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Held at Headquarters, New York,  
on Tuesday, 9 June 1964, at 3 p.m.

President:

Mr. CORNER

(New Zealand)

1. Examination of annual reports of the Administering Authorities on the administration of Trust Territories: Conditions in the Trust Territory of the Pacific Islands [74(b)] (continued)
2. Report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1964 [6] (continued)
3. Examination of annual reports of the Administering Authorities on the administration of Trust Territories: Conditions in the Trust Territory of Nauru [4 (c)] (continued)

Note:

The Official Record of this meeting, i.e., the summary record, will appear in provisional mimeographed form under the symbol T/SR.1235 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

## AGENDA ITEMS 4(b), 6

EXAMINATION OF ANNUAL REPORTS OF THE ADMINISTERING AUTHORITIES ON THE ADMINISTRATION OF TRUST TERRITORIES: CONDITIONS IN THE TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1624; T/L.1073; T.PET.10/L.5, L.6, L.7 and Add.1) (continued)

REPORT OF THE UNITED NATIONS VISITING MISSION TO THE TRUST TERRITORY OF THE PACIFIC ISLANDS, 1964 (T/1620)(continued)

Mr. McCARTHY (Australia): We are particularly fortunate to have been able to base our consideration of the Trust Territory of the Pacific Islands this year primarily on the report of our own Visiting Mission. This report is not only most interesting and comprehensive, but it is careful and orderly in its considerations and conclusions. It is perhaps particularly noteworthy for the fact that even where the result of its analysis is criticism of policies and actions of the Administering Authority, it then sets about building constructively on its own criticisms to pave the way to what it believes would be an improved state of affairs. Whether we who read and study the report agree or disagree with its conclusions, their thoughtful and orderly nature makes them of particular value.

This report itself may well prove to be something of a milestone in the Administration's own approach to its own problems. Firstly, the Visiting Mission has rightly addressed itself to the very nature of the Territory. I say "rightly" because it seems to my delegation to be axiomatic that one can only consider the problems of a territory such as this in the light of the particular features which make the territory what it is.

Foremost among these is the fact that this particular Territory is, in the words of the Visiting Mission's report, made up of "2,100 separate islands scattered over an area of 3 million square miles of ocean extending 2,700 miles from west to east and 1,300 miles from north to south". (T/1620, page 11) The report continues that:

"According to the statistics, only two islands have more than 4,000 population ... three have more than 3,000 ... twenty-three have between 500 and 1,000 ... sixty-one have under 500 and twenty-seven have under 100."  
(Ibid.)

(Mr. McCarthy, Australia)

It was consideration of such circumstances as these which caused the Visiting Mission to note:

"Constantly in considering Micronesia, one returns to the facts of the vastness of ocean and the minuteness of land, and to the immensity of the problems of administration and development posed by these unalterable and inescapable facts." (Ibid., page 10)

Having noted these facts, the Visiting Mission went on to observe:

"But it is not possible to give meaningful consideration either to the present situation or to the future prospects of Micronesia unless an effort is made to comprehend them. The Mission itself had to keep reminding itself of the facts of Micronesian geography when it felt disappointment, as it did from time to time, that, given the great increase in spending, even greater progress was not apparent." (Ibid., page 14)

It is true to say that no problem of administration or development remains uncomplicated by these facts. No solution to any such problem evolved elsewhere is necessarily applicable to this area unless it is a solution which has evolved against a similar background and to meet circumstances similar to those which obtain in this group of islands. These problems cannot simply be met by the provision of money. At the same time, they cannot be met without the provision of money from one source or another, but with adequate finance must go the capacity to apply this finance to constructive ends.

My delegation believes that the United States Administration appreciates both of these requirements, and we have been pleased to note that following a long period when expenditure in and grants to the Territory were pretty well static, there has now begun a period when very greatly increased sums of money are being made available and with these increased sums of money the means to apply them to constructive purposes. Already, in the view of the Visiting Mission and, reinforcing this, in the view of the representative of China who has had previous experience in this Territory, a greatly accelerating flow of development and effort is stemming from these circumstances.

In this connexion, my delegation has noted the observation in the Visiting Mission's report that:

(Mr. McCarthy, Australia)

"The 1964 Mission had the opportunity of observing the first fruits of the new policy which will certainly transform Micronesia -- in many ways which cannot yet be fully foreseen." (Ibid., page 12)

Having noted these circumstances, the Visiting Mission then went on to consider in detail particular developments taking place in the Territory. With regard to education, it noted that "there are few short cuts in education". I believe this warning to be timely since, from our own experience, we are aware that despite very great effort indeed, an impetus in the education of people cannot develop overnight, but must gather itself over a period of years, spreading in many different directions at once, before it can become widely and generally productive. It will then become productive only in so far as the quality of the people concerned with its development and spread permit it to.

