the revenue and at the same time ensuring that capital investment will not be discouraged. There has been some suggestion that the present fiscal system benefits only the non-indigenous companies. I would point out in this regard that taxes are already imposed on both imports and exports, and all companies do in fact contribute substantially both directly and indirectly to the revenues of the Territory and to its economy as a whole.

I would also like to point out that investment of foreign capital in under-developed areas is not necessarily associated with the concept of exploitation, and for obvious reasons all under-developed countries might be expected to welcome such investment. Outside capital, in the circumstances of New Guinea, is essential if the natural resources of the Territory are to be adequately developed. The Territory, just as much as the investors, gains from the investment, and the Administering Authority continues to take the most careful precautions to ensure that the interests of the indigenous people are not merely safeguarded but rather promoted to the maximum by the investments that are made.

The question of the alienation of land has once again been raised by one or two representatives. I have for a number of years now described at length how the Administering Authority is proceeding in this matter with extreme caution, and the Council was advised last year of the additional safeguards that were adopted to exclude all possibility that the interests of the indigenous people might be prejudiced through alienation.

(Mr. Jones, Special representative)

I shall, however, in view of certain comments expressed in the general debate, explain once again, in summary form, that no land is alienated from the possession of the indigenous people or from being wasteland except to the Administration. No freehold titles at all are granted. In respect of land under title to the Administration, leases up to ninety-nine years are granted but by no means are all leases for the maximum period. The Administration in no case assumes title to any land except where that land is found, on detailed investigation, to be ownerless, or where the consent of the owners has been freely given to the Administration. No land is transferred by the Administration to the use of lessees unless the whole area in which the land lies has been first properly surveyed, and sufficient land placed in reserve to provide for the present and the conceivable future needs of the population of the area. I might also point out that only 2 per cent of the cultivable land has been so far alienated, and most of this is only leased and will revert back to the territorial government in due course. Approximately one third of the land which has been alienated continues to be held by the Administration. This brief general statement of policy and practice will set aside, I hope, the apprehensions still entertained by some members.

The representative of Guatemala remarked that as the Territory is surrounded by the ocean and has some large rivers, it seems strange that the fishing industry should be the last one to have come to the attention of the authorities. Such a remark could well give the impression that until now no use has been made of the marine resources of the Territory and that the Administering Authority has neglected this field of development. This, of course, is not the case.

The fisheries action plan, to which I referred in my opening statement, is, as I stated, a plan for the development of the fishing industry: to improve present fishing methods, to expand present production which is considerable, and to encourage people to take it up on a commercial basis. Administration encouragement has been given to the indigenous fishing industry for many years, and the action plan itself constitutes the result of years of continuous research into ways and means of developing the fishing industry as a significant element in the territorial economy.



(Mr. Jones, Special representative)

The representative of the Soviet Union said: "the role of the indigenous people in the economic life of the Territory is still very scant. One fact alone, that the general employment of the indigenous population has increased by 150 people over the reported period, expresses this very eloquently." I must admit that I am at a loss to understand why he relates the role of the indigenous people in the economic life of the Territory to that of wage-earners only. While wage employment enables the people to take an indirect but important part in the economy of the Territory, surely the major role is that of producer. The figures given both in the report and in my opening statement indicate the ever-increasing part the indigenous population is playing in the production of cash crops. I specifically mentioned the rapid growth of the co-operatives, the 2 million cocoa trees planted in the Rabaul area alone, and other projects. In the view of the Administering Authority, it is only in the light of these facts that the role the indigenous people are playing in the economic life of the Territory can be assessed.

Several representatives referred to the decrease in the number of indigenous people employed by the Department of Health. I have now received advice that at 31 March 1957 the indigenous staff employed totalled 3,230, which is 125 more than at 30 June 1955.

I am, of course, not fully apprised of the relevant statistical details. It would appear clear, however, that some reclassification of indigenous medical personnel is reflected in the figures given in the annual report, and that in particular a number of employees hitherto designated as "other sanitation" workers have been eliminated from that classification. This being the case, the increase in trained staff between June 1955 and March 1957 should be understood to be rather greater than 125.

In connexion with the questions of restriction of the movement of indigenous people by night in certain towns, of corporal punishment and of the level of minimum wages, to which a number of representatives have referred, I would draw attention to the observations made by the Administering Authority on recent specific resolutions of the Trusteeship Council, which appear in the relevant section of the annual report.



(Mr. Jones, Special representative)

The representative of the United States felt that members of the Local Government Councils should be represented in District Education Committees and on the Education Advisory Board, and this suggestion will, of course, be given consideration. I would, however, point out that each Council already has an education committee whose views are transmitted to the District Education Committee. Through these local council committees the people are participating to an increasing degree in the educational planning for their own areas.

A number of representatives have suggested that the Administering Authority should establish within the Territory a full secondary educational system. These suggestions will receive the careful attention of the Administering Authority. With regard to this matter, I would draw the attention of the Council to statements in the annual report and to my own opening statement by which the Council was informed that a new secondary school for all eligible children is planned for Rabaul, and that it is the policy of the Administering Authority to provide full and adequate facilities for secondary education in the Territory.

The question of an official name for the New Guinea people has been raised again in the Council, and it has been suggested that the adoption of such a name would help to bring the people together. Action of this nature may, of course, help to promote this end. The Administering Authority's policy of promoting a common language in all areas under control, however, has been and will continue to be an incomparably greater influence, for it enables the people to meet and mix together in a friendly way and thus contributes enormously to the development of a sense of unity. The policy of the Administering Authority in respect of the introduction of an official name is perfectly clear. In brief, it feels that a question of this nature must be settled by the population itself in the light of its own imagination and history.

In conclusion, I should like to express my appreciation of the interesting comments which have been made by many representatives in the course of this debate and of the many generous words of thanks which have been addressed to me, and to thank you, Mr. President, for the courtesy which you have shown to me during the examination of conditions in the Trust Territory of New Guinea.

Mr. HAMILTON (Australia): The debates which have taken place in the Council this year in respect of conditions in the Trust Territory of New Guinea have reflected once more the keen interest of members in the welfare of the inhabitants of this Territory. That fact alone is heartening to the Administering Authority. What is perhaps more heartening, however, is the fact that a deeper appreciation of conditions in the Territory, in addition to a sincere desire to offer constructive comments, was discernible in the statements of many representatives.

The form which debates of this nature in the Council customarily assume, the number and scope of the matters discussed and the convenience of the Council itself prevent either the special representative or myself from adverting today to many of the suggestions which members have been kind enough to offer.

None of these factors, however, will prevent the Administering Authority from giving the closest attention to all the constructive and objective views which have been submitted. Nor will they prevent the Administration of the Trust Territory from appreciating the large measure of understanding and confidence with which its work is viewed in this Council.

A number of representatives have offered opinions on the administrative union under which the Trust Territory is administered with the Territory of Papua. The representative of the USSR declared that this arrangement was hampering the Trust Territory's independence. The representative of Guatemala stated that it was depriving the Trust Territory of territorial political institutions of its own, integrating it politically within the organization of Papua, contrary to the principles of the Trusteeship System. He also referred to the Legislative Council as an extra-territorial body. The representative of Syria likewise found fault with the situation in which the Legislative Council, in addition to being concerned with the affairs of New Guinea, was concerned with those of another territory with a completely different status. The comment of the USSR representative constitutes, of course, a not unfamiliar view: that Non-Self-Governing Territories, because they are Non-Self-Governing Territories, proceed more slowly towards the Charter objectives than do Trust Territories, and necessarily assume finally a less favourable political status. This supposition, however, is not confirmed by either logic or history.

I do not wish to weary the Council with an analysis of that point. I should, however, remind members that Papua's population and economic potential are considerably smaller than those of New Guinea. Accordingly, the influence of the association of the two Territories is likely to be felt more strongly in Papua than in the Trust Territory. No evidence whatsoever has been adduced to demonstrate that the connexion of the Trust Territory with Papua through the administrative union has retarded or is retarding the progress of either Territory, and ample evidence has been placed before the Council, and in particular before the Committee on Administrative Unions, to demonstrate that by virtue of this association the Trust Territory continues to enjoy real advantages without loss of, or indeed prejudice to, its identity or status.

In no sense has the Trust Territory been integrated politically within the organization of Papua. The political and administrative institutions which, for reasons of simple convenience, are located on Papuan soil belong no more to Papua than to the Trust Territory. They are institutions in fact which rest upon the association of both Territories in the administrative union and cannot be defined in terms of either of these Territories individually. The responsibilities of these institutions derive from the joint and similar needs of both Territories, and their powers are exercised without discrimination, to the end that those needs may be most efficiently and most expeditiously satisfied. It follows that, since the human and physical potentials of the Territories concerned are unequal, the organization and operation of these institutions will reflect this inequality. This is demonstrated, moreover, not only in the unequal distribution of administrative personnel and of expenditure between the two Territories, but also by the formal arrangement, based upon statutory provisions, that amongst the unofficial representatives of the Legislative Council those of the Trust Territory must constitute a clear majority.

