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President:

Mr. CLAEYS BOUUAERT (Vice-President) (Belgium)

Examination of conditions in the Trust Territory of Nauru:
annual report of the Administering Authority for the year
ended 30 June 1957 [5c] (continued)

Note: The Official Record of this meeting, i.e., the summary record,
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T/SR.891 and will be subject to representatives' corrections.
It will appear in final form in a printed volume.

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AGENDA ITEM 3c

EXAMINATION OF CONDITIONS IN THE TRUST TERRITORY OF NAURU: ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 JUNE 1957 (T/1374, 1379; T/L.849)
(continued)

B.P.H. *C* Mr. JONES (Special Representative): There are two questions the representative of India asked which I should like to answer now.

The first one referred to liabilities which are shown in the balance sheet of the British Phosphate Commissioners -- liabilities to the Governments of Australia, New Zealand and the United Kingdom. The representative of India wanted to know what they actually represented. The sum shown represents capital expenditure incurred by the three Governments concerned in the development of the phosphate industry.

land The second question referred to the total area of cultivable land and the area of cultivable land used for the construction of the airfield. I take it that land coming under this classification would include land suitable for the planting of coconuts in addition to other crops. By taking that definition, which will simplify the figures somewhat, it will be seen that any land suitable for cultivation is in the coastal belt and a small area in the Buada lagoon. Altogether it totals approximately 1,000 acres. The land being used for the airstrip is approximately 100 acres in area -- I do not have the exact figures, but from the information that is available to me here that is about correct. Regarding that area, I have no information about what it would grow and whether it is suitable for cultivation but, being on the flat, I think we can say that it is suitable at least for coconut cultivation and part of it, I think, would be suitable for the cultivation of other crops, particularly garden crops.

phosphate There is one other point I would like to make to enlarge somewhat upon a reply I gave with regard to the 19 per cent, which was relating to the percentage of the over-all phosphate sales which are used for benefiting the Nauruans. I noticed in the verbatim record that the question also included administrative costs.

(Mr. Jones, Special Representative)

I would just like to make it clear that the administrative costs of the Administration are met by the Phosphate Commissioners and they have no say in the matter. As I have mentioned before in this Council, the Administrator merely submits the sum he wants for the complete costs of the Administration for the coming year and that money is made available. It is in no way related to the price or quantity of phosphate; it is purely and simply to meet the needs of the Administration.

Mr. MITRA (India): I am very grateful to the special representative for clarifying the two points about which I had asked.

I should like to ask -- excusing myself for interrupting the Council again -- a small question about the last statement the special representative made regarding the 19 per cent figure which I mentioned yesterday. I had said in my question that the total amount being paid by the Phosphate Commissioners for the benefit of the Nauruan people and the administration of the colony was 19 per cent of the proceeds. Am I to understand that it is still 19 per cent? Of course I understand that it is not a profit-making organization but, taking into account the value of the phosphates as given in the report, do the amounts which we can calculate as having been either given as royalties to the Nauruan people or paid at the request of the Administrator for the administration of the colony add up to £400,000? I am only asking this because there are so many different figures that it becomes a bit difficult to follow sometimes.

Mr. JONES (Special Representative): I did not check the figures accurately; I had more or less accepted the figures of the distinguished representative. Actually, it must be somewhere around £400,000 from the figures that actually appear in the report.

Mr. JEAN-LOUIS (Haiti)(interpretation from French): Mr. President, as I take the floor for the first time I hasten to greet you and the members of the Council and, at the same time, I should like to assure you that I shall do everything possible to co-operate in the work of the Council, co-operation which I am sure has always characterized the work of the Haitian delegation.

(Mr. Jean-Louis, Haiti)

I should also like to greet the special representative and would ask his indulgence if indeed the case arises, as it probably will do, where I shall ask questions to which I should know the answers in advance.

Good Last year it was stated, and repeated again this year, that the Nauruan Local Government Council has not undertaken to exercise the powers which it might exercise. I should be grateful if we could be told why the Nauruans are not enthusiastic about undertaking the exercise of these powers. Last year it was said that the delay in taking a decision on taxes and so forth was due to this situation prevailing in the Council.

Mr. JONES (Special Representative): It is very difficult to say why the members of that Council do not actually exercise the powers they have under the Nauruan Local Government Ordinance. They are interested enough; they take a keen interest in the Territory and its affairs, but when it comes to taking some executive action such as drafting a resolution or a rule or even making up their minds on the provisions of certain ordinances which directly affect them, the situation is well known, I think, to this Council now. Of the number of ordinances which have been with them for nearly two years -- off and on -- they have only so far made a decision with regard to the Housing Ordinance. As I explained last year, they still follow an old custom: they do not, as a council, take executive action as representatives of the people. If anything comes up before the Council which is discussed by them, they prefer to follow their old custom and go back to their people to discuss it with them and to try to get them in general agreement. They then come back to the Council, if they have reached agreement with their people, and then of course there is the difficulty in reaching agreement among members of the Council. That causes one of the delays. So far as the making of rules is concerned, however, I really can offer no reason why they are diffident and reluctant to bring forth rules on their own initiation. I can say that practically every rule that has been made has been initiated by the Administrator himself.

Mr. JEAN-LOUIS (Haiti)(interpretation from French): I wish to thank the special representative for the explanation he has just given.

(Mr. Jean-Louis, Haiti)

I now come to my next question. Being aware of the fact that all the initiatives of the Council are subject to obligatory approval by the Administrator, we naturally wonder whether such a rule does not constitute one of the reasons for their failing to undertake the exercise of their powers. With regard to this matter I should like to ask the special representative whether the Administering Authority could not envisage, as a means of stimulating these people, according to the members of the Council some sovereign rights in specific cases.

Mr. JONES (Special Representative): At the stage of development of the Nauruan people -- and I refer now mainly to their political development -- we could not envisage giving them complete right to make rules which would not be subject to scrutiny and approval by the Administrator.

Mr. JEAN-LOUIS (Haiti)(interpretation from French): I note from the governmental structure table in the report that the position of Head Chief and the district councillors are simply honorary positions. However, in the opening statement we were told the salaries received by these officials. Could the special representative tell us how we should interpret the qualification of honorary position?

Hear
Chief
R. Smith
Cane

Mr. JONES (Special Representative): The payments I mentioned are not salaries; they are allowances. It is a usual payment made, I think, in many countries to persons who act in an honorary capacity as members of a local council. It is merely out-of-pocket expenses that are incurred.

Mr. JEAN-LOUIS (Haiti)(interpretation from French): Thank you very much for the explanation. I now come to another question.

During yesterday afternoon's meeting the special representative, in one of his replies, said that the Government had taken into its powers four places or posts. Could we be told why the Government took over this land?

Mr. JONES (Special Representative): I regret I did not follow that question. The interpretation I got was that the Administration took over four places. I would be very happy if the representative of Haiti would repeat the question.

Law Mr. JEAN-LOUIS (Haiti)(interpretation from French): The special representative stated yesterday afternoon that the Administration had proposed to choose fourteen plots of land but that these fourteen plots turned out to be inadequate. I asked the special representative to tell us what the criteria were which determined the choice of this land and also what reasons were given for deciding that this land was inadequate.