My delegation was particularly pleased to note that the Mission gave its warm commendation both of the policy of the Administering Authority in providing an education system of high quality for the people of Micronesia and of the energy with which the policy is being put into effect. At the same time, the Mission noted ways in which this effort could be made more fruitful, beginning with the attitudes and ways of living of the teachers themselves, and proceeding to consideration of particular fields of education. We believe that the Mission has rightly placed stress on adult education, though at the same time we feel bound to mention our belief that any adult education system in circumstances such as these cannot be more than ancillary or likely to have any general or generally productive effect in any way comparable with that developed through a proper concentration on the education of the young in formal schools and by formal processes.



(Mr. McCarthy, Australia)

In this context of education, we have read with particular interest the observations relating to mission schools and the possibility of affording assistance to those schools. This is a problem which we ourselves have had to consider in our own Territories and we have faced the core of the problem expressed by the Mission in the phrase, "that arguments which are valid in a metropolitan country are not necessarily valid in a dependent Territory". We believe that mission schools and the dedication of mission teachers have a particular part to play in assisting the work of the Government in dependent areas. And this belief is not affected by the fact that we also believe that the control and direction of the policy of education should be secular and should be in the hands of secular authorities. My delegation agrees generally with the views and conclusions of the visiting mission regarding education in the Trust Territory.

With no less interest than we have considered the education problems, we have also considered the problems and the development of health services in Micronesia. I do not propose to discuss these in any detail, as a new vigour and a newly constructive approach is clearly underway, producing encouraging results and bound to produce even more encouraging ones in the years which lie ahead. Our attention has been particularly engaged, however, by the plan to eliminate training for medical practitioners at the Suva Medical School. We ourselves are very familiar with the work of this school and have derived great advantage from the availability of its facilities to New Guinea students, many of whom have returned to our own Territory to do quite outstanding work, and one at least of whom has acted as a District Medical Officer in a large and populous district. While we do not suggest that the Suva course is a completely satisfactory substitute for a full medical course as we understand it in Australia, and as it is understood here, we have nevertheless found it most valuable during the evolutionary period in the development of health services for Papua and New Guinea.

Of course, the accelerated programmes which are necessary in the development of dependent territories make it necessary to short-cut evolution at many points; but you cannot completely eliminate the evolutionary processes in the development of any country, and the more short-circuiting of these processes brings with it its own particular problems. Furthermore, it seems to us that psychological advantages can develop through proper evolutionary processes which have particular regard to the particular circumstances of any country; and, conversely, that there is a danger that psychological and social outrage may follow the disregard of evolution.

Consideration of health, education and social problems is, of course, incomplete without consideration of economic problems and developments. In this connexion we have noted and agree with the following observations of the Visiting Mission:

"But a pattern of spending which places great emphasis on education and welfare services and other social investment projects but fails to place similar emphasis on productive investment will result in an unbalanced over-all pattern of social and economic development. And -- this must be stressed -- unbalanced economic and social development cannot but have repercussions in the field of political development.

"Until all economic possibilities have been explored, final judgements are unjustified; but it seems improbable on the basis of present knowledge that the Micronesia has the economic potential to become self-sufficient at a level that most people there, even now but still more in the future, are likely to regard as reasonable. For years ahead the annual budget required for new capital assets and for recurring expenditures is likely to be far beyond the domestic resources available." (T/1620, p. 61)

These observations followed the Mission's earlier observation that "the Administration has so far had to devise piece-meal programmes in the economic field and has not engaged in over-all economic planning or a co-ordinated campaign to stimulate the entire Micronesian economy. This may be one reason why only piece-meal progress has been made in mobilizing the ideas and energies of the people of Micronesia in the considerable task of helping them to stand on their own economic feet." (Ibid., p. 60)

(Mr. McCarthy, Australia)

But this reason most certainly is one, and one reason only, for whatever lack of economic development there may have been in Micronesia, and not necessarily the most important reason. The problems of economic development in such widely scattered islands as these are very great indeed and they stem from a very great range and variety of reasons. I shall not go into these because I believe that they are well understood, but they are inhibiting to a far greater extent than that imposed only by their economic nature.