In only a narrow and an academic sense can it be claimed that, because of its participation in the administrative union, the Trust Territory has been deprived of territorial political institutions of its own. The fact that the Legislative Council is physically situated on Papuan soil does not, as I have explained, imply that it is a Papuan organ, nor can it detract from the fact that its unofficial membership predominantly represents the Trust Territory. The Legislative Council constitutes, therefore, an extra-territorial body only in the sense that it meets in Port Moresby, and that can scarcely be regarded as unreasonable, since Port Moresby is the administrative centre of the two Territories.

If the representative of Syria can find some fault with the fact that the Legislative Council is also concerned with the affairs of another Territory with a completely different status, the Administering Authority certainly does not share his concern. We have pointed out in the past, and find it necessary to recall once again, that the administrative policies and practices employed in Papua are identical with those employed in New Guinea. This is so because these policies and practices are best suited to ensuring the progressive development of both Territories in all fields. We see nothing in this arrangement which could be regarded as inconsistent with the principles of the Trusteeship System. The future political development of the Trust Territory is in no way prejudiced; indeed, avenues of development which,

in the Administering Authority's opinion, should in fairness to the population of the Trust Territory be kept open are by this means kept open, and no arbitrary and irrevocable limitation has been placed upon the free evolution of ideas as to the future.

A number of members -- significantly, perhaps, only a small number -- have addressed themselves in the general debate to the question of attainment by the Trust Territory of the objective of self-government or independence, and one reference has been made specifically to recommendations adopted by the General Assembly and this Council. The views of the Australian Government on this question have been submitted to the Council and to the General Assembly on a number of occasions in the past. But I would ask members nevertheless to bear with me if I offer at this stage some supplementary observations on this subject.

At the outset, it is appropriate to note that little, if any, attention has been given in the general debate to the provisions of General Assembly resolution 1064 (XI), which called upon the Australian Government to estimate the period of time required for the attainment of self-government or independence by the Trust Territory of New Guinea. If this can scarcely be deemed a conclusive development, it may nevertheless be interpreted by the Australian Government as indicating at least an absence of conviction on the part of most members of this Council that that Assembly resolution can realistically be applied to New Guinea. The Administering Authority, for its part, has no doubts on this score. It has indicated before, and on its behalf I must state again, that, short of a total abandonment of those very principles which distinguish the Trusteeship System as the most beneficent and humane system yet devised for the advancement under international auspices of dependent peoples, that resolution cannot be applied in New Guinea.

During its eighteenth session, the Trusteeship Council, notwithstanding the contrary opinion of six of the seven Governments here represented which bear the heavy responsibility of implementing as well as discussing the principles of the Trusteeship System recommended that the Australian Government should submit to the Council a statement of the steps and manner by which self-government or independence was to be achieved in New Guinea, together with successive intermediate targets and dates in respect of all fields of advancement, including the political field.



(Mr. Hamilton, Australia)

The Administering Authority's formal response to this request has been formally submitted in the annual report now before the Council, and I have been gratified to observe that it appears to have been deeply pondered by many representatives. It is the Administering Authority's most earnest hope that that reply will be accepted by all members of the Council as a carefully weighed judgement to the effect that what has been recommended is not possible of execution in the conditions obtaining in New Guinea. That judgement has been offered sincerely by the Authority upon which rests the undivided responsibility for deciding in the last resort what can and what cannot be done, and what will benefit and what will harm the interests of the people under its charge.

Certain representatives have made specific recommendations on this subject. Of these, perhaps the most comprehensive was that of the representative of Syria. He believed that the Australian Government "should formulate elaborate schemes, with target dates for the completion and full implementation of each and every objective in the political field". (T/PV.828, p. 73)

Less elaborate, but essentially similar, was the proposal of the representative of the USSR that we should formulate a concrete plan for the achievement of independence by the Territory and that we should indicate certain dates by which such a plan would be put into effect.

While perhaps these proposals demonstrate that the immediate target dates requested in the Council's eighteenth session resolution will not be regarded as significant unless they relate to developments in the political field, they do not differ essentially from the recommendations in that earlier resolution. I must ask the Council to reflect upon these and the Council's own proposals and to place them in the perspective of conditions well known to exist in the Territory.

I would ask the Council whether, faced as it is with conditions of social fragmentation and linguistic diversity, such as exist in New Guinea, the Administering Authority can, in reason, be asked to "formulate elaborate schemes, with target dates for the completion and full implementation of each and every objective" in any field, let alone the political field.

The Tolai people of New Britain, with their Local Government Council, their expanding cocoa plantations and their extensive co-operative organizations, are politically and economically advanced. The great populations of the Highlands are



(Mr. Hamilton, Australia)

today only on the threshold of these achievements. Their fellows in the mountains, only recently -- or perhaps not even yet -- brought under Administration control, have yet even to learn of, let alone experience, the massive evolution which can, and will, lift them out of their savagery. I would, then, ask the Council whether, confronted as it is with such economic and political diversity, the Administering Authority can now, in good faith and in reason, be invited to formulate a concrete plan with attendant dates for the achievement of independence by the Territory.

Let representatives contemplate whatever field of development they choose, or any part of such a field, and they must still recognize that the vast differences in conditions of life of the New Guinea peoples preclude the establishment of the intermediate target dates that have been requested, or will reduce these in substance to no more than impressions or hopes whose content is of absolute insignificance.

Members may well believe that the Administering Authority, when confronted with difficulties as impenetrable as these, should resort to the preparation of plans and target dates which relate to localities or areas where social, economic and political diversity is less remarkable. In respect of such a proposal, it should be said that the action plans and other programmes, policies and objectives, which are elaborately reviewed in the annual report before the Council, represent the extent to which we can pursue this course. The degree of their elaboration varies with our present knowledge of what can be done or what it is prudent to envisage in the absence of further and more mature expressions of popular opinion. If target dates are lacking in our plans, it is, above all, because such dates, in the conditions of New Guinea, are elusive.

The representative of the United States has said that as existing Local Government Councils develop and new ones are formed, "there should result a snowball effect" as the effects of their successful functioning penetrate throughout the Territory. The Administering Authority entirely agrees that this accelerating progress should take place. I would submit to the Council, however, that even informed anticipation such as this provides no adequate foundation for the establishment of target dates -- let alone successive target dates. They demonstrate rather how numerous and how impracticable are the imponderables which inhibit the application of the target date technique, and how profitless it would

(Mr. Hamilton, Australia)

be for us to divert ourselves from positive and demonstrably fruitful activities to the end that specific target dates might be precariously established or slavishly maintained.

Having reviewed all too summarily the fundamental practical difficulties which the Australian Government wishes to bring to the Council's attention in this connexion, I would not ask the Council to hear a recapitulation of the Administering Authority's view as to the limits of its obligations under the Charter and the Trusteeship Agreement. I would submit to representatives with all respect, however, that the Council should avoid actions which either arrogate or have the appearance of arrogating to this organ the power to intervene in the actual administration of the Trust Territories. The Council should, I believe, avoid, too, any suggestion that it is attempting to unbalance the best judgement of Administering Authorities by the maintenance of political pressures. It is easy, and indeed tempting, to be impatient when reflecting upon the great distances which the peoples of New Guinea must traverse before the Charter goals are attained. It is tempting too, when impatient, to design techniques for quickening progress which seem theoretically to have great merits. But impatience is no substitute for prudence, and never less so when the future welfare of dependent peoples is at stake. The Australian Government believes that prudence requires, and indeed dictates, the views which it has consistently put before the Council in this matter.

The PRESIDENT: We have now concluded the general debate on New Guinea under Australian administration.

Mr. Jones withdrew.

Appointment of Drafting Committee on New Guinea

The PRESIDENT: I propose the following members of the Drafting Committee: Belgium, Burma, China and the United Kingdom.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. President, I wish to request you to put to the vote the candidates just mentioned by you.

The PRESIDENT: In accordance with the request of the representative of the Soviet Union, I will put these nominations to the vote individually.

The nomination of Belgium was approved by 12 votes to none, with 2 abstentions.

The nomination of Burma was approved by 12 votes to none, with 2 abstentions.

The nomination of China was approved by 8 votes to 2, with 4 abstentions.

The nomination of the United Kingdom was approved by 11 votes to none, with 3 abstentions.

The PRESIDENT: I declare, therefore, the following countries nominated to the Drafting Committee: Belgium, Burma, China and the United Kingdom.

EXAMINATION OF CONDITIONS IN THE TRUST TERRITORY OF WESTERN SAMOA: ANNUAL REPORT ON THE ADMINISTRATION OF THE TRUST TERRITORY OF WESTERN SAMOA (T/1330; T/L.781) /Agenda item 4f/ (continued)

At the invitation of the President, Mr. T.R. Smith, special representative of Western Samoa under New Zealand administration, took a place at the Council table.