Mr. JONES (Special Representative): When I was discussing this yesterday and explained to the Council the matter of the future of the Nauruan community, I did mention three of the requirements which the Administering Authority considered necessary in any area for the resettlement of the Nauruan people. I think I need scarcely repeat those three requirements, but generally speaking the basis is that an area must be large enough to accommodate the Nauruan people for many years to come, during which they might develop into a community of five or ten thousand people. We must envisage that possibility, if they were settled as a community. The area would have to have agricultural potential, and there would have to be a good water supply. It would need to be reasonably healthy, and it should be within a reasonable distance of where the Nauruans who had acquired certain skills and professions -- as we hope they ultimately will -- would have the opportunity of seeking employment. It would have to be an area which was more or less unpopulated, or only very lightly populated; and -- if it was not just an island, but had other people living in the same area or in adjacent areas -- it would have to be an area where they could mix with the people and where the people would be willing to accept them.

These are just some of the problems, and some of the requirements we looked for in any area we considered. None of the areas we have examined so far -- we are still searching -- met those requirements, nor, in fact, did they meet even the majority of them. For that reason the areas were considered unsuitable.

Mr. JEAN-LOUIS (Haiti)(interpretation from French): I thank the special representative for his explanation, and I shall pass on to my fifth question, which is my last.

I refer to Appendix II, which was mentioned earlier, and which presents a chart showing the administrative structure of government and organization of Nauru. We note that there is no mention of the courts of justice. Could the special representative explain the reason for this omission, and could he tell us whether the courts have a special status outside the general administrative structure?

Mr. JONES (Special Representative): The judiciary has been explained in previous reports. I mentioned that the new Judiciary Ordinance had now come into force, and it provides for magistrates and judges to preside in the various courts established under the Ordinance. The position of magistrate is not a full-time one, and at present there are two European officers of the Administration who have magisterial powers; and Mr. Raymond Gadabu, the Administrative and Nauruan Affairs Officer, has also been appointed a magistrate. Also, Mr. Aroi has recently been appointed a magistrate. They are the magistrates in the courts.

No mention of the positions was made in the organization chart, because these are more or less honorary positions. That is, the magistrates are paid for the work on which they are actually employed under the Public Service Ordinance and their duties as magistrates are additional work which they carry out.

So far as the judges are concerned, there is very little court work which warrants the attention of a judge. But judges, if they have not already been appointed, will be appointed from the Territory of New Guinea and will visit Nauru as occasion arises.

Mr. JEAN-LOUIS (Haiti)(interpretation from French): I have concluded my questions and wish to thank the special representative for the information he has been so good as to provide.

Mr. KESTLER (Guatemala)(interpretation from Spanish): It happens that I have had the honour, for two consecutive years, of participating in the work of the Drafting Committee for this Territory. Therefore I have few questions with regard to the report. However, I should like to inquire about more recent events in the Territory and also about the general political situation in the Territory.

apologize in advance if, in these questions, I refer to matters which were with at yesterday's meeting, which I was unable to attend.

My first question concerns a point mentioned by the special representative in his opening statement and which was touched upon a few moments ago by the representative of Haiti. I should like to consider this point from a different angle. I am referring to the assertion that the Administrator "has continued to assist and encourage the Nauru Local Government Council to exercise its powers

(Mr. Kestler, Guatemala)

~~and functions", and to the comment that "It has not, however, shown much~~
initiative with respect to the making of rules within its competence or in the
examination of proposed new ordinances referred to it for comment." We are
told that "To this extent, the Council has not realized the hopes of the
Administration."

Without attempting to prejudge the situation, I should like to ask the
special representative whether ~~the Administering Authority has made any plans to~~
~~assist the members of the Local Government Council and to help them to envisage~~
~~the problems before them on the territorial rather than the local level.~~ This
Local Government Council seems to be regarded merely as a municipal council
rather than as a legislative body. Could the special representative shed any
light on this matter -- whether there are specific plans to educate these members
so as to create awareness of problems on the territorial level and not purely on
the local level?

Mr. JONES (Special Representative): On several occasions, in my
reply to questions and in my opening and closing statements on Maura, I have
emphasized the action taken by the Administrator to educate the Mauraan members
of the Local Government Council in their duties and responsibilities, and in the
power and authority which they have under the Ordinance. The Administrator has
also pointed out to them, on many occasions, that the Council which they now
operate is but a first step in their political development.

(Mr. Jones, Special Representative)

I think I mentioned last year that I had perused the minutes of the various meetings over the previous twelve months; I attended a meeting of the Council on two occasions with the Administrator and I was convinced, beyond all possible doubt, that he was doing everything possible to educate and explain to the members of the Council what they could do and also, what we might call, their political horizon if they advanced and exercised the powers which they already had.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I see that the situation then, in essence, continues to be the same as it was last year when we last discussed this matter.

del. (Tribunal) I have a few questions of detail. Last year, this Council approved a resolution relating to elections to be decided upon, in the last instance, by a tribunal. It seems that the final decision was to be taken by the Administrator. In his opening statement, the special representative stated:

"The new Judiciary Ordinance, which is referred to in chapter 7 of part V of the report, came into force on 6 December 1957." (T/PV.890, pp. 29-30).

I should like to ask the special representative whether he could give us any additional information with regard to this matter and what would the powers of the tribunal be.

Mr. JONES (Special Representative): I am not too clear on the connexion between the Judiciary Ordinance and the resolution of this Council last year to change the provision of the Nauru Local Government Ordinance with regard to elections. I am not sure whether the distinguished representative of Guatemala has in mind that the Judiciary Ordinance, which I have mentioned came into force in December last, would make some provision with regard to what he refers to as a tribunal, or not. If he has that in mind, I would point out that the Judiciary Ordinance is merely an ordinance to govern, regulate, control and provide for a judiciary. So far as an amendment of an ordinance is concerned, that would have nothing at all to do with the Judiciary Ordinance and the amendment which is, at present, being considered -- and I have no doubt myself will eventually take place -- is an amendment to an ordinance of the Territory and that ordinance will provide, when amended, that some person other than the Administrator will be the

(Mr. Jones, Special Representative)

Returning Officer and, if there is an appeal in connexion with an election, the appellant will go to the Central Court; that is the law of the two courts, so that the appeal will be dealt with by a magistrate.

I hope that that reply satisfies the distinguished representative of Guatemala; if not, I am quite happy to go further into the matter and explain it in more detail, if required.

Mr. KESTLER (Guatemala) (interpretation from Spanish): From the reply given by the special representative, I gather that, as the situation prevails in the Territory at this time, the Administrator still decides on appeal the questions which arise from the elections.

Mr. JONES (Special Representative): That is correct. The Ordinance has not yet been amended but I hope that, within the next few months, the amendment which we have forecast in our reply to this resolution will have been put through.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I should like to put another question, in connexion with the previous one, namely, that since the amendment has not yet been passed, in the present situation, the Administrator still decides upon the appeals lodged against the decisions of the Central Court.