Basically at least, for a good many years to come, economic development in these islands must remain largely of a primary nature. But a primary economy in itself can be restrictive of many of the wider desires of the people; and this in its turn brings up the whole problem of satisfying the wider desires of island dwellers anywhere simply because the islands are themselves naturally confined and limited in the economic and social and wider opportunities which they can offer to their people.

My delegation, therefore, supports the emphasis which the Visiting Mission has placed upon a three-fold economic effort, referred to at page 102 of its report. However, while wholeheartedly supporting this emphasis, we are aware that no astronomic or very rapid results must be expected either by this Council or by the Administration of the Trust Territory, or by the people themselves. Not only is detailed planning and much hard work required, but required also is much patience on the part of all concerned.

In the political sphere, I do not propose to make any very detailed observations. It may be, as has been suggested by certain delegations here, that the development of a central Congress has been slow. This is not, however, necessarily of such over-riding importance as might be supposed. In saying this, I do not mean to suggest for one moment that the actual creation of a legislature should be delayed, but I am prompted to this observation by contemplation of the fact that there is in these islands a well established political system based on the internal political and local government divisions within the larger body politic. At these local levels, much practice has obviously developed in democratic processes based upon a universal franchise system. This, to us, is of quite vital importance.

In thinking thus I am reminded of Edmund Burke's observation which I quote:

"To make a government requires no great prudence: settle the seat of power, teach obedience, and the work is done. To give freedom is still more easy. It is not necessary to guide, but only requires to let go of the reins. But to form a free government, that is to temper together these opposite elements of liberty and restraint in one consistent work, requires much thought, deep reflection, a sagacious, powerful and refining mind."

The tempering of these elements of liberty and restraint to which Burke refers is a much easier process on such a basis as has been and is being developed in the Trust Territory than it could, by any stretch of imagination, be without that basis.

In connexion with the proposed new Congress also, my delegation has gathered that it is not yet clear just how this Congress will operate, either in its form or in its powers. But the former seems to us to be a matter of no particular difficulty. The latter also will adjust itself on the basis of the universal franchise system which has been so well established, because it is our experience that where such a franchise is in operation, powers expand to the extent desired by those exercising the franchise.

(Mr. McCarthy, Australia)

For this and other reasons we are not, for example, unduly concerned over the residual powers which will remain with the United States Congress. First of all, that Congress is a very responsible body and a very experienced one; secondly, it is the Government of the United States, in which the international responsibilities for the progress of the Trust Territory have been vested; thirdly, as I have suggested, whatever power it retains which will restrict the powers of the Territorial legislature will wither away in the face of the demands and insistence of that elected body reacting to or expressing the wishes and pressures exercised on them by the electorate.

But before leaving this matter of political advancement I would like to make special mention of the attention which the Visiting Mission directed to the matter of the control of finance by the proposed Territorial legislature. The mission noted that the budget process is the essence of democracy, and that in the Territory the preparation of the budget is at present a closed, bureaucratic process. The Mission then looked at the problems of the budget and the Territorial legislature against the background of the very large subsidy provided by the Administering Authority. It expressed concern that the sharing of budgetary authority should commence with the inauguration of the new legislature.

With the Visiting Mission, my delegation would hope that the United States Government would look very closely at this aspect of its administration. In saying this, of course, I speak from experience of a similar situation and problem in New Guinea. There the Australian Government has inaugurated certain political reforms which, as we know, have resulted in a majority of the legislature being freely elected on a common roll. Consequently, at a time when most of the funds for expenditure in the Territory are being provided by Australia, at a time when the Australian Government still has to give an account to the United Nations on what is being done in the Territory, and at a time when the Australian Government and Parliament are still responsible for the defence and the economic and social advancement of the people, provision has been made for a majority of elected members in a body that not only makes laws but votes the necessary monies. Within that body, in order to pass the estimates, the Government must face up to the political reality of having to obtain the support of a significant proportion of elected members.



(Mr. McCarthy, Australia)

In conclusion, my delegation would like to commend the Administering Authority for the efforts which it is making in the Trust Territory of the Pacific Islands towards its obligations under the Trusteeship Agreement and under the Charter of the United Nations. Inevitably, criticisms can be offered at many different points. But it is far easier to criticize than to accept the responsibility of doing; it is far easier to say what should be done than to put it into effect on the ground. It seems to me that the greatest test to which the United States Administration can be put is to ask how the people of the Territory are reacting to that Administration. Clearly, the people themselves, by and large, are convinced of the beneficence of the United States intentions towards them and are working with the United States Administration towards a future which my delegation is confident will be both satisfactory to the people and a credit to the ideals of freedom for which the United States stands and the standards of efficiency for which it has become famous.