Economic, social and educational advancement (continued)

Mr. KESTLER (Guatemala) (interpretation from Spanish): My first question to the special representative refers to the new labour law which was announced for 1957. On page 72 of the annual report we read:

"Owing to the social structure of the country with its absence of a working class in the commonly accepted sense, the need has not yet arisen for a highly organized labour administration or labour legislation and regulations, but it is expected that some steps in this direction will be taken during 1957."

(Mr. Kestler, Guatemala)

The special representative referred in his opening statement to a seven-member committee which reported to the Assembly in April of this year and which recommended that the basic legislation should be redrafted or drafted along different lines. It recommended various provisions with regard to minimum wages, arbitration, etc. Finally, we read in the preliminary statement of the special representative:

"In pursuance of this recommendation a 'Wages Councils' Ordinance was prepared and passed by the Assembly in May. Briefly, it provides for the setting up of Wages Councils" (T/PV.828, page 17) for the setting of wage scales. This was passed by the Assembly in May. These wage councils are to be made up of equal numbers of representatives of management and labour in any industry, with the addition of up to three independent members. I wonder if the special representative could give us any additional information regarding how members are named to the wages tribunal from the various groups I have just mentioned?

Secondly, we should also like to know what degree of participation is planned for the indigenous inhabitants in these same tribunals.

Mr. SMITH (Special representative): As the representative of Guatemala has just mentioned, that law was passed quite recently, and as yet no wage council has been set up so that I cannot quote any precedent designed to inform the Council just how it would be done. But in the normal case there would be an informal meeting of the workers and the employers in the particular industry. In those meetings there would of course be no distinction as between indigenous workers and others. Their right to choose depends entirely on the question of whether they come in that category of worker or employer. The independent representatives would probably -- I say probably because it has not yet come to be decided; it will be decided on by the Council.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I should like to ask the special representative to give us, if he can, at least an approximate date for the organization of these wage councils. In other words, does the Administering Authority already have concrete plans as to the approximate date when such councils will be established?

Mr. SMITH (Special representative): That legislation is enabling legislation, and it was intended that these Councils would be set up as required. There was no intention to set them up by a given date, but if the need arises they can be established quickly because the law is already there. But there is no planned date by which any will be established.

Mr. KESTLER (Guatemala) (interpretation from Spanish): My next question refers to a paragraph which appears on page 73 in connexion with which I should like some additional information. We read in this second paragraph on page 73:

"There is no compulsory labour allowed in the Territory, although at times villages do provide free labour to assist public works in their locality."

Could the special representative tell me how such compulsory labour is provided and what guarantees there are that such labour will indeed be in the interests of the locality or of the community?

Mr. SMITH (Special representative): I think possibly the words "compulsory labour" give a rather wrong impression. The reference is to public works which are undertaken in certain localities and by which the village people provide labour for the work. I am thinking particularly of one access road to a village which previously had no road. The chiefs of the village organized the labour supply. They provided the young men to do the work and the village as a whole was paid for the work that was done. There is no element of compulsion whatever on the part of the Administration, but there may be family arrangements by which certain members of the family are directed to work for the common effort.



Mr. KESTLER (Guatemala) (interpretation from Spanish): My next question refers to information appearing on page 71 of the annual report in connexion with immigration. It is stated that "no person is permitted to become a permanent resident in Samoa unless and until he is so declared by the High Commissioner in writing under his hand or until he has resided in Samoa for at least five years." That appears to give the impression that a distinction is drawn, in other words, the High Commissioner can waive the five year residence requirement, and authorize a person to become a permanent resident in certain cases. Am I correct in interpreting the situation in this way?

Mr. SMITH (Special representative): The representative of Guatemala is correct. The normal position is that a person must live in the Territory for five years during which he would normally receive renewable permits for six months at a time. The other provision is to take care of persons who are coming to do some work which would necessitate a long or permanent residence in the Territory, and is designed to avoid the need for such a person to have his permit renewed every six months. It is not often used; I cannot remember any case during the time I have been in Samoa when it has been used. It is a reserve provision.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I would appreciate some further information in regard to the health field. In our statement last year we referred to the fact that certain Samoan practitioners had felt some dissatisfaction with the Director of Public Health, and I think this point was also referred to by the Visiting Mission, whose references to it have been the object of comment by the Administering Authority. We heard that the Administering Authority planned to establish a professional school in Samoa under the direction of the Director of Public Health and with the assistance of medical practitioners who would hold certain advisory posts. In his opening statement the special representative told us that there was co-operation of a very satisfactory kind between the trained medical staff and the Samoan practitioners. I wonder if the special representative could expand on this point and tell us what is the state of that co-operation at the present time and whether the previous causes for dissatisfaction have been dispelled?



Mr. SMITH (Special representative): That is a rather wide question. Most of the previous causes of dissatisfaction have been dispelled. The representative of Guatemala mentioned that there had been some conflict with the previous Director of Public Health; he left the Territory early last year and there is now a full staff of six trained medical officers between whom and the Samoan medical practitioners very good co-operation exists. Certain adjustments have been made in the conditions of work of the Samoan medical practitioners including increases in pay for certain positions. I said in my opening statement that two of them are at present overseas on training courses and they have also been given special instruction in surgery, in which they are particularly interested, by a very well-qualified surgeon who is now on the staff of the Apia hospital. A combination of all these factors has contributed to the present harmonious attitude within the medical service.

Mr. KESTLER (Guatemala) (interpretation from Spanish): Could the special representative give us some information about the proposed establishment of the professional school in which the practitioners would exercise certain advisory and disciplinary functions? Have any concrete steps been taken along these lines?

Mr. SMITH (Special representative): That proposal has not as yet gone very far, the principal reason being that for some time we had no Director of Health. We had a man acting in that position, but until a Director was finally appointed he did not feel competent or inclined to go ahead with such a major project. The Samoan medical practitioners themselves did not ask for anything further and the matter was just left until a more favourable time.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I have a last question dealing with education, and with the President's permission I shall put it now. In commenting on the resolutions of the Council the annual reports states that the Administering Authority hoped to introduce a draft law on education in the Legislative Assembly in 1957. Could the special

(Mr. Kestler Guatemala)

representative tell me whether that law will contain any provision relating to compulsory primary education? Will the proposed law introduce compulsory primary education?

Mr. SMITH (Special representative): Yes, that is one of the features in the proposed law. I might add that the law has been drafted; it is very long and detailed and the Legislative Assembly has not yet been able to consider it, but it does include provisions for compulsory education.

Mr. KOCIANCICH (Italy): On page 40 of the annual report the Administering Authority states that it is actively encouraging the investment of local capital, much of which at present lies idle. I should like some clarification from the special representative in regard to the reasons why local capital lies idle to such a large extent. Do Samoans regard current interest rates as not sufficiently high, or are they just psychologically disinclined to make investments?

Mr. JONES (Special representative): I do not think that interest rates have any very great attraction for Samoans. One must remember that saving is a new idea to the people who have in all their previous history never really needed to do so; they have not felt want; they still do not feel want. It is more a matter of habit and custom. Some few progressive Samoans are certainly saving and are investing, particularly in the development of their plantations. But the idea is not one which is prominent in their minds as yet.

Mr. KOCIANCICH (Italy): My next question relates to the chapter on fisheries, which appears on page 55 of the annual report. I note that reference was made to the fact that the Administering Authority regards fishing as a most valuable industry. It seems, however, from the text of the report, that there is no major plan as yet for the development of fishing. I would like to know from the special representative whether the Administration believes that fishing, if properly developed, would offer a major source of revenue to the Territory and whether it has any plans to develop this industry perhaps on a commercial basis in the future. I understand that until now fishing has been practised only on a consumption basis.

Mr. SMITH (Special representative): As I explained in my opening statement, that is not a subject on which the Administration has as yet been able to go very far. Fishing has been thought of, up to the present time, only as an additional food resource for the local people whose diet, as I mentioned yesterday, is deficient in protein. Considerable surveys would be required to see whether it is possible to establish fishing on such a scale that there could be an export industry, but the Administration would be concerned, in the first place, to see that there are adequate supplies of fish for consumption by the local people.

Mr. KOCIANCICH (Italy): My next question relates to information services, which is dealt with on page 68 of the annual report. I note that plans have been approved for the establishment of a Government reference and lending library, and also that a donation of £5,000 towards the cost of constructing a library building has been received from a local family. I would like to know now when it is expected that this library will be able to function.

Mr. SMITH (Special representative): That library has just been established in temporary quarters. It is proposed to build a new library building at a cost of £15,000, of which that gift from a local family will provide about one-third. The time when the new building will be built depends entirely on the capacity of the local building industry. But the Administration hopes to have the building started during the second half of this year.