Mr. JONES (Special Representative): No, that is not correct. Under the Judiciary Ordinance, the Administrator has been completely divorced from the judiciary. This appeal -- the provision in the Native Local Government Ordinance -- is just one case now remaining where an appeal would lie to the Administrator. But this, of course, is not from a court; it is an appeal from either an elector or a candidate in an election and it is not a case of appeal from one court to another; it is just a special provision in this local ordinance and, as I say, that will shortly be amended and that will remove the last avenue of an appeal to the Administrator.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I have one last question to put. Naturally, I am putting this question as a question of principle, taking into account the realities of the situation prevailing in the Territory.

polit. organ We are told in the report that there are no political organizations, in view of the present condition of the Territory. I should like to ask the special representative whether the need has never arisen for education along these lines because, no matter how few the inhabitants of the Territory may be, I believe that there would be different opinions as to how to solve the various problems and perhaps this would indicate some sort of establishment of political parties reflecting these various approaches to solutions of problems, and so forth.

Perhaps the special representative could give us some enlightenment here.

Mr. JONES (Special Representative): The distinguished representative of Guatemala mentioned education in political parties. I should like to ask, if I may, a question to clarify my mind so that I may know how to reply to his question. Who does he suggest should be the educator; who should educate these people in political parties? Is he suggesting that the Administering Authority or that the Administration should take some steps in that direction?

Mr. KESTLER (Guatemala) (interpretation from Spanish): As I said from the very beginning, this was a relative question, in view of the condition of the Territory -- very few inhabitants, and so forth, and their political development is still at a low ebb. However, my question was as to whether any divergency of opinion has arisen as yet as to the solution of territorial problems. If such differences of opinion exist there, has the Administration not felt that there should be some instruction of the population as to the role that political parties might play, and so forth?

Mr. JONES (Special Representative): So far as the Nauruans are concerned, there are or have been, in the past two elections -- as you know -- quite a number of candidates who have stood for the various seats.

(Mr. Jones,
Special Representative)

They have, I suppose, in their own small way, carried on some electioneering. They have addressed meetings of their people and that has, I believe, been most refreshing in that the candidates do not abuse one another or run one another down in any way. They seem to confine their remarks to pointing out that they would be able to represent the people on the Council and also, in some cases, they do touch mainly on some domestic matters to which they would give attention. On one or two occasions I think they have mentioned that they would try to alter certain marriage customs, and so forth. They discuss mostly local parochial domestic matters, and there has been no indication at all of a divergence of opinion on any important matters that could or would lead to the formation of parties, whatever name they might give them. The case is that the Nauruan chooses the candidate whom he likes best.

Mr. KESTLER (Guatemala) (interpretation from Spanish): I should like to thank the special representative for the manner in which he has replied to my questions.

Mr. CASTON (United Kingdom): The information I hoped to receive from the special representative has been fully elicited by the questions of the distinguished representatives of Haiti and Guatemala. I therefore have no questions on political advancement.

Mr. FELD (United States of America): My position is somewhat similar to that of my colleague from the United Kingdom. However, I should like to ask the special representative one more question regarding certain aspects of the judiciary organs, aspects which I think have not been covered in the answers given to the questions of other representatives.

We note on page 15 of the annual report that the proposed new ordinance designed to establish a clear distinction between the Executive and the Judiciary was being drafted and being considered by the Local Government Council. In the opening statement of the special representative he said, I believe, that the ordinance was promulgated on 6 December 1957. I wonder whether the special representative could tell us, in addition, what views, if any, were expressed on

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the new judiciary ordinance by the Nauru Local Government Council, and whether, in fact, any changes in the ordinance as it was presented to the Local Government Council were suggested by the Local Government Council.

Also, would the special representative comment on the extent to which the new ordinance differs from the previously existing judiciary system. I note that he said that there are two honorary magistrates and that on occasions a judge from New Guinea, perhaps, could come to handle work requiring the services of a judge. I should like to have some elucidation on that point.

Mr. JONES (Special Representative): I have no information with regard to any comments having been submitted by the Nauru Local Government Council, and had there been such comments I feel quite sure that they would have been included in the papers which I now have. I feel, therefore, that I am quite correct when I say that the Council did not suggest any amendments to this ordinance. Since it is a technical ordinance, I can quite understand that because it would be very difficult for the members of the Council to offer any really constructive criticism or comments on an ordinance of this nature, but I feel that nothing was lost in submitting it to the Council for its consideration and it would have at least some educational value.

The main difference between this ordinance and the previous legislation is the separation of the Administrator from the judiciary, which is, of course, a great improvement. The provision under the old ordinance was definitely undesirable. There are now actually three courts. The District Court is a court of records and consists of such magistrates as the Administrator appoints. Its jurisdiction in respect of an offence is limited to a penalty not exceeding a fine of £100 or imprisonment for twelve months. The Central Court is a superiour court and consists of such judges and magistrates as the Administrator appoints. As I mentioned earlier, two judges, I know, are to be appointed to exercise jurisdiction in this court and will proceed to Nauru whenever the occasion arises where it is necessary for a judge to preside, and whenever magistrates sit in this court there must be at least three, and the jurisdiction of this court is not limited. An appeal from the District

(Mr. Jones,
Special Representative)

Court would lie to the Central Court, and an appeal from the Central Court would lie to the Court of Appeal. The Court of Appeal is presided over by a judge, not a magistrate or magistrates.

I think that that, briefly, gives the main provisions of the new judiciary ordinance, and I think that answers the question of the representative of the United States.

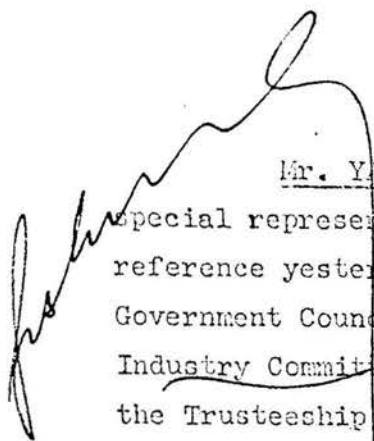
Mr. FELD (United States of America): I should like to thank the special representative for his very clear and detailed explanation. That certainly gives all the information I wanted on that subject.

I have one other point on political advancement. Although we note or of the annual report that the Administrator may act in opposition to the of the Local Government Council on any matter where, in his opinion, he is justified in so doing, I wonder whether the special representative would t whether this happens occasionally, frequently, or whether it is merely a safeguarding reservation which is very infrequently invoked.

Mr. JONES (Special Representative): There has not been one occasion on which that provision has been invoked. The reason for this is that the Council has not so far, on its own initiative, and without the knowledge of the Administrator, drafted a rule and presented it to the Administrator for his approval. It has always been the case that when the Local Government Council has given some thought to some particular matter-- disposal of rubbish, perhaps -- it has been discussed at the monthly meeting with the Administrator and the provisions of the rule have more or less been agreed to at the meeting. So there has not as yet been a clear-cut case where a rule has been presented to the Administrator of which he had no prior knowledge.

Mr. FELD (United States of America): I understand, then, that these matters are discussed in advance and it would be an unusual situation if the Local Government Council were to confront the Administrator with something of which he had no prior knowledge.

I should like to thank the special representative for his answers.