It will be a credit also, we believe, to the United States High Commissioner, Mr. Goding, whose patience and courtesy as Special Representative here have resulted in very great assistance to all of us. We have greatly appreciated his presence and the assistance he has given us.

The PRESIDENT: That completes the list of those representatives who wish to make general statements on the question of conditions in the Trust Territory of the Pacific Islands. The closing statements by the representatives of the Administering Authority will be made at our meeting on Thursday.

#### AGENDA ITEM 4 (c)

EXAMINATION OF ANNUAL REPORTS OF THE ADMINISTERING AUTHORITIES ON THE ADMINISTRATION OF TRUST TERRITORIES: CONDITIONS IN THE TRUST TERRITORY OF NAURU (T/1619; T/L.1072/Rev.1) (continued)

The PRESIDENT: We turn now to the examination of conditions in Nauru and continue the questioning of the Special Representative.

At the invitation of the President, Mr. R. Marsh, Special Representative for Nauru under Australian administration, took a place at the Trusteeship Council table.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Permit me first of all in the name of the Soviet delegation to welcome here the Special Representative for Nauru, Mr. Marsh, and also Councillor Bernicke, adviser to the Australian delegation and Secretary of the new Nauru Local Government Council.

In connexion with the examination of the question of the situation in the Trust Territory of Nauru, the Soviet delegation would like to put to the representative of Australia and to the Special Representative a number of questions concerning various aspects of life in the Trust Territory.

As is well known, in the Declaration on the granting of independence to colonial countries and peoples, adopted by the General Assembly on 14 December 1960, the Assembly expressed the conviction that

"... all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory", and at the same time solemnly proclaimed

"... the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations".

In its operative section the Declaration of the General Assembly proclaimed that

"All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".

But as the Declaration states,

"Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence."  
and -- which applies to this particular Trust Territory --

"Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom."

(Mr. Shakhov, USSR)

It is also well known that the people of the Trust Territory of Nauru quite clearly expressed their desires regarding the future of Nauru, and the proposals of the Nauruan people were submitted for the consideration of the Government of Australia on 19 June 1962, and laid before the Trusteeship Council in the same year; here I refer to document T/1600.

It is likewise a well-known fact that the representatives of Australia, at meetings of the Trusteeship Council and in the Fourth Committee of the General Assembly have frequently stated that the basis for their actions rests on the freely expressed will and desires of the people of the Trust Territory.

(Mr. Shakhov, USSR)

In connexion with what I have just read out -- it was not a speech, but simply a reminder -- I now come to the question. Could the representative of Australia, or the Special Representative, tell me in what way, in their opinion, these statements of the representative of Australia are to be reconciled with the fact that up to the present time the Administering Authority not only has not implemented the proposals of the Nauruan people concerning their future but continues to refuse in any way to comment on those proposals?

Mr. McCARTHY (Australia): I am tempted to ask the representative of the Soviet Union to repeat the preamble to his question, but I shall not do so. The matters to which he refers are completely inter-related with the matter of the future home which has been the subject of much discussion here. The wishes of the Nauruan people mentioned by him have been and are being given the closest consideration. Two major proposals at least have been put up to the Nauruan people, and the details of those proposals, in varying degree, are still the subject of discussion between the Australian Government, on the one hand, and the Nauruan people on the other. The discussions, of course, centre on the proposals for a future home and the form of government which will be established in that future home which, at present, is part of metropolitan Australia.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): We know that the Nauruan proposal concerning the movement of population that was just mentioned by the Soviet delegation is a demand by that population for an independent Nauruan State which would enable the Nauruan people to retain their national individuality. The representative of Australia stated that at present negotiations are under way on this matter, but, from the substance of the statements made, the Administering Authority is taking a negative position on the proposals that were made by the Nauruan Council. I am interested in the following question. Has there been any change in the Australian position? Is there any change in the view of the Administering Authority on this question, taking into account the time period involved?