Mr. KOCIANCICH (Italy): My last question relates to education. There appears to be one secondary Government-operated school, the Samoa College. I would like to know if a pupil, at the completion of studies at the Samoa College, will meet the academic requirements for entering a New Zealand University or if a supplementary examination is required.

Mr. SMITH (Special representative): The Samoa College has been designed to fit within the New Zealand educational system and the examinations taken there are exactly the same as the New Zealand school examinations. At the present time no student has gone beyond the fifth form at Samoa College. To enter the University, it is necessary to pass the sixth form, and the Administration, in every case, will provide funds for a scholarship to a New Zealand school for the final year. It is planned to develop the Samoa College to the stage where it will take pupils and prepare them fully for admission to the New Zealand University.

Mr. CHACKO (India): My first question relates to the New Zealand Reparation Estates. The special representative has told us that the Estates were handed over to the Samoans with effect from 1 April 1957, and that the Administration of the Estates has been taken over by the Western Samoa Trust Estates Corporation. This Corporation consists of seven members. Out of these seven members, four are nominated by the High Commissioner; three of them are the Samoan High Chiefs, and the fourth is a local planter. There is another local planter who has been nominated by the Minister for Territories, and two other ex-officio members. First, I would like to ask the special representative whether these two planters who are members of this Corporation are Europeans or Samoans.

Mr. SMITH (Special representative): One of them, Mr. Annandale, is part Samoan. I am not quite sure to what extent it is Samoan ancestry and to what extent it is European; I think it is half and half. The other one, Mr. Kurt Meyer, is wholly European. He is a German planter who has been there since before the New Zealand Administration began.

Mr. CHACKO (India): My next question is whether these appointments are made in consultation with the Samoan public opinion, either through the Legislative Assembly or the members of the Executive Council.

Mr. SMITH (Special representative): Yes, the members appointed by the High Commissioner are, of course, appointed in consultation with the Executive Council. They must be. The other member who is appointed by the Minister for Island Territories was also appointed in consultation with the Executive Council.

Mr. CHACKO (India): I should like to ask the special representative what are the provisions in the regulations of the new Corporation in regard to appointment and removal of the General Manager.

Mr. SMITH (Special representative): The General Manager is appointed by the Public Service Commissioner for Western Samoa. That is the only provision in the regulations, that he must be appointed, and he is, of course, dismissable by the Public Service Commissioner.

Mr. CHACKO (India): I have one last question relating to the Estates. The special representative stated that the annual profits of the Corporation are to be paid into a special account to be applied for the welfare and the economic and social benefits of the inhabitants of Western Samoa. Could the special representative give us a rough estimates of the annual profits from the Estates?

Mr. SMITH (Special representative): That would have to be a fairly rough estimate, but at the present time it would be approximately £80,000 to £90,000.

Mr. CHACKO (India): We have been told that a three-man financial survey team visited the Territory recently and that its report and recommendations are expected in the very near future. I should like to know who are the members of this team and whether any Samoan was associated with its work.



Mr. SMITH (Special representative): The team was necessarily an expert team of people who understood banking and finance, and it is a fact that there is no Samoan as yet with that degree of expert knowledge. The members were Mr. I. Lythgoe, who is a senior officer of the New Zealand reasury; Mr. Stace, whose name has been mentioned in this Council before as the author of the economic survey of Western Samoa and who is an economist on the staff of the Reserve Bank of New Zealand; and Mr. Webb, of the Bank of New Zealand. These three gentlemen came to Samoa and made a point of visiting every part of the Territory and consulting fully with Samoan opinion wherever possible. Although no Samoan was on the Commission, nothing was left undone that would enable Samoan opinion to be expressed fully to the Commissioners.

Mr. CHACKO (India): I should like to ask another question in this connexion. Did the terms of reference of this team include examination of the question of providing loans and other financial assistance to Samoans for industrial or other development proposals?

Mr. SMITH (Special representative): That subject was included within the terms of reference.

Mr. CHACKO (India): The special representative yesterday said:

"The main economic problem is the development of the country and the development of its production to make them adequate for the increasing population. That requires farsighted planning, the development of new resources and the better husbanding of old resources." (T/PV.830, page 42-45)

In this connexion it is also to be kept in mind that the Territory is expected to be self-governing or independent in about three years' time. The annual report contains the following passage, on page 53:

"The preliminary reports of the soil survey have disclosed that the soils of the Territory are not as fertile as they had previously been thought, and that most of the better soils have already been brought under cultivation."

(Mr. Chacko, India)

This points to the need for a long-range economic development plan for the Territory. I should like to ask the special representative what measures the Administering Authority proposes to take in preparing such a farsighted plan. It is obvious that the Samoans need advice and assistance in that regard.

Mr. SMITH (Special representative): That plan will have to have two bases. With regard, firstly, to plans for the best use of the land, there is already, as members of the Council know, a land development committee which contains several Samoan members. This is given full information, as it is available, on the use of the land and the possible use of the land. One must remember also that the aerial survey of the Territory has been completed and that a land-use map has been prepared and a potential land-use map is in course of preparation now, and is nearly finished for the island of Upolu. That information will be used, and the Land Use Committee will be the spearhead of planning as far as land use is concerned.

On the other side not so much progress has been made as yet in the planning of financial resources. The report of the Commission which has already been mentioned by the representative of India will form the basis of the work there. We expect that fairly soon. Those two lines of approach will have to be joined and together they will form the basis for the planned development of the Territory in the future.

Mr. CHACKO (India): I should like to ask the special representative whether I am right in assuming that the initiative for any such long-range planning is not being left to the Samoans themselves and that the Administering Authority, in spite of the fact that it is planning to hand over more and more responsibilities to the Samoans, is taking the necessary steps to go ahead with such plans.

Mr. SMITH (Special representative): The Administering Authority is taking the initiative in those matters but so far as possible is carrying the Samoan people along with it and is consulting them at every step and trying to bring them to a realization of what is necessary. Also, of course, I expect

(Mr. Smith,  
Special representative)

that the Administering Authority will have an advisory and helping function for a long time to come.

Mr. CHACKO (India): Last year the Administering Authority, if I remember aright, was considering certain proposals for developing the harbour facilities in Samoa. I should like to ask the special representative whether any progress has been made in that respect.

Mr. SMITH (Special representative): I think I explained in answer to a question yesterday that as yet no great progress has been made on that matter. I explained the reasons why. But I am afraid that at the present stage we are very little further ahead except that more information has been gathered from surveys of the bed of the bay to see how it could best be developed.

Mr. CHACKO (India): My next question relates to the petition that the Samoan Medical Practitioners Association had submitted to the 1956 Visiting Mission. While the question I had in mind has been practically answered by the special representative in answer to a question by the representative of Guatemala, I should like to ask the special representative whether all the grievances about which representations were made by the Association to the Visiting Mission last year had been looked into and resolved to the satisfaction of the Association.

Mr. SMITH (Special representative): I explained that most of the grievances had been attended to. I could hardly give an unequivocal assurance that all of them had, because that petition went into detail and some of the complaints were against individuals for personal behaviour, but the major matters have been attended to. There have been better educational opportunities,, and these will be extended. There have been increases in pay, and more responsibility has been given in special positions. Another point was that they wanted better facilities for instruction in surgery, and that also has been granted. I can say that the Samoan medical practitioners are now quite happy and seem to be progressing well.

Mr. CHACKO (India): My last question relates to education and in particular to the standard available at the Samoa college. In reply to a question by the representative of Italy, the special representative stated, as I understand it, that a student going from Samoa College has to take one more year before he can enter a New Zealand university. I should like to ask whether my understanding is correct...

Mr. SMITH (Special representative): That is an explanation of the state of the schools at the present time. It must be remembered that in New Zealand schools are developed on the lines that a large number of them take pupils only as far as form V, that is the school certificate, school leaving standard. To get the best instructors and the best standard of education, instruction in form VI is limited to more specialized schools. In the country districts in particular many of the pupils are taken as far as the school certificate standard, and are then given financial assistance by way of scholarships to move into the larger cities to get the best possible concentrated instruction in the pre-university year.

The Samoa College has been developed on that basis, but it is still intended to develop its staff, when the school is large enough, to the stage that full instruction can be given in form VI.

It must also be remembered -- this was mentioned to the Visiting Mission -- that the educational authorities believe that children will have a better chance at the university if in their last pre-university year they are in an environment where English is spoken all the time. Many of the children in Samoa speak Samoan at home. If English is not their first language and is not heard around them all the time, they could experience some difficulties in beginning at a university where English is the medium of instruction. For that reason, there is a tendency to favour providing scholarships to take the children to New Zealand to specialized schools for their last pre-university year.



The meeting was suspended at 4.15 p.m. and resumed at 4.40 p.m.