 Mr. YANG (China): I have two or three questions to pose to the special representative in the economic field. My delegation made a passing reference yesterday to the Standing Committees established by the Nauru Local Government Council. One of these Standing Committees is called the Fishing Industry Committee. In view of the fact that both the administration and the Trusteeship Council have taken great interest during the past years in the development of a fishing industry, could the special representative tell the Council something about the activity of this Fishing Industry Committee. Perhaps he may wish to tell us if the said Committee has met with any success in achieving such tangible results as will benefit the Nauruans. Perhaps he may also wish to indicate to the Council the efforts made and the assistance given in helping the Fishing Industry Committee to tackle the problem of promoting development in fisheries.

Mr. JONES (Special Representative): I did make inquiries of the Council, and in particular of the members of the Council who comprise the Standing Committee, on what they term "the fishing industry". Actually there has not been very much progress made. I think perhaps that before going into the actual work done by this Committee, I might just explain that when this was first considered and the administrator suggested to the Council that they give some thought to this matter and that he would be prepared to assist them, he also had in mind the fact, and drew the attention of the Council to that fact, that this was a second attempt made by the administration to get the Nauruan people interested in fishing and to develop it into an industry. It must be remembered that unless the industry was developed to such an extent that it would be worthwhile to have a factory and tin the fish or preserve it by some other means, the only market would be the local people.

(Mr. Jones. Special Representative)

To provide a population of approximately 4,000 with fish would not lend itself to an industry of any great proportion. Nevertheless, we felt that it would at least provide some interest for the Nauruan people and assist in their economic development if it were placed along sound lines. At the present time, out of fourteen Nauruans who were engaged in fishing, there are only five who are now making a livelihood out of the sale of fish.

Nevertheless, despite the fact that it had failed previously, the administrator set to work and outlined to the Nauruan Council the lines along which they should think and certain things which would have to be done. The Standing Committee has given some thought to it and to the best ways and means of developing the fishing industry. With the assistance of the administrator, a scheme was outlined to form the basis of a fishing industry. That provided, firstly, for blasting a hole for an opening in the reef so as to provide a boat harbour; the provision of freezing for cold storage facilities, so that when fish were plentiful they could be stored and then sold when the bad season came along. The purchase of suitable boats, fishing gear and other such matters were considered.

That is as far as it has gotten at the present time. The first step which the Standing Committee would now wish to take is to prepare the boat harbour. Of course, with regard to any work that is necessary for that, they will receive the advice and assistance of the administrator. In the meantime, the five -- we call them professional fishermen -- have been approached to see whether they would be prepared to continue, and investigations have been made as to the number of people who would really be interested in developing and taking part in this fishing industry.

I regret to say that the interest is not as great as we had hoped. Nevertheless, the administrator is going to continue to offer encouragement and take all the steps he possibly can to get the people interested and to go ahead and take some of the first preliminary steps which are necessary.

[Handwritten signature]

Mr. YANG (China): I thank the special representative for the information he has just given me. I think the Council would be happy to receive further information when it next examines the annual report of the administration of this Territory, because we heard yesterday, in the preliminary statement of the special representative, words to the effect that the search for permanent sources of water has met with no success. Therefore, perhaps, it is the wish of the administration, and perhaps also the wish of the members of the Standing Committee dealing with the subject, that no effort should be spared in promoting and developing the fishing industry. We certainly look forward to receiving information on this subject in the following years.

[Handwritten word: budget]

In the working paper prepared by the Secretariat (T/L.849), we note on page 6, paragraph 17, that revenue received by the administration during the year 1956-1957 totalled £218,916, as compared with £261,164 during the previous year. This expenditure totalled £302,349 in 1956-1957, compared with £257,274 during the preceding year. I am wondering whether the special representative could give the Council some clarification with regard to the decrease in revenue and the increase in expenditure.

It seems to me that in respect of the revenue figure, the decrease is significant. Perhaps the special representative would like to explain to the Council what accounts for the decrease in the payment by the British Phosphate Commissioners to the administration in 1956-1957, compared with the preceding year. Perhaps it might also facilitate the clarification of the special representative on the point I raised if I also drew his attention to page 58 of the annual report in connexion with the figures I just quoted.

Mr. JONES (Special Representative): Actually the explanation lies in appendix IV, table A, which the representative of China has just referred to. As I have mentioned, each year the Administrator draws up a budget which meets all the requirements: capital expenditure, maintenance, administrative expenditure and any other expenditure which he considers will take place during the following year. The British Phosphate Commissioners make this sum available to the Administration.

It so happens -- I do not think it is rather a good point -- that the Administrator is usually liberal in his assessment. The result has been that in 1953-1954 the revenue was £265,000 odd and the expenditure was £226,000 odd. That left £38,000 odd as accumulated funds. In other words, that was standing to the credit of the Administration. In 1954-1955 the revenue was £368,000 and the expenditure £276,000. The accumulated funds were £111,446. In 1955-1956 the accumulated funds again increased slightly to £113,000. In preparing the estimates for 1956-1957 the Administrator took into consideration the accumulated funds when assessing the sum which would be required from the British Phosphate Commissioners to make up the required amount. So it will be seen that with the accumulated funds of £113,000 -- that is shown at the top of the table for 1956-1957 -- and a revenue of £218,000, the total revenue was £332,000. The expenditure, which had increased over the year by £55,000, still left an accumulated fund of £30,439.

Mr. YANG (China): I appreciate that clarification. While I am on this subject, I should like further clarification from the special representative in connexion with the figures to be found on pages 16 and 17 of the annual report relating to the royalties payable from the phosphate proceeds to the Nauruans. In column 4 of the table on page 16, the last item indicates the royalty payable to the Nauruans during the year 1956-1957. The figure is £95,863. If that figure indicates the amount of the royalty payable to the Nauruans, then it seems to me that there is some disparity between it and the figure found on the next page. On page 17 it is stated: "The royalty received during 1956-1957 totalled £97,709." I would appreciate some clarification as to the disparity between these two figures. One is £95,863 and the other is £97,709.

Mr. JONES (Special Representative): I must agree with the representative. It is somewhat misleading. The explanation is as follows: the actual quantity of phosphate raised during the year under review -- that is, from 1 July 1956 to 30 June 1957 -- was as shown here: 1.2 million tons. The royalty payable on that phosphate was £95,863. The other table shows the royalty paid during the year. That royalty is for the period from 1 April in the previous year. The royalty is always paid at three month intervals, and the royalty for the last three months of the year under review at present will be paid next year and will be shown on that table. Actually it is a bit misleading, but that is the explanation for the difference in the figures. One table shows the actual amount of phosphate produced during the year under review; the other one shows the royalties paid for the last three months of the previous year plus the first nine months of the year under review.

Mr. YANG (China): I should have thought that the figures which are found on page 17 constituted a breakdown of the figures indicated on the preceding page, that is, £95,863. However, I appreciate the clarification just given to me by the special representative.