Mr. MARSH (Special Representative): The position is not one of a negative attitude as stated by the representative of the USSR. While the Australian Government has declared that it cannot see it way clear to granting sovereign independence over an island as close to its mainland as Manhattan is to the Bronx -- and I say that that is literally true -- it has indicated that, short of that, it is prepared to discuss with the Nauruan Council and people measures to promote self-government by the Nauruan people on Curtis Island. This is not a negative attitude, and indeed representatives of the Nauruan Local Government Council are expected to continue discussions of this matter with the Australian Government in July. When a matter of this kind is still the subject of friendly and constructive negotiations, by no stretch of the imagination can it be described as reflecting a negative attitude.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I have before me a proposal from the Nauruan Council -- the same document to which I referred at the outset. It describes the proposal and sums it all up by saying that, in brief, the Nauruan people proposes that a sovereign Nauruan nation should be created, governed by the Nauruans in their own interests but connected by treaty of friendship with Australia -- provisions which have not yet been worked out in detail but which will be defined by the Nauruan people in co-operation with the Australians. So we are talking now about the fact that the Nauruan Council has proposed that a sovereign Nauruan nation should be created. The Australian representatives declare that Australia cannot transfer sovereignty to the Nauruan people on Curtis Island, but that Australia's attitude on the proposals made by the Nauruan Council is not negative. How can we reconcile these two positions? I should like some further elucidation on this.

Mr. MCCARTHY (Australia): I should just like to point out at this stage, as I have pointed out in previous debates in this Council, although not necessarily in connexion with Nauru, that the matter of sovereignty or independence in association is one which has been discussed frequently in United Nations bodies, and "in association" means, of course, at least two parties being involved. In this case two parties are involved: that is, the one party which is offering part of its own sovereign territory, under certain



(Mr. McCarthy, Australia)

circumstances which we believe are liberal and constructive, to the other party which seeks to derive the benefit of residence in that area, which is at present part of another nation's -- in this case Australia's -- sovereign territory. Hence it is not a matter simply of the wishes of one party and one party only in such an arrangement as this. It is a matter, as the Special Representative has pointed out, for negotiation between the two parties concerned because it is a bilateral arrangement. It is an arrangement which involves two groups of people in this case.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): If the Nauruan population decides to move to another island then, according to the plans of the Administering Authority, will the Nauruan people remain also owners of the island of Nauru?

Mr. MARSH (Special Representative): As I understand the views of the Nauruan people, if an acceptable resettlement agreement is negotiated they would want their people as a whole -- as a group -- to resettle. They would expect, of course, that some of the very old people, held by strong ties of sentiment to their island of old Nauru, might want to stay on. But, subject to that, they would expect that the people as a whole would move to a new home because they do not contemplate the splitting asunder of the Nauruan people.

(Mr. Marsh, Special Representative)

The land of Nauru would remain under the ownership of the Nauruans and, as I indicated in my opening statement, the Nauruan landowners would continue to receive royalties in respect of the land they owned which is being mined for phosphate. The Nauruan Council, wherever operating, would derive funds for financing its operations from royalties also from phosphate mined in Nauru.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Does the representative of the Administering Authority consider that such a decision is just when, on the one hand, it declares that the Nauruan people can remain on the island and then adds that they cannot remain on the island because there will simply be remnants left there? At the same time he declares that if they are sent to another island, then Australia cannot refuse to give them sovereignty over this island. We get some sort of vicious circle as far as I can see. The Nauruan people is in such a position that it has no other way out but to remain on this fragment which is being exploited. According to what has been said by the Administering Authority, it is possible to live there only thirty years more. Is this attitude of the Administering Authority as regards the Nauruan people just?

Mr. MARSH (Special Representative): I can only conclude that the interpretation of my earlier answer was not clear to the representative of the Soviet Union. What I said was that the idea of the Nauruan Council -- the Nauruan Council representing the Nauruan people and representing nobody else -- was that if they did find a new home which was acceptable to them and the subject of an acceptable resettlement agreement, then they, the Nauruan people, would not want to split their people, but would want to resettle as a people, excepting only such of their own citizens -- whom they would expect to be the very old -- who want to die on old Nauru. This is a matter clearly for determination by the Nauruan people, and that was the substance of my answer.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): This time it seems to me that the interpretation was correct. I fully well understood the Special Representative as regards what he said, and

(Mr. Shakhov, USSR)

for this very reason I put the question because there seems to be a contradiction. The fact is that the Nauruan people may decide not to split up, and they may decide to move to this new territory. But the question of sovereignty of the Nauruan people over its future homeland still remains and the Australian representatives do not give us an answer to that question.