Mr. MUTTI (Syria)(interpretation from French): My first question relates to the New Zealand Reparation Estates and the grants made to the Trust Territory by the New Zealand Government. On page 34 of the annual report, it is stated that the New Zealand Government grants amounted to £85,000 in 1956. We know that these grants are made from the profits of the New Zealand Reparation Estates. On page 35 of the annual report, in the table giving the details of the expenditure of the grants, we find that the total figure in 1956 was £114,785. Finally, on page 122 of the report, in appendix IV concerning receipts and payments, we see under the heading "Grants from New Zealand Government" the following three figures: £3,000; £20,000; and £65,000. Now, those three figures add up to £88,000 -- and not £85,000, which is the figure found on page 34 of the annual report.

My delegation does not understand why three different figures are given for the New Zealand Government grants during the year 1956. We should appreciate having an explanation of this situation, which appears, at least to us, to be somewhat abnormal.

Mr. SMITH (Special representative): I am afraid that I cannot give that explanation immediately; I prefer to have an opportunity to examine the figures in question. I think that the three tables do not refer to exactly the same things, but it is difficult to be sure, without at least a few minutes' research, of exactly where the difference is.

Mr. MUFTI (Syria) (interpretation from French): I am quite prepared to wait for this information.

My second question is the following. In his opening statement the special representative stressed that New Zealand had at no time benefitted from the activities of the Reparation Estates and that the profits had always been used for the economic and social development of Samoa. We should like, therefore, to know the origin of the sources of capital invested in New Zealand which, on the basis of the information given on page 35, amounted to £457,000 in 1955 and £262,000 in 1956.

Mr. SMITH (Special representative): I do not quite understand the reference to investments. The funds from the Reparation Estates have been held in New Zealand and applied as required in the Territory. The final balance which had not been applied and was still held on 31 March of this year is now in process of being handed over. The practice has been for the Reparation Estates to transfer surplus profits to New Zealand. There they have been put into a special fund, never used, ready to be applied to Western Samoa or to be handed over at the end. That is the best explanation that I can give because I cannot quite understand the reference to investment. The funds are not invested in New Zealand, but only left there.

Mr. MUFTI (Syria) (interpretation from French): My delegation would like to know whether these are investments made by the New Zealand Government, or investments made by companies which carry on certain activities in the Trust Territory.

Mr. SMITH (Special representative): They have no reference to private funds. This statement of the accumulated cash surplus does not refer to the surplus from the Reparation Estates, but to the surplus revenue from the Government; that is, surplus of income from taxation, etc. over expenditure. Those surplus funds of the Western Samoa Government have been invested in New Zealand and are maintained there as reserves to be used in case of expenditures required to exceed, in any given year, what is received. But they are not reserves of the Western Samoa Government which the latter has invested in New Zealand. They have no reference at all to the Reparation Estates.

Mr. MUFTI (Syria) (interpretation from French): My next question relates to page 36 of the report, which contains a paragraph on penalties for tax evasions. I should like to know whether the penalties provided for in the Income Tax Ordinance 1955 are applicable to the companies which are subject to this tax. The paragraph does not mention any companies or firms.

Mr. SMITH (Special representative): The word "persons" in the first line of that paragraph would include companies because, in law, a company operating within the Territory is, for taxation purposes, a person, and those penalties would apply to companies just as to individuals.

Mr. MUFTI (Syria) (interpretation from French): Could the special representative tell me what is the present composition of the Land Use Committee mentioned on page 38 of the report?

Mr. SMITH (Special representative): The Chairman of the Land Use Committee is the High Commissioner. There are two Fautua; the member for lands, who is Somoan; two representatives of the Fono of Faipule; two other Somoans; three officials, and three local planters.

Mr. MUFTI (Syria) (interpretation from French): Are the three officials and the three local planters Europeans or indigenous inhabitants?

Mr. SMITH (Special representative): The three officials are Europeans. Of the local planters, two are part Somoan, who are resident in the Territory, and the other is a European.

Mr. MUFTI (Syria) (interpretation from French): On page 132 of the report no statistical information is given regarding industrial production in the Territory. My delegation would like to know whether the Administering Authority intends to supply this information in the next annual report. Such information, relating even to very limited and not fully developed industry, would be of great value to us.

Mr. SMITH (Special representative): The Administering Authority is at all times willing to supply all information possible. In this particular connexion, however, there is a major difficulty since it is not the practice to supply detailed information concerning industries in which there are only one or two operators, for the reason that it would be giving away confidential information about the firms. That, I am afraid, would constitute a difficulty in the way of supplying full information. If, on the other hand, there are a sufficient number operating to make it possible to supply over-all figures, they will certainly be supplied.

Mr. MUFTI (Syria) (interpretation from French): The reports of the other Administering Authorities usually contain statistical information on the industrial activities within the Trust Territories concerned, and I hope that this custom will be followed in the case of Western Samoa.

Mr. SMITH (Special representative): I can add no more to what I have just said. The Administering Authority is at all times willing to supply all information, but we must respect confidential information about individuals; within the limits of that the information will be supplied.

Mr. MUFTI (Syria) (interpretation from French): My delegation is not interested in knowing the overall figures of the industries which pursue their activities within the Territory. We would simply like to know what these industries are and which are the ones that exist within the Territory, the number of employees in these industries and their main activities within the Territory -- apart from the partial information that is given in the report for this year.

Mr. SMITH (Special representative): Any further information available will be supplied.

Mr. MUFTI (Syria) (interpretation from French): On page 133 of the report, in the paragraph relating to "Telephone Services", we note the existence of a single public call station within the Territory. My delegation would like to know where this station is located and whether it can meet the requirements of the whole Territory and the whole population, which is of the order of 100,000 inhabitants.

Mr. SMITH (Special representative): That public call station is in Apia. The telephone system is in no wise extended very far out from Apia, but there are radio telephone stations at many points throughout the Territory where the station is available to people who wish to make calls and the service given -- that is, for speaking from one area to another -- is quite adequate to the needs of the people.



Mr. MUFTI (Syria) (interpretation from French): My delegation would like to know the number of children employed in the Territory. It would like to know whether the figure of 53,027 on page 137 of the report, Appendix XVII, relating to work and labour has any relationship to this question.

Mr. SMITH (Special representative): No, child labour is not a factor in the Territory. The number of children there has no relation to any children that might be employed. They are not, but they might possibly work in family plantations. There is no regular arrangement, but within the Samoan family everyone works but there is no system of child labour at all.

Mr. MUFTI (Syria) (interpretation from French): On page 138 of the report no information is given concerning the wages earned by workers for additional labour. My delegation would like to know whether these workers are paid for any overtime and what the rates are for this overtime, if any.

Mr. SMITH (Special representative): In that table on page 138 overtime rates are given on weekdays as fifteen shillings and overtime, Holidays and Sundays is quoted at twenty shillings.

Mr. MUFTI (Syria) (interpretation from French): The table to which I referred, which is on page 138, does not contain any information on plantation labourers.

Mr. SMITH (Special representative): The explanation there is that overtime work on plantations is not usual and there is no special provision made for it.

Mr. MUFTI (Syria) (interpretation from French): Page 139 of the report states that there is practically no need for social security and welfare services. My delegation would like to know whether the Administering Authority intends to take steps for establishing and developing such services within the Territory or whether this is a statement of general policy in this important field.

Mr. SMITH (Special representative): That is not a statement of policy, it is a statement of fact. It could be interpreted in different ways. For instance, the statement that there are no welfare services is not strictly correct unless that term is given a very limited use. For instance, hospital treatment is free; drugs are issued free where the people are under the care of a local medical practitioner. The major costs of schooling are free, and there are a number of people who are given charitable aid and pensions. That statement means in general that within the Samoan social system all the living costs, all upkeep costs, the sickness costs of the family are expected to be borne within the family. It is a matter of pride to the Samoans that their own system to which they are very much attached is an adequate system of social security, so that they say that social security within the meaning applied in English-speaking countries is unnecessary there.

Mr. MUFTI (Syria) (interpretation from French): On page 142 of the report relating to tuberculosis, we note that 687 persons suffering from this disease are not hospitalized but are quartered in their own homes and that lung tuberculosis is the most prevalent form of tuberculosis within the Territory. We should like to know whether the presence of these patients within their own homes, far from any supervision or any organized medical aid, does not constitute an evident hazard to the remainder of the inhabitants of the Territory. My delegation would also like to know what measures are being taken by the Administering Authority in order to remedy this abnormal situation. Moreover, it would like to know why the assistance of the World Health Organization has been postponed to 1959 instead of being implemented immediately in order to meet this alarming situation.

Mr. SMITH (Special representative): A large proportion of the tuberculosis cases are nursed in their own homes. The medical officers in the Territory believe that in those cases they are better off within the very healthy living conditions of a Samoan village than they would be if hospitalized. If it is necessary they are placed in a hospital. It is not correct to say that they are far from any medical supervision. All of the cases that are known are

(Mr. Smith, Special representative)

registered and they are subject to visits of inspection both by the tuberculosis specialist in the Apia Hospital and by their local Samoan medical practitioners.