I now come to my last question. Yesterday, in his preliminary statement, the special representative stated:

"From time to time royalty rates have been increased and negotiations for the further increase have been in progress between the Nauru Local Government Council and the British Phosphate Commissioners for some time, but no decision has yet been reached." (T/PV.890, page 31)

In the Secretariat working paper, the following is stated:

"Since 1946-1947 a royalty of 10-1/2d. per ton was formerly paid on phosphate to cover the repayment of an advance of £350,000 to the Administering Authority for the reconstruction and rehabilitation of Nauru at the end of the war in the Pacific." (T/L.849, para. 18)

Our reading of the annual report gives us the impression that the repayment of this advance was completed during the year under review.

(Mr. Yang, China)

There was another royalty of 9d. per ton which was paid on phosphate exported for the amortization of an advance of £303,775 by the British Phosphate Commissioners for the construction of homes for Nauruans. Our impression was that the repayment of this second loan was about to be completed or at least will be completed very soon.

Bearing in mind the situation as we found it, would the special representative confirm that the situation would strengthen the hand of and help the Local Government Council to carry out negotiations to a successful conclusion; that is to say, to strengthen the Administration's hand to have the Nauruans get the higher royalties in their negotiations with the British Phosphate Commissioners. I fear that in future years the British Phosphate Commissioners will not have to repay the two advances I have just mentioned. If that is the case, it seems to me it would be much easier for the Commissioners to agree to an increase of royalties payable to the Nauruans. I would appreciate the comments of the special representative on this. My feeling is that since the Administration has been helping the Nauruans for some time to get an increase of the royalties, this would offer an opportunity to the Administration to help the Local Council to succeed in its negotiations with the British Phosphate Commissioners.

Mr. JONES (Special Representative): The Nauruan people are paid what is regarded as an equitable royalty in the circumstances, taking into consideration the fact that they are provided with all services free of cost. It will be recalled that the last and the penultimate Visiting Missions to Nauru were unanimous in the view that no other dependant Territory in the Pacific had such favourable conditions and so high a standard of living as Nauru, owing to the royalties paid. I do not like to go on repeating this point, but it is very difficult to devise a measuring stick, as it were, for a fair and reasonable return to the Nauruan people. The Administering Authority has always taken a broad view as to what is really equitable. The decision to pay a certain royalty has always been taken on the basis of what has been regarded as equitable and reasonable under all the circumstances, taking into account all the amenities and services provided to the Nauruan people.

As the representative of the Administering Authority, I could not accept as a sound basis for increasing the royalties to the Nauruan people the mere fact that an undertaking by the British Phosphate Commissioners to provide roughly £600 thousand towards the rehabilitation of Nauru, including the building of about 350 houses, has been paid off. I do not for a moment say that this would not be a good bargaining point for the Nauru Local Government Council, and I am quite sure that the Council is aware that it is a bargaining point. I cannot, however, admit that it is anything other than that.

We must at all times pay to the Nauruan people a royalty that is regarded as fair and equitable. That must be the sole basis. At the present time, of course, we are determined that the increase which we know the British Phosphate Commissioners are agreeable to pay -- I am not aware of the exact amount -- should go mainly towards the long-term community fund, so that all the Nauruan people and not merely the landowners may benefit.

Mr. de CAMARET (France) (interpretation from French): I should like to ask some questions both on economic advancement and on educational advancement. As regards political advancement, my delegation has been fully satisfied with the explanations given by the special representative in reply to other questions.

In the domain of economic advancement, the only important question is that of phosphates, since the Territory's entire economy depends on phosphates. At previous sessions of the Trusteeship Council, representatives have frequently raised the question of how long the phosphates will be available. I should like to ask the special representative what his present estimate is in this respect, in view of the present extraction techniques. How long is it expected that it will be profitable to extract the phosphates? Is the estimate forty years or sixty years?

*Extraction
of
phosphates*

Mr. JONES (Special Representative): There is apparently some doubt -- if not misunderstanding -- as to whether the period in question will be forty years or sixty years. I notice that the working paper prepared by the Secretariat states that:

"At the present rate of extraction, it has been estimated by the Administering Authority that these deposits may be exhausted in roughly forty years..."

(T/L.849. paragraph 2)

I think that there, again, some misunderstanding has crept in, because the actual position is the following -- and I am speaking from memory, but I think that my figures will be accurate enough for the purpose. The rate of extraction is roughly 1.2 million tons per year. On that basis, the estimated life of the phosphate deposits would be sixty years. With the installation of the second cantilever, it is hoped that production will increase until approximately 1.6 million tons per year, which will reduce the life of the phosphate deposits to about forty years.

airstrip
Mr. de CAMARET (France)(interpretation from French): My second question relates to the construction of the airstrip, which I think is absolutely necessary for the Territory's development. Could the special representative give us some information on the amount of compensation which will be paid to landowners in connexion with the construction of the airstrip? I imagine that a large amount of land will have to be expropriated, and it will be necessary to pay compensation to the landowners.

Mr. JONES (Special Representative): The ordinance relating to the acquisition of land for this airstrip provides that the Administrator shall pay to the owners of the land acquired under the ordinance compensation in the form of an amount payable annually in advance in perpetuity, and that the annual amount payable shall be twice the amount payable at the rate prescribed by section V of the Land Ordinance as the rental for a lease of non-phosphate-bearing land.

There has been a recent amendment to the Land Ordinance -- I hope that the Council will forgive me for going into some detail here, but I think that it is better briefly to give the provisions of the law. As regards section V, the amendment provides that if the land comprises an area of not less than one-third of an acre the amount payable shall be £6 per acre per year. This means that if the area of land was not less than one-third of an acre the annual payment to the landowner would be £12 per acre in perpetuity.

(Mr. Jones, Special Representative)

Then, as far as lesser areas are concerned, it mentions that, for an area of less than one-third of an acre but not less than one-fifth of an acre, it shall be £2 per annum. Twice that amount would make it £4 per annum, paid in advance, in perpetuity. For a smaller area than that, it is also £4.

In addition, of course, there is compensation for trees -- pandanus trees, almond trees and other trees growing on the land. That is also payable in accordance with the Land Ordinance. That would be one payment only; it would not be an annual payment.

Then there is also a provision, I notice here, that the owners of land -- that is, the owners of the airdrome land, the land that has been acquired -- shall be paid an amount calculated at the rate of £6 per acre per annum as compensation for the use and occupation of the land by the administrator during the period from 1 November 1945 to 30 June 1951, and, for the period since 1 July 1951, an annual rental of £9 per acre.

Mr. de CAMARET (France) (~~Interpretation from French~~): I have no further questions on economic advancement. I have a question on education, but it is a question which is subdivided into three parts, and the reply to the first part will undoubtedly lead me to ask further questions.

In the Committee on Information from Non-Self-Governing Territories, we have studied this year a ten-year report on activities undertaken in these non-self governing territories. There is nothing similar in the Trusteeship Council; we do not know what happens over a period of ten years. This leads me to ask a question on the sending of Nauruans to Australia. Could the special representative tell me how many Nauruan indigenous inhabitants have been sent to Australia during the past ten years in order to be educated there and in order to receive either secondary education or higher education?

Mr. JONES (Special Representative): I have a table here which covers the period -- it is a table prepared at the same time that we prepare tables for the non-self-governing territories -- and I have a rough summary which I hope will serve the purpose. The number of Nauruans who have proceeded to Australia for secondary and higher education -- that is, beginning with 1948 and up to March 1958 -- was 68.