Mr. MARSH (Special Representative): It might help me to answer this question if the representative of Russia, would inform me whether he would accept that it would be a good reason that Australia could not give sovereignty over Curtis Island if the reason were the same as the reason why the Russian Federal State would maintain its present boundaries.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I want to say, first of all, that here I represent the Union of Soviet Socialist Republics, and not the term which was used by the Special Representative.

As regards his second question, this has absolutely no relation to the question we are discussing; we are talking about the Trust Territory of Nauru, and the Australian authorities are taking steps to transfer these inhabitants to another island. Therefore, they should answer this question. How do they intend to decide this matter? They should not put questions to the Soviet Union. We have no trust territories ourselves, and if we had any I do not think that they would be in such a state as we find those Territories under the administration of Australia.

Regarding the question of sovereignty, I would say, as the Nauruans themselves assess the situation in the document to which I have already referred, it is pointed out that they are convinced that the aspiration to sovereignty of the Nauruan people is in the very character of the Nauruan nation, that it is inherent in their nature and that their Government should be up to meeting this requirement.

In this way it is quite obvious that what we are talking about is the fact that the Local Council has asked for sovereignty for the Nauruan people. Apparently, the Administering Authority is reluctant to solve this question, does not want to give an answer to this question.

I should now like to go on to my next question which is the following. When, according to the plans of the Administering Authority, will the Nauruan people have fully transferred to them legislative and executive authority over the Trust Territory?

Mr. MARSH (Special Representative): Before I answer that question, I want to answer the former question. I am not reluctant to answer the question why Australia will not give sovereign independence to the Nauruans resettled on Curtis Island. The reason is this: that Australia cannot see its way clear to breaching the political integrity of the Australian continent, and indeed the maintenance of that integrity is a responsibility which it owes to some 11 million citizens. It has to regard that responsibility at the same time as it looks to its responsibility to the Nauruan people, and this is a policy which, in a similar situation, most responsible Governments would find themselves impelled to answer in the same way. However, the Australian Government has made it clear to the Nauruan people that it has the greatest sympathy with their aspiration for political independence in their new home. It indicated that if an island suitable to them could be found, an island which could meet the criteria which were recited to this Council earlier, if such an island could be found away from the mainland of Australia which would not involve this problem of a viable security area, it would seek to secure that island for them with sovereign independence. As the Australian representative earlier said, there are two responsibilities involved in this matter, a responsibility to the Nauruans and a responsibility to the people of Australia -- and that would involve the Nauruans themselves if they resettled.

(Mr. Marsh, Special Representative)

Turning now to the second question, the answer to this question will only emerge in the light of the negotiations that are proceeding between the Nauruan people and the Australian Government. The Nauruan people have said -- and they have reaffirmed in this Council -- that vital for their survival as a people is the procuring of a new home which can accommodate the natural increase of their people. They have also stated that they aspire to govern themselves. To the extent that one or the other cannot be had absolutely, there may have to be some negotiation; and it will be the outcome of that negotiation which will provide the answer finally to the question asked.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): In the statement made by the Special Representative in the Trusteeship Council he said that the Nauruan Local Councils may at the present time exercise their authority over the Trust Territory by means of the enacting of laws without the preliminary approval of the Administrator. In this connexion, could the Administrator abrogate any rule or law which has been approved by the Local Government Councils?

Mr. MARSH (Special Representative): In dealing with this matter, in my opening statement I said that the amendments to the law had given the Nauru Local Government Council executive power and power to make rules. As to the first power -- the executive power given to them -- this is not subject to disallowance or abrogation. As to the second -- the power to make rules -- these are subject to disallowance by the Administrator.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): As I understood the reply, if a bill or a law has been endorsed by the Local Government Council, then it immediately comes into force; the Administrator has no right to abrogate such a law. Have I understood it correctly or not? Or does the Administrator -- after the Local Government Council has passed a bill -- have to endorse this bill in order for it to become a law in the Territory?



Mr. MARSH (Special Representative): The position is that the bill may be disallowed by the Administrator if he exercises his power of disallowance. But I think that I should continue to say --- as I indicated, I think, in answer to the representative of France -- that neither my Nauruan adviser nor myself can find any recent incidents where this power was used. In fact, the provision is contemplated for use in such circumstances when there may prove to be a legal defect in the drafting of a law and it would be against the public interest to allow that to purport to be effective when in fact it was legally defective.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): This answer which has just been given by the Special Representative has made it clearer to me, namely, the Governor has this right; he states that he does not always use this right. But this is another matter. Is there any difference between the previously existing provisions and the amendments that are made, from the standpoint of the Administrator's right?