As to the final part of the question, the Territory has of course looked on the different diseases there as requiring treatment in order of priority. That has been done in consultation with the World Health Organization. Aid has been requested from the World Health Organization, but I am not here to speak for the World Health Organization as to whether it can give assistance this year or next year. But the present plan is that it will be given in 1959.

(Mr. Smith, Special representative)

A considerable amount of organization is needed, but these patients are under medical supervision and the Administering Authority arranged a special course of instruction for one of the local medical officers who is of half-Samoan ancestry. All these patients, therefore, are under the supervision of a specialist in tuberculosis.

Mr. MUFTI (Syria) (interpretation from French): On page 143 of the report the Administering Authority affirms that it is impossible to provide the total number of houses constructed on the European pattern. My delegation would like to know why that figure could not be obtained, in view of the fact that a census of housing does not seem to offer any particular practical difficulty.

Mr. SMITH (Special representative): The statement that the number was unobtainable simply means that the statistics were not available. They could be obtained, and if the Council desires, they will be obtained for next year.

Mr. MUFTI (Syria) (interpretation from French): My delegation would like to know the total number of hospital beds available in the Territory at the present time.

Mr. SMITH (Special representative): The information is given on page 140 of the report -- 250 beds at the general hospitals, 140 at the dispensaries and others, one in each village, under the control of the Women's Committee there. The total could be obtained from these figures, and without working it out exactly it would be about 500.

Mr. MUFTI (Syria) (interpretation from French): On page 74 of the report it is stated that places of employment are subject to inspection by the health authorities. On the other hand, we know that those authorities have only two inspectors, a chief inspector who is a European and his deputy who is a Samoan. My delegation would like to know whether those two inspectors are capable of fulfilling their duties within the whole of the Territory and what means are made available to them for the purpose.

Mr. SMITH (Special representative): The Territory is not so very large; transport is provided for the officers, who have a jeep for travelling around the island, and they can travel from one island to another by boat. My recollection is that there are now two Samoan inspectors in addition to the European inspector.

Mr. MUFTI (Syria) (interpretation from French): Does the Administering Authority expect to take measures in the future to develop the production of milk in the Territory and to encourage its consumption? My delegation would also like to know whether the Administering Authority considers that the low level of milk consumption among the indigenous population constitutes a possible cause of malnutrition. Although it is stated in the annual report that malnutrition does not exist in the Territory, on the other hand the special representative has recognized that there is a protein deficiency in the indigenous diet.

Mr. SMITH (Special representative): The belief that malnutrition exists because milk consumption is low rests, I think, on a rather slender foundation. We have had a visit from a nutrition specialist of WHO who assured us that there was no malnutrition in the Territory. There is a trained district nurse, a European who has Samoan assistants, who is at present travelling around the Territory with an experienced woman medical officer; they can advise on the feeding of children and they do recommend the use of milk. The fact is, however, that to drink milk is not a Samoan custom, and if the Samoans do not wish to drink milk and if there is no need for it when the children are inspected, there is nothing that the Administering Authority can do to promote its consumption. The Agriculture Department is advising on the keeping of dairy cattle, and there is a growing tendency for Samoans to keep cattle. Of course, a very popular and freely available drink for children is the milk of the coconut, which is also quite nutritious. With the foods that are available to the children, it is not seen at present that there is any necessity for additional milk.



Mr. MUFTI (Syria) (interpretation from French): Is the Administering Authority in a position to plan the distribution of milk in schools as a beginning towards larger and broader measures in the future?

Mr. SMITH (Special representative): The actual management of the schools is now in the hands of the local administration and not in those of the Administering Authority; if there were a need for a scheme for the distribution of milk in schools I am sure that the local administration could manage it, but there would not be at the present time a sufficient production of fresh milk. It would have to be done by means of prepared milk, such as the malted milk which is supplied to children in some districts where there are no dairy cattle.

Mr. MUFTI (Syria) (interpretation from French): My delegation would like to know the percentage of cases of yaws in the Territory after the campaign conducted under the auspices of WHO. Can it be said that that systematic campaign has been concluded and has been crowned with success?

Mr. SMITH (Special representative): The campaign is not yet concluded, but the major stage including the treatment of the great majority of the population and the second follow-up stage have been completed. The plan worked out in conjunction with WHO was for continued supervision for some three years, to trace every possible cause of infection and reinfection. I understand the figure is now down to about four or five per cent.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to address my first question to the special representative in the following way. In August of 1956, the Legislative Assembly of Western Samoa considered the results of the recommendations adopted by the Trusteeship Council at its previous session. In this connexion, I should like to have some clarification from the special representative. What were the documents and texts on this subject, within the Trusteeship Council, that were available to the members of the Legislative Assembly. Were the minutes of the Council meetings available, as well as the comments and statements of the members of the Council regarding conditions in the Territory, and so forth?

Mr. SMITH (Special representative): The information which was supplied, in the first place, was the report containing the resolutions of the Trusteeship Council adopted at its eighteenth session. All other information and the summary records of all the addresses were also available. But I think that was not available in the Territory until a little time after. Mail is slow. At the time that the report was discussed at the August session, my recollection is that just the report, supplemented by an oral report which I made, and all the resolutions adopted by this Council were available.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): If I have properly understood the special representative, the consideration of this subject was conducted without the presence or at least the availability to the members of the Legislative Assembly of the records and other documents, such as, for example, the document containing the statements of the views of the various members of the Trusteeship Council regarding the conditions in the Territory.

In this connexion a question arises regarding the fact as to whether the members of the Legislative Assembly were able to appreciate fully the discussions which took place within the Trusteeship Council before this or that recommendation had been adopted by the Council.

I should like to go on to my next question. On page 39 of the annual report it is stated that no one from New Zealand or from any other country can establish any firm or engage in trade without the permission of the territorial Government,

(Mr. Bendryshev, USSR)

and that each case is considered by the Executive Council. On the other hand, at one of the sessions of the Legislative Assembly, one of the members of that Assembly, Mr. Gurau, had mentioned that without consultation with the representatives of the people and in spite of the violent protests, the person acting as the High Commissioner had approved leasing of the land to a foreign company and also the general registration of that company, contrary to the policy established many years earlier. In this connexion, Mr. Gurau indicated that with this action of the High Commissioner there came a telegram of protest to Wellington, signed jointly by the Fautua, the members of the Executive Council, of the Legislative Assembly and of the Fono of Faipule, but that this protest was ignored by the New Zealand Government. Could the special representative give some further clarifications concerning the inconsistency that is contained in the statements on page 39 of the annual report and what was mentioned by Mr. Gurau, a member of the Legislative Assembly, in August of 1956, in the Territory.

Mr. SMITH (Special representative): As regards the first subject mentioned by the representative of the Soviet Union, I would just mention that the discussion in the Assembly did take place before all the papers had reached there. They had all the papers that were available in the Territory at that time. Later on, all other papers were also supplied to them.

With regard to the second point, I am afraid that the representative of the Soviet Union has been rather confused by reading the statements which were made by Mr. Gurau in the Assembly. Those statements were afterwards refuted, and the record is no doubt available to the representative of the Soviet Union. In particular, Mr. Gurau stated that a telegram was sent to Wellington. That telegram was sent through the Acting High Commissioner at the time. Mr. Gurau's statement that it was ignored by the New Zealand Government is quite incorrect, as was afterwards mentioned in the Assembly. A full reply was given by the New Zealand Government and Mr. Gurau had a copy of it when he made that statement.

The statement that the company in question was a foreign one was also stretching the facts. Its membership was mainly local people and the land leases in question were also given to local people who became members of that company later on when it was formed. The registration of that company was discussed with

(Mr. Smith, Special representative)

the Executive Council at several meetings. The Executive Council did not agree. It was finally registered on legal advice that the Government had no grounds for refusing to register it. Those facts, of course, were known to the members of the Legislative Council concerned and were also stated in the debate on the motion mentioned.

There is within the Territory a strong sentiment in favour of not permitting foreign companies in. There is an equally strong or almost equally strong group within the Territory which is anxious to introduce foreign capital. Between those two, there is a great deal of controversy and that is only to be expected in such a small Territory, and it does come out in the Legislative Assembly at times. If one wishes to see the whole picture, one of course needs to see the statements on both sides.

Mr. Gurau, in that case, was speaking from one side only and, sorry as I am to say it, he was in many respects quite incorrect.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): Could the special representative give some further explanation in this connexion: first of all, regarding the amount of land to which reference was made and the purpose for the leasing of this land as a concession.