Mr. de CAMARÉ (France) (interpretation from French): That is most interesting, for, if we consider the annual report this year, we see on page 38 that 34 Nauruans are in Australia to be educated, 31 for secondary education. This proves that the increase in the number of Nauruans in Australia has been considerable.

This leads me to my second question. What degrees do the Nauruan students aspire to obtain? What are the academic results of their studies?-- What diplomas do they get?

Mr. JONES (Special Representative): For the years 1948 to 1954, the students were sent to Australia mainly for the usual academic courses which lead to the leaving certificate and the intermediate certificate. During the last four years, in conformity with the Administering Authority's policy to prepare the people in case they more or less have to leave Nauru and seek a new home, we have also concentrated on technical training more than previously.

Taking the whole picture since 1948, there were 27 Nauruans who obtained the intermediate certificate. Of these, all except three, who elected to return to Nauru and who were employed by the Administration, attempted the leaving certificate. Ten failed to pass, two of them after making two attempts. They also returned to Nauru and, with one or two exceptions, in the case of girls who married, they were all employed either by the Administration or by the British Phosphate Commissioners. Seven, however, did pass the leaving certificate -- two of these after making two attempts. All seven were given the opportunity of going on to higher education.

(Mr. Jones, Special Representative)

Ten obtained the junior technical certificate -- most of those since 1954. Only one failed. It was a quite good record on the technical side. Of the ten who passed the junior technical certificate, seven attempted the intermediate technical certificate. Three passed, and four failed, that examination. But even those who failed were brought back to the Territory and given employment suitable to the standard of technical education they had attained.

Of the 68, there are 31 Nauruans still in schools or colleges in Australia and one in New Zealand. Of this total of 32, five have already passed the intermediate certificate and are now studying for the leaving certificate, and two who are still in school in Australia are making their second attempt to pass the leaving certificate. Five who passed the junior technical certificate -- that was in the last year -- are now studying for the intermediate technical certificate, and two are making a second attempt to pass the technical certificate. I might add that, if they fail the first time, they are given an opportunity to make a second attempt; it does not matter what the examination may be. As long as the authorities in Australia have no objection, we do our best to encourage them to make a second attempt. In some cases, however, they decline to do so and insist upon returning.

In addition, we have one Nauruan in the dental course in Fiji, another Nauruan doing a medical course in Fiji, one Nauruan at the teachers' college, one Nauruan at an agricultural college, one doing a commercial course, one doing a nursing course, two doing a civil engineering course, one doing a building construction course, and one doing an electrical course, and there are three girls doing welfare and mothercraft and pre-nursing training.

Questions Nauruans

Mr. de CAMARET (France) (interpretation from French): In his detailed replies the special representative has given me information on the subject in connexion with which I had intended to ask a third question. I had been wondering what activities the Nauruans would be able to engage in in their own country when they returned from Australia -- whether they would be able to serve in the administration, work in the phosphate industry or take part in agriculture. I think that these points have been met by the special representative's replies, and if he has nothing to add I, for my part, have nothing further to ask.

electricity

Mr. FELD (United States of America): I note from the annual report and also from the opening statement by the special representative that the Nauruan Local Government Council has entered into an agreement with the British Phosphate Commissioners for the supply of electricity to, I think, eighty-eight Nauruan homes located, according to the map, on one side of the island in urban districts. I wonder whether the special representative could say whether any further expansion is intended of this programme of supplying electricity to the homes of Nauruans in coming years.

Mr. JONES (Special Representative): The reticulation of electricity to eighty-eight Nauruan homes only at this stage is due to the fact that the electric power on the island is provided by the British Phosphate Commissioners, and this extra load takes them to the limit of their present installations. There is no information available with regard to whether or not the British Phosphate Commissioners intend to increase their output in view of the installation of a new cantilever, but if they do I feel quite sure that the Administrator will have in mind and will discuss with them the possibility of making some provision so that perhaps the reticulation of electricity to other Nauruan homes at a greater distance may also be undertaken.

imports

Mr. FELD (United States of America): My next question relates to imports into the Trust Territory during the year under review. It is stated in appendix 7, under B at the foot of page 63 of the annual report, that these imports reached a total value of £1,170,218 Australian, which represents, according to my calculations,

(Mr. Feld, United States)

an increase of nearly £300,000 Australian over the preceding year. This seems to be a quite substantial increase, and I wonder if the special representative could comment on its nature. Most of it seems to be in imports from Australia.

Mr. JONES (Special Representative): It is mainly due, I believe, to the importation of parts and machinery for the installation of the second cantilever and the extension of the dryer or storage sheds.

Mr. FELD (United States of America): I thank the special representative for that answer, which certainly explains this rather sizeable jump over the previous year. I have no further questions.

*extra of phosphate
Part 2*

~~The meeting was suspended at 4.20 p.m. and resumed at 4.40 p.m.~~

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): My first question pertains to the extraction of phosphates. Could the special representative tell me when the exploitation of phosphates will be transferred to the indigenous inhabitants of the Trust Territory? -

Mr. JONES (Special Representative): I am afraid that I am unable to give the representative of the Soviet Union the date with regard to such transfer.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): In the same connexion I have the following question to ask. How is the principle applied that the people of the Territory have the inalienable and sovereign right freely to dispose of their natural wealth and resources?

Mr. JONES (Special Representative): The Nauruans have disposed of their rights, by means of an agreement, to the British Phosphate Commissioners. That agreement was a legal agreement and was duly witnessed by the Administrator.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): I do not understand the reply of the special representative. I asked him how the following principle was being applied: the principle that the indigenous peoples of the Trust Territory have the inalienable and sovereign right freely to dispose of their natural wealth and resources. The present situation does not make it possible for the indigenous inhabitants to extract the phosphates or to organize a co-operative to handle the extraction. In other words, they are deprived of all the natural wealth of the Territory.

In replying to my first question, the special representative refused to say when the extraction of the phosphates would be returned to the indigenous inhabitants. Hence, the question naturally arises: how is this principle applied, if it is applied at all, in the Territory? From the reply of the special representative, I can only conclude that the principle is not applied in the Trust Territory of Nauru.

Mr. JONES (Special Representative): I have very little to add to what I have already said. The Lands Ordinance contains a copy of the agreement made with the representatives of the Nauruan people after the matter had been fully discussed with them and they freely entered into this agreement, which provides that the phosphate lands are leased to the Commissioners, who have the right to exploit the phosphate deposits of the island.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): We know about the character of this agreement, when it was concluded, with whom and under what conditions. I shall therefore not enter into the details of the agreement at this stage.

What control is exercised by the Nauruans over the activities of the British Phosphate Commissioners?

Mr. JONES (Special Representative): They do not exercise any control over the work of the British Phosphate Commissioners.

Investment Fund

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): My next question relates to the Nauruan Community Long-Term Investment Fund, which had a credit of £211,696 in 1957. When will the Nauruans be able to avail themselves of these resources? Will they be able to use them now or will they be able to draw on this Fund only at some date in the future?