Mr. MARSH (Special Representative): There is a difference. The first very significant difference is that this latest amendment gives an unfettered executive function to this council. In the training of a people to govern themselves, experience in the executive functions of government are equally necessary with experience and capacity in the legislative functions. The Australian administration indeed sees three directions in which this kind of experience is necessary: one, in the executive field; two, in the public service, the training of a public service of Nauruans -- and in this we have advanced a long way; and third, experience in the making of laws. So there is a significant difference. But one fact does remain: that there is an ultimate power of disallowance. This is not regarded as improper; indeed, it is regarded as thoroughly necessary that such a power should reside in that authority which is responsible to all the parties for the peace, order, good government and the defence and security of this island.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to ask the Special Representative or the representative of Australia to answer the following question: Do the Administering Authorities have any power to nominate a Nauruan to the post of Administrator of the Trust Territory of Nauru or to give the Nauruans, themselves, the possibility to elect someone for the highest post on the island?

Mr. MARSH (Special Representative): It is the view of the Australian Government that since it is responsible ultimately in terms of the Trusteeship Agreement for the peace, order and good government of this island, it should appoint as Administrator a person who, as a citizen of Australia, is responsible to that Government. This has no relation other than to the question of responsibility. Indeed, if a resettlement agreement in respect of Curtis Island should be concluded with Nauruans accepting Australian citizenship, it could by no means be impossible that then a Nauruan might be appointed as Administrator of the island.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): On page 15 of the Administering Authority's report for 1962-63 we see a statement that the Nauru Local Government Council and the Administering Authority have decided that there is no need to create a Public Service Commission and that the functions of such a commission will be carried out by a single Commissioner. Have they in mind the appointment of a Nauruan or an Australian to this post of Commissioner? That is my question in this field.

Mr. MARSH (Special Representative): This matter has been the subject of discussions between the Nauru Local Government Council and the Administrator, and at the moment action lies with the Council. The Council has confirmed earlier suggestions that an advisory board of three might be set up, including two Nauruans, one of them the official secretary as head of the Public Service, one a nominee of the Nauru Local Government Council, and a member to be appointed by the Administrator to consider matters listed for decision by the Commissioner and to make recommendations on these matters to the Administrator. It seems to my Government that it would be wise to let this matter develop in the light of experience of this arrangement.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I am afraid I do not quite understand. What was the result of the negotiations on this particular point? I asked whether the Commissioner would be a Nauruan or an Australian.

Mr. MARSH (Special Representative): The Commissioner, under the Public Service Ordinance, is the Administrator. My answer dealt with the arrangements acceptable to the Council with regard to advising the Commissioner in the exercise of his statutory functions.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): But no answer has been given to my question. I should still like to receive a direct answer to the question I put. Mention is made of an agreement and how this problem will be solved after the negotiations, but no answer has been

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given to the question I put. Can we assume that the Council might appoint a Nauruan and that that Nauruan would be at the head of this public service administration? Or will the head of this administration continue to be an Australian?

Mr. MARSH (Special Representative): As has already been stated, under the arrangement at present operating the post of Public Service Commissioner is occupied by the Administrator -- at the moment. What I went on to say was that the Nauru Local Government Council, representing the Nauruan people, has indicated its agreement with a scheme for a committee of three to advise the Commissioner in his exercise of that statutory <sup>function</sup>. That committee of three will include the Nauruan who is head of the Nauru Public Service and a nominee of the Nauru Local Government Council.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Will this be a deliberative organ? Will it be an organ of the Council, which in this case, as I have said will be headed by the Administrator -- that is to say, the Commissioner?

Mr. MARSH (Special Representative): The Nauru Public Service is not an instrument of the Nauru Local Government Council. The Nauru Public Service is an instrument of the Nauru administration.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Then what sense is there in setting up such a commission? Perhaps the Special Representative could answer this?