Mr. SMITH (Special representative): The amount of land would be quite small. It would be a number of small individual sections on which to establish trading stores. None of those stores would require more than perhaps a quarter or a half of an acre of land, and there might have been ten or fifteen of those stations. The object, of course, of attempting to prevent the lease would be to prevent the additional competition of a new trader.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to go on to another question. On page 37 of the annual report, it is stated that an ever-increasing number of Samoans is trying to

(Mr. Bendryshev, USSR)

obtain capital which is necessary for the conduct of plantation farming; in other words, farming on a broader basis and with the utilization of modern methods of agriculture. In this connexion I should like to ask the special representative what is the number of Samoans to whom such funds were made available, over the last two or three years, for the purpose of making it possible for them to engage in farming work on a plantation basis?

Mr. SMITH (Special representative): When the representative of the Soviet Union asks how many Samoans had funds made available, I take it he is referring to funds from the Administration. I cannot think of any loans which have been made available from the Administration. Those Samoans who are developing their own lands have found their own capital from their own resources or from those of their families.



Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): I should like to ask a supplementary question. The special representative has pointed out that no loans were made from the Administration side. I should like to have further clarification on this. Have the Samoans the opportunity of obtaining loans from other sources under favourable conditions for the purpose of re-organizing or improving their plantation methods?

Mr. SMITH (Special representative): Several Samoans, to my knowledge, have borrowed money from other local people, mostly other Europeans within the Territory. The Administration does keep some watch on this to prevent Samoan indebtedness from rising to unmanageable levels, but there is a certain amount of money available within the Territory for loans, and sometimes the Samoans have used those funds.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): I should like to ask a question regarding the land aspect. It is related to the amendment of the law, which was enacted in October 1956 by the Parliament of New Zealand and which gave certain rights to the Legislative Assembly on land matters. I should like to ask the special representative whether, in accordance with this amended law, the Legislative Assembly can enact laws or adopt any recommendations concerning land which is owned by Europeans or which at least has European status.

Mr. SMITH (Special representative): Yes. The only land on which the Legislative Assembly has no authority to legislate is land owned by the Government of New Zealand. I think that there are only two pieces of that: one is the international airport, and the other is the observatory. In all other land matters, the local Legislative Assembly now has competence.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): Could the special representative give further details in that connexion? What are the provisions regarding legislation on land? What is the type of legislative action that can be taken by the Legislative Assembly on questions relating to land at present in the hands of the European population of the Territory?

Mr. SMITH (Special representative): The local administration keeps a registry of land. It prescribes the conditions on which Government-owned land can be tenanted. I am somewhat at a loss to see in what respects it can be required to deal with land owned by local Europeans other than that it registers titles and the local courts can adjudicate on any disputed matters of land title.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): From reports of the session of the Legislative Assembly, I acquired the impression that a request to conduct an investigation into the activities of the Department of Public Works was refused. I should like to know why that was done, since, as was pointed out by certain members of the Council, this was requested by both the Executive Council and the Legislative Assembly. What were the reasons for the rejection of such a request, since these Territorial bodies had requested to make an investigation into the activities of that Department?

Mr. SMITH (Special representative): As I remember it, there was one request for a full investigation into the operations of the Public Works Department. That was agreed to, and a special commission of inquiry was set up. Subsequently a select committee of the Assembly examined the report of that commission and made further recommendations. At a later stage, when the Department was still disorganized, there was a request that an investigation should be made into certain matters of staffing within the Department. In the judgement of the High Commissioner at that time, those were entirely staffing matters which should be inquired into by the Public Service Commissioner. I understand that a further factor in that decision was that a large-scale investigation necessarily disrupts the work and practically halts the work of the Department for some time. The High Commissioner believed at that time that there were adequate powers for investigation by the High Commissioner and that there was more value in enabling the Department to get started. At that time it was at a standstill. For those reasons, as I remember it, he declined an investigation into those staffing matters at that time.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): May I take it then that the territorial bodies I mentioned, namely, the Executive Council and the Legislative Assembly, have not the power or the authority to conduct an investigation into the activities of a particular department and that in this particular instance they have not the necessary competence to conduct such an investigation?

Mr. SMITH (Special representative): Such an investigation can be made at any time by the Public Works Committee of the Legislative Assembly. I can remember one occasion when that Committee was offered the opportunity but declined it; that was when the commission of inquiry was set up. The Executive Council itself is not the type of body which can make an inquiry like that; its normal method is to recommend the appointment of qualified persons to conduct the investigation. At the present time, if the Executive Council decided to do that, it would have to be done. At the time when that request was made of the High Commissioner, he had the discretion to refuse the request. Of course, the request was not unanimous. The Executive Council and the Legislative Assembly -- certainly some members, and a substantial group of them -- did ask for it. They agreed later, in point of fact, that a satisfactory examination could be done by the Public Service Commissioner, and that was done.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to pass on to a question relating to taxation. In the sections of the report, and also in the tables given in the report, dealing with taxation, in particular the taxation of companies, it is stated that the tax is computed on the basis of the revenues of a company subject to taxation. Could the special representative clarify exactly what that means and how that computation is carried out? What are the revenues that are subject to taxation?

Mr. SMITH (Special representative): The income of a company that is subject to taxation is, of course, its net income; that is, its gross income after the deduction of the expenses incurred in obtaining that income -- that is, the ordinary outgoings of the company. In ordinary terms, it is the net profit of the company which is returned as income subject to taxation.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): Is there any agency which might verify the income of companies in order to determine whether a company has properly presented the information regarding its income and its payment of taxes?

Mr. SMITH (Special representative): There is an official, the Commissioner of Taxes, who has a small staff of investigators. It is their task to examine every income tax return submitted by a company or by anyone else, and also to make regular inspections of the financial records of companies to see that those returns are accurate.

Sir Leslie MUNRO (New Zealand): I should just like to add that if they do it as well in Western Samoa as they do it in New Zealand, the deductions are very carefully watched.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): In this connexion, I should like to ask the following question: Could the special representative tell us what is the over-all figure of the income of the companies operating in the Territory, companies which are required to pay taxes for the year 1956?

Mr. SMITH (Special representative): I am sorry, but that is a figure which I do not have. That information is not necessarily made public. It is made available to the Commissioner of Taxes, and his responsibility is to see that the full amount is charged as tax. I can assure the representative of the Soviet Union that he certainly does.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I did not fully understand the statement of the special representative. Is this figure a secret figure in any respect -- the over-all figure of income or profit which is subject to taxation -- or is the special representative simply unable to furnish this information now but will furnish it at a later date?

Mr. SMITH (Special representative): I wish to thank the representative of the Soviet Union for giving me the opportunity to offer a little more clarification. The figure is certainly not secret. I just do not have it with me and I shall try to obtain it.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to ask a question regarding the activity of the Estates Corporation. Some delegations have already asked about this, and I should like to put a further question. Does the Legislative Assembly have any control over the new Estates Corporation?

Mr. SMITH (Special representative): The Corporation is intended to be an independent body. The Executive Council of course recommends its membership and must take account of any policy directives given by the Executive Council. Members of the Executive Council are also members of the Legislative Assembly. The Legislative Assembly does not have the opportunity of intervening in any way in the detailed management of the concern. The directors are put there with the specific responsibility of managing the Estates in the interests of Western Samoa. There is no division of that responsibility; it is theirs alone. There is no intervention at all by the Legislative Assembly.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I overlooked another question dealing with finances, and I wish to apologize for that oversight. The special representative pointed out that there is control over the income of companies operating within the Territory. I should like to draw his attention to page 40 of the report of the Administering Authority, where it is stated that some companies do not keep any accounts of their departments which are operated in Western Samoa. Is there not some difficulty in



(Mr. Bendryshev, USSR)

establishing the actual income of a company in these circumstances when no separate accounts are kept of the operations of such companies in Western Samoa?

Mr. SMITH (Special representative): That reference is not to income but to capital investment. There is no separate balance sheet of assets, but that does not prevent a statement of profit and loss from being prepared. It is on profits that the tax is based and not on the capital investment.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I think that there is a direct relationship between investments made by a company and the profits which it receives and which are subject to taxation. Another question arises in this connexion. Since no accounts are kept of the investments made in the Territory, is there any control over the import and export of capital or any rules or agreements governing such operations?

Mr. SMITH (Special representative): There are no particular rules on the import and export of capital as such. There is a policy not to encourage or even to restrict the establishment of new concerns with new capital, but there is no restriction on the transfer of capital by concerns already well established in the Territory.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to pass now to labour questions. In his opening statement the special representative mentioned the establishment of wage councils which are composed of an equal number of labour and management representatives. These councils establish wage rates and hours and conditions of work. Could the special representative indicate to what extent the establishment of these councils curtails the rights of workers to claim any increases in their wages. For example, do the workers have the right to strike for higher wages or are all questions settled by these wage councils? Do the workers have the right not to agree with the decisions of these councils?