Mr. JONES (Special Representative): From the name of the Fund it is quite clear that it is a sum which is set aside and added to each year through a special royalty to provide for the future of the Nauruan community. There is no need for them to draw upon that Fund at the present time. When a decision is made in regard to their future and special funds are required for that purpose -- and no doubt they will be required -- the Fund will be available to be drawn upon by the Administering Authority to be used on behalf of the Nauruans.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): Has any time period been fixed during which the Fund may not be used?

Mr. JONES (Special Representative): No date has been set. The Fund will be drawn upon when the need arises.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): Who is now administering these resources? Are they in a bank or are they being held by the British Phosphate Commissioners? What interest rate is being paid on those funds for the benefit of the Nauruans?

Mr. JONES (Special Representative): The royalty is paid by the British Phosphate Commissioners to the Administering Authority, which invests it in gilt-edged securities on behalf of the Nauruan people. I do not have with me at the moment the interest rate which is being paid. The rate no doubt varies because advantage is taken of various loans that may be made available. I shall endeavour to obtain the interest rate as soon as I can for the representative of the Soviet Union.

Mr. BENDRYSEV (Union of Soviet Socialist Republics) (interpretation from Russian): My next question relates to deductions made on exported phosphates to cover the repayment of loans. Formerly 10d. per ton was deducted and now 9d. is deducted. What is done with the 19d. per ton? Previously this was paid back to the British Phosphate Commissioners as payment for loans and interest.

*deductions
on exported
phosphates*

Mr. JONES (Special Representative): Would the representative of the Soviet Union kindly refer to the actual page of the report so that I might be quite clear of his question.

Mr. BENDRYSEV (Union of Soviet Socialist Republics) (interpretation from Russian): Deductions of 10-1/2d. per ton of phosphates exported were made in order to repay a loan and interest to the British Phosphate Commissioners. This was made for the reconstruction and rehabilitation of installations which were destroyed during the Second World War. The question arises: What happens now to the deduction of 19-1/2d. per ton? My second question relates to the deductions which are made in the amount of 9d. per ton.

(Mr. Bendryshev, USSR)

These deductions are no longer made. What happens to this money now? Where do these 19d. go at this time?

Mr. JONES (Special Representative): As to the sums of money referred to by the representative of the Soviet Union, as is well known to the Council, one loan was for the purpose of the rehabilitation of the Island, to rebuild the administrative offices and roads and for other work. That was 10 1/2d. per ton, and the other was 9d. per ton to cover a loan made to the Administering Authority for the Nauruan housing scheme. One has been paid off altogether and the other one now has about £4,000. Those levies actually were not royalties which were made on phosphates for amortization of these two loans, will no longer be a levy.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) (interpretation from Russian): If I understood the special representative correctly, and I ask him to confirm this, the cost of a ton of phosphate will become cheaper by 19d. as a result and the same applies to the other amount which was deducted previously. Did I understand that correctly?

Mr. JONES (Special Representative): That is correct. That charge now is no longer a charge against the phosphates.

Electric
Mr. KOCIANCICH (Italy): My first question relates to chapter 2 of the paragraph on economic development of the annual report. (page 17) It is said there:

"A new council undertaking, which will be commenced shortly, is the purchase of electricity in bulk from the British Phosphate Commissioners and the retailing of it to Nauruan consumers."

I should like to ask the special representative if this kind of undertaking is merely a device for the Nauruan Government Local Council to get additional revenue or if there are some other purposes for such an undertaking because I understand that up to now the British Phosphate Commissioners have supplied the electricity indirectly to the inhabitants.

Mr. JONES (Special Representative): The electricity was not supplied to the Nauruan people prior to the arrangements now being made with the Commissioners. I think there was one house or perhaps two houses only by some special arrangement; they were very close to where the generating plant was located. I think that one or two houses had electricity supplied by special arrangement, and this was covered by the Administering Authority. However, this is a completely new scheme and it was not designed to provide an income or revenue for the Nauruan Local Government Council. It was considered desirable that they should have electric light and power in their homes, and negotiations were entered into with the British Phosphate Commissioners. It was thought desirable that it should be handled by the Nauruan Local Government Council in order to give them experience in municipal development. It is actually the intention of the Council to make a charge for the electricity that will cover all their costs, and not for the purpose of making a profit.

Mr. KOCIANCICH (Italy): My next question relates to land tenure. On Page 19 of the report it is stated that the British Phosphate Commissioners "may, subject to the approval of the Administrator and the owners, which approval shall not be unreasonably withheld, lease such non-phosphate bearing lands on the Island ..."

Could the special representative clarify if an owner, in such a case, withhold his approval what means are left open for the Commissioners and the Administrator to push through with their policy of acquiring land if they think this withholding was not reasonable? Can they bring the matter before a court or do they have some other means of enforcing it?

Mr. JONES (Special Representative): This is rather an obscure provision to have in the Land Ordinance, but I think it was originally placed there so that legal action could be taken in the civil courts to settle any dispute that could possibly arise where the refusal to grant just a small area of land as an outlet or to provide a road into the phosphate-processing plant was made. I am just quoting some instances of that nature. If they did refuse and by granting the land it would not adversely affect the owner in any way, and particularly if it was

(Mr. Jones, Special Representative)

a very small area, then the matter could be settled, as it were, by a court because it is a legal matter provided for in an ordinance. But so far, there has been no case where there has been any dispute in regard to acquiring land. In fact, the British Phosphate Commissioners have been very anxious -- and they have been very anxious over the last few years -- to obtain additional land on lease from the Nauruan owners on which to build accommodations for their married employees, particularly the Chinese employees, some of whom are very desirous of bringing their wives to Nauru. But the Nauruans keep on refusing to make the land available and the matter has not been pressed by the British Phosphate Commissioners. I merely quote that as an instance where at the present time the land is really urgently required and where the Nauruans are not prepared to make it available and where the matter has not been pressed.

recruitment of workers
Mr. KOCIANCICH (Italy): I have only one more question, but this question relates to the social field.

This question relates to the recruitment of Chinese and other Pacific Island workers for work with the British Phosphate Commissioners. Page 25 of the report hints at the fact that some of these workers are re-engaged after their original contract has expired. I should like to know if the special representative is in a position to give me an approximate figure of the percentage of these workers who remain on Nauru with a new engagement after the expiration of their original agreement.

I put this question merely because in such cases, the cases of workers who are re-engaged subsequently, they probably have a tendency to settle down for good on the island and establish a family there, either by marrying Nauruan women or by bringing their wives in from China or from the Pacific Islands.

Mr. JONES (Special Representative): The terms and conditions under which the Chinese workers are engaged provide that they must return to Hong Kong at the expiration of two years. At the expiration of two years, with special permission, they may remain for a further year. There have been other exceptional cases where the Hong Kong authorities have given permission, particularly in the case of skilled tradesmen, to remain for a longer period. Actually the rule is that they must return after that given period. They may again be engaged in Hong Kong, but there is a period which they have to remain there -- I think it is twelve months, but I am not sure of that point -- before they can be re-engaged to come back.

So far as a Chinese marrying a Nauruan girl and settling in Nauru, there has not been one case of that happening.