Mr. MARSH (Special Representative): The sense in providing for a Public Service Commissioner is much the same in Nauru as in other countries which have public services. For instance, the powers of the Public Service Commissioner which necessarily have to be vested somewhere to run a public service include the power to create, abolish and classify positions, make appointments, confirm and annul probationary appointments, fix salaries, determine conditions of advancement and dismiss officers. Those are among the

(Mr. Marsh, Special Representative)

more important powers which, under the ordinance, are vested in the Minister. I must correct myself -- I think I said the Administrator. These powers are vested in the Minister. Vested in the Commissioner are the provision of temporary positions, the transfer or promotion of officers, the engagement and dismissal of temporary employees, the approval and deferment of increments, the granting of recreation and sick leave, the retirement of officers over a specified age, the determination of disciplinary charges and, within specific limits, the imposition of penalties upon officers of a certain status. Provisions of this kind are necessary for the proper running of any public service. In the present instance the Administrator and the Council have come to the conclusion that the exercise of the powers vested in the Administrator might be most effectively carried out on the advice of the committee to which I have referred and which includes at least two Nauruan members.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): After the long explanation in answer to my questions it is more or less clear to me that the committee which was mentioned by the Special Representative will in fact have no rights. Full powers and functions relating to appointments, retirements, the fixing of wages and so forth in connexion with the civil service and other similar matters will still be subject to the approval of the Administrator who, as I understand it, will be a sort of Commissioner. The committee which will be appointed will not have any rights.

I should like to proceed now to my next question. On page 13 of the Administering Authority's report there is a description of the police force in the Territory which, as is pointed out in the report, is headed by an Australian Director. Does the Administering Authority plan to replace the Australian who now heads the police force by a Nauruan? Has the Local Government Council any right to carry out such a change?



Mr. MARSH (Special Representative): As I have stated earlier in answer to other questions, the policy of the Australian Government is that as Nauruans with the necessary qualifications and experience become available, they will be appointed to positions in the Public Service. I indicated that of over 500 positions today, only forty are now occupied by non-Nauruans, and that there are a number of Nauruans in training who, it is hoped, will qualify for appointment to some of those positions.

The reason why the Director of Police is not a Nauruan is that a Nauruan with the necessary qualifications and experience is not yet available. When the appointment is made, it will be made under the Nauruan Public Service.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): As I understand it, the Nauruan Local Government Council should have the responsibility for the maintenance of law and order amongst the Nauruans. If the Council does not have the right that was just mentioned, then, in view of the considerations of maintaining law and order, how can the Council exercise its responsibility for maintaining law and order?

Mr. MARSH (Special Representative): Under the Trusteeship Agreement, the ultimate responsibility for the maintenance of peace, order and good government in Nauru lies with the Administrator. I might say that, apart from the Director, all members of the Police Force are Nauruans.

I might also draw the attention of the Council to the fact that on Nauru there is a total population which is considerably in excess of the 2,700 Nauruans, and the responsibility for peace and good order is not just a matter for one community, but a matter for the whole of the population of the Trust Territory.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): For what reason does the power of the Nauruan Local Government Council extend only to Nauruans. Does this mean that Australians who are serving in the Administration and in the British Phosphate Company have certain extra-territorial privileges.

Mr. MARSH (Special Representative): If I understood the question correctly, the Soviet representative asked whether anyone in Nauru has extra-territorial rights. The answer is that no one in Nauru is not subject to the laws of Nauru.

I would like also to add that in my previous answer, in regard to the Police Force, I omitted to say that the Council itself appoints constables for the maintenance of community order, quite apart from the Nauruan Police Force.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): So far as I understand, the authority of the Council is extended only to cover Nauruans. Do I understand this correctly, or do the powers of the Local Government Council also cover Australians and employees of the British Phosphate Company?

Mr. MARSH (Special Representative): The laws of Nauru are the ordinances made by the Administrator. The Council manages Nauruan community affairs, and for this purpose it has the power to make rules or by-laws. All the people in Nauru are bound by the laws of the island. They may not breach the rules of the Council. The rules of the Council must be respected by all the people on the island, including the Australians. Those rules are made for the better regulation of the Nauruan communities' own affairs.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): These decrees, apparently, also extend to the representatives of the British Phosphate Company.

Mr. MARSH (Special Representative): The representatives of the British Phosphate Company are bound to obey the laws of Nauru, just as anybody else.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): The statement made by the Special Representative at the meeting of the Trusteeship Council on 3 June 1964 included the following comment:

"A stage has been reached in the development of a Nauruan Public Service where all positions which could be occupied at present by Nauruans are now occupied by Nauruans. The forty positions occupied by Australians are all of a highly specialized nature." (1232nd meeting, p. 69-70)

Has the Administering Authority studied the possibility of placing Nauruans in these posts so that the Australians who are occupying these posts at the present time could be replaced by Nauruans who become experts on these specialized questions.

Mr. MARSH (Special Representative): I would refer the Soviet representative to the answer which I gave to the representative of France, in which I traversed all those positions and indicated that they were all advertised in Nauru so