Mr. SMITH (Special representative): Of course, the first of these councils has yet to be established. They are, however, specifically designed to settle industrial disputes by agreement. The right to strike will not be affected by the establishment of the councils. That right will not be eliminated. I repeat that the councils are designed to attempt to settle any disputes that may arise by a process of conciliation, thus making it unnecessary for the workers to take any more drastic action. In other words, they should make it unnecessary for the workers to strike, but they will not restrict that right.

Mr. BERDYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): If, however, the workers do not happen to agree with the decisions of the councils, will they have the right to strike, or will the councils' decisions be binding on the workers? If the decisions were binding, the workers presumably would not have the right to strike.

Mr. SMITH (Special representative): Any right to strike will not be affected by the councils' decisions. The councils are designed to help in the reaching of an agreement, but their decisions will not be compulsory.

Mr. BERDYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): Like the previous annual report, the present report mentions the tendency of skilled and semi-skilled workers to leave the Territory to work in New Zealand. Reference is also made to a trades training scheme being put into operation by the Administering Authority.

Could the special representative explain why skilled and semi-skilled workers are still leaving the Territory to seek employment in New Zealand? This question has been brought up here on many occasions. Has the matter been studied by the Administering Authority? Have the reasons for the present situation been established? If so, what measures have been taken to create the kind of working conditions and salaries in the Territory that would make these workers remain -- assuming, that is, that working conditions have anything to do with their leaving?

Mr. SMITH (Special representative): For the most part, I answered that question yesterday in reply to a question put by another representative. Perhaps it is necessary to emphasize again that there seems to be some confusion between the term "skilled labourers" and the term "skilled tradesmen". The training scheme is designed to train persons in trades such as engineering, plumbing, carpentry, and so forth. The young men who are leaving the Territory are largely experienced labourers.

The Administering Authority has made some inquiries as to why these young men are leaving the Territory. In almost every case, the answer has been that they wanted to see a bit more of the world and to obtain wider experience. There is no restriction in this respect; if these persons wish to leave the Territory to go to New Zealand, they may do so. The fact is that there is no local insufficiency which, if supplied, would satisfy these young men and make them stay if they merely want to move beyond the confines of their own island. After all, they are Polynesians, and traditionally, for centuries, the Polynesians have moved from island to island. They still wish to do so. Most of them come back home after a time. It is not, however, possible to relate their wish to go overseas to any labour conditions within the Territory itself.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I should be entirely satisfied with that reply, were it not for the fact that my question related to skilled and semi-skilled workers, and not to tourists and persons travelling for pleasure. Presumably, the skilled labourers in the Territory or those who are being trained there should participate in the Territory's economic development.

I should now like to ask two questions in the field of education.

The special representative has pointed out that the Administering Authority hopes to introduce legislation concerning general education in the Legislative Assembly in 1957. I should like to have some clarification in this respect. First, when does the Administering Authority expect to introduce general education in the Territory? Secondly, will that education be compulsory? Thirdly, will it be free?

Mr. SMITH (Special representative): As I have said, I hope that it will be possible to enact this legislation this year; I cannot be sure that that will be done, since it is a very large enactment covering all aspects of education, the scheme for compulsory education being only one aspect.

It has, of course, long been the Administering Authority's policy to provide schools for the whole of the population. That is difficult to do, because the proportion of children in the Samoan community is extremely high. It is not easy to match the increase in the child population by an increase in schools. The intention is to introduce compulsory education district by district, as all the facilities become available; it would be difficult to introduce such education in the whole Territory at one particular time, when there might be one or two districts without the necessary facilities.

The Administration makes no charge for education, and will continue to make no charge. If the question is whether education is completely free, the answer must be the following. In the mission schools, to which many parents prefer to send their children, there is a charge. There is also a small charge in some of the Government-provided schools. That charge, however, is made by decision of the local people. The money goes into a special fund and has no relation to Government funds. It is used to provide amenities for the schools. For that purpose, each school has its council, on which the children are represented.

I should like to make it quite clear that the small charge in what are called the Government schools is not made by the Government and the funds are not part of Government funds; the charge is made specifically at the request of the local people.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): If I have correctly understood that reply, the legislation which is being or has been submitted to the Legislative Assembly does not provide for a target date for the introduction of general primary education or for the fact that such education should be free. We are told that the education will be compulsory, but nothing has been said about whether it will be free. I simply wished to clarify that point.

(Mr. Bendryshev, USSR)

My last question in the field of education is the following. In his opening statement, the special representative said that all secondary school needs in the Territory could now be met, and that it was therefore proposed no longer to provide scholarships to send children to secondary schools in New Zealand. Other members of the Council have put questions on this subject. From the answers, it seems that there are still no secondary schools in the Territory offering a complete secondary education adequate to train the students for higher institutions of learning, such as universities and so forth. This is true despite the fact that the Council recommended at the last session when it considered this Territory that full secondary education should be provided in the Territory.

(Mr. Bendryshev, USSR)

In view of the fact that there are now adequate opportunities, how many children can be provided for with the facilities now available for secondary education? In other words, how many children may now attend classes in secondary schools?

Mr. SMITH (Special representative): In the first place, I should like to clear up one small matter which I may not have made clear in my previous reply. When it is said that the Legislation now in prospect does not provide for compulsory education in all districts, I should like to add that that is a subject which will be dealt with by the subsidiary education which is specifically provided for in the Legislation now under consideration.

On the subject of free education, I have said that the Administration makes no charge whatever and will continue to follow that policy. That is provided for; but the fact that the local people might make some charge for school purposes is outside the subject of the Legislation.

As to the second question, reference was made to the local educational facilities and the fact that they do not go up to university entrance. The Administration accepts the responsibility of providing schooling, but not necessarily of providing it in Samoa when it is considered better, in the interests of the children concerned, to give them the last year in New Zealand.

On the question of facilities for secondary education, I leave out of account the several Mission training schools, but the Samoan College has not yet been required to use all its facilities. It could, at the present time, take up to 300 children. When the dormitories have been built, which should be by early next year, it will be able to take rather more than 500 children.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I would point out that this figure should be compared with a population of practically 100,000 in the Territory, and it may be possible to draw one's own conclusions regarding the adequacy or otherwise of the facilities available in the field of secondary education.

Mr. SMITH (Special representative): I should like to be permitted to give replies to some questions which were asked yesterday and which I was unable to answer at the time.

Firstly, the representative of France asked for an explanation as to what were the two service co-operative societies. Those two were set up for the purpose of servicing retail organizations. One is a wholesale buying organization to serve the retail co-operatives. The other is also a wholesale buying organization. It is an organization of private retail traders, and they have combined as a co-operative to arrange their wholesale buying.

The representative of Syria asked for certain information on the authority of the High Commissioner following on the administrative changes made last year. Unfortunately, I did not understand exactly what it was that he wanted, but we discussed the point during the recess and I believe that I was able to satisfy him. However, Mr. President, with your permission, I should like to give the information to the Council. I can best do that by referring to Clause 5 of the Samoan Amendment Act of 1956. That Clause requires that the High Commissioner shall consult with the Executive Council in all matters except certain categories of questions which, as representatives now know, are exempted.

The question asked by the representative of Syria related to any freedom to act which the High Commissioner might have, and the answer lies in sub-Clause (2) of that Clause, and I quote:

"The High Commissioner shall act in accordance with the advice of the Executive Council in any matter on which he is, by this section, obliged to consult with the Executive Council."

So that the position is that on most matters the High Commissioner is obliged to consult the Council and that, after receiving the advice, he must act in accordance with it. That was the point on which we were not quite clear at the time.

Another question asked by the representative of Syria related to reserve enactments. Those are, as representatives will remember, laws made by the New Zealand Parliament relating to Samoa, in relation to which the Samoan Legislative Assembly is restricted. It is not debarred from passing laws on those subjects, but it may not pass laws which are repugnant to the basic



(Mr. Smith, Special representative)

New Zealand Act. The particular matters are those covered by several parts of the Samoan Act of 1921 -- and I could mention parts 1, 2, 3, 4, 6, 7, 8, 9 and 13. Those relate to the establishment of the Executive Government, the Legislative Government, the High Court, the jurisdiction of the Supreme Court in Samoa, criminal procedure and the law of evidences, Crown suits, land, and intoxicating liquor.

A question asked by the representative of the Soviet Union was: what were the laws passed at the second session last year? I have been through the minutes of that session and I find that there were, in fact, only two laws passed: an Appropriation Act to give the formal appropriation of funds voted for the expenses of the Government that year, and what was called an Ordinances Amendment Act, which provided certain alterations to the law relating to income tax, the payment of fees on certain transactions in the Courts, and also provided the Agriculture Department with additional powers to deal with plant diseases. That meeting of the Assembly discussed very many other matters, but those were the only two subjects of actual Legislation.

The PRESIDENT: The Council will meet tomorrow afternoon at 2.30 o'clock.

The meeting rose at 6 p.m.