The PRESIDENT:(interpretation from French): As no other delegation desires to ask any questions on economic advancement, I shall now ask the representative of UNESCO to present the observations of his organization on the educational situation in the Trust Territory of Nauru.

Mr. SALSAMENDI (United Nations Educational, Scientific and Cultural Organization): I have the honour to introduce document T/1379 which contains UNESCO's observations on the annual report on the Trust Territory of Nauru, for the year ended 30 June 1957. This is a short document and we very much regret that we were unable to submit it before today. Nevertheless, we hope that members of the Council will have had the time to read it.

After some general remarks and a summary of the educational system in Nauru, UNESCO expresses the hope that the educational standard in the three schools mentioned in paragraph 5 of this document is the same, and that efforts will be continued with a view to integrating the various ethnic groups in these schools.

Paragraph 6 of this document states that, there having been no substantive changes in the school system or in the educational policy during the year under review, UNESCO's observations this year are limited to public expenditure on education, school enrolment and retardation, teacher status and certification, overseas scholarships and higher education.

The table set out, giving expenditure figures, makes it unnecessary for me to elaborate on this matter. I only want to call your attention to the comparative table on proportion of over-age pupils by grade. It can be seen that there has been a marked improvement in the year under review in the proportion of over-age pupils in the top grade of the primary school and in the top form of the secondary school and it is hoped that the administration will continue to deal energetically with the problem of retardation.

The problem of the teacher-pupil ratio continues to be most satisfactory. UNESCO underlines that, for the first time, a professionally trained Nauruan teacher is now in service and, also, that in-service guidance is given to those who teach by the European staff. Such action, UNESCO goes on to say, is to be commended and should have effects on the Nauruan teaching staff. UNESCO realizes clearly the difficulties of promoting qualification of teachers and hopes that vigorous efforts to achieve a higher competency rating among these teachers will continue.

UNESCO would like to have clear information on what economic incentives the Administering Authority uses to encourage teachers to improve their competence. We also consider that it would be useful to have information on advanced training by correspondence courses.

(Mr. Salsamendi, UNESCO)

Regarding overseas education and higher education, UNESCO feels it is necessary to repeat the hope that the Administering Authorities will continue its efforts to enable Nauruan students to have the possibility to undertake full university-level courses.

Regarding culture and research, UNESCO would be interested to know whether research has recently been undertaken on the indigenous language and ethnography.

Finally, may I say that we have taken careful note of the opening statement made by the special representative, Mr. Jones, whose remarks we have already sent to UNESCO headquarters.

Mr. President, may I thank you for giving me the opportunity to introduce UNESCO's comments on this Trust Territory.

The PRESIDENT (interpretation from French): On behalf of the Council, I wish to thank the representative of UNESCO for the clarification and explanations which he has just given us.

The meeting rose at 5.10 p.m.

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12 JUN 1958

Trusteeship Council
22nd Session
3rd Meeting (PM)

Press Release TR/1392
11 June 1958

TRUSTEESHIP COUNCIL -- TAKE 1

The Trusteeship Council this afternoon continued its examination of conditions in the trust territory of Nauru administered by Australia. Before it was the administering authority's 1957 annual report on the territory.

John H. Jones, Australia's special representative for Nauru, took his seat at the Council table to reply to questions by members regarding conditions in the territory.

In response to queries by Ernest Jean Louis (Haiti), the special representative said it was difficult for him to explain why the Nauru Local Government Council had not shown much enthusiasm in the exercise of its powers. The Council, he said, had shown an active interest in Nauruan affairs generally, but not with respect to the making of rules within its competence, or in the examination of proposed ordinances referred to it for comment.

The special representative was then asked whether the administering authority had considered granting the Council complete rights for making rules in specific cases, as a means of encouraging the Council to exercise its powers. Mr. JONES said at the present stage of political development, it was not possible to do so. The rules must be subject to the scrutiny and approval of the administration.

MAXIMILIANO KESTLER (Guatemala) asked whether the administering authority had a place for educating members of the Nauru Local Government Council with respect to their responsibilities and to create an awareness of the problems of the island at the territorial rather than local level.

The special representative replied that, as he had explained on earlier occasions, the Nauru Local Government Council represented a first step in the political development of the Nauruan people. The administering authority, he said, had done everything possible to explain to its members what they could do and what their "political horizons" were if they made use of the powers already granted the Council.

NICHOLAS FELD (United States) asked for further details concerning the new judiciary ordinance which, he understood, separated the executive and judicial functions. The ordinance, according to the administering authority, came into force on 6 December 1957, he noted.

(more)

The special representative said that, as far as he was aware, the Nauru Local Government Council did not suggest any amendments to the ordinance. However, this was understandable since the ordinance was a technical one. In his view, nothing was lost by submitting the draft to the Council for its comment since the action had at least an educational value.

The main difference between the new ordinance and the old one, Mr. JONES said, was that it separated the executive from the judiciary. The new ordinance, he added, represented "a big improvement" over the old one.

(END OF TAKE 1)

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TRUSTEESHIP COUNCIL -- TAKE 2

Regarding the territory's public finance, HSI-KUN YANG (China) asked why the revenue received by the administration during 1956-57 dropped to £218,916, as compared with £261,164 the previous year. All expenses of the administration, not met by other revenue, were provided by the British Phosphate Commissioners, out of the proceeds of phosphate sales, he noted.

The special representative said estimates of the territorial budget were prepared by the Administrator. For each of the three previous years, the revenue received was higher than the actual expenditure for that year. As a result, there accumulated a surplus of £113,000 by the end of 1956. In preparing the budget estimates for 1956-57, this sum was taken into account. The expenditures for 1956-57 totaled £302,350, leaving a surplus of some £31,000 for that year.

MICHEL DE CAMARET (France) asked how many Nauruans had been sent to Australia for higher education during the past 10 years. Mr. JONES said 68 had been sent during the period 1948 to March 1958. Of this total, 32 were still continuing their studies in Australia (including one studying in New Zealand). The emphasis, he added, was on technical training.

VLADIMIR N. BENDRYSHEV (USSR) asked when the island's phosphates and the extraction of the deposits would be returned to the indigenous people. The special representative said he could give no date.

The Soviet representative then asked how the principle giving the indigenous people the right to freely dispose of their wealth was being applied in this case. Mr. JONES said the Nauruans disposed of their right to exploit the island's deposits by an agreement signed with the British Phosphate Commissioners. The agreement provided for the lease of the phosphate-bearing land to the BPC.

What control was exercised by Nauruans over the activities of the BPC? Mr. BENDRYSHEV asked. The special representative replied that there was no control.

The Soviet representative then referred to a Nauruan community investment fund and asked when this sum could be drawn upon by the Nauruan people.

(more)

Mr. JONES said the fund, as its name indicated, was a sum set aside to provide for the future of the Nauruan community. Each year it was added to by a special royalty paid by the phosphate industry. There was no need to draw on the fund at the present time, he said. The fund would be drawn upon when the need for it arose.

Questioning of the special representative on conditions in Nauru will be continued by the Council at 2:30 p.m. tomorrow, 12 June.

(END OF TAKE 2 AND OF PRESS RELEASE TR/1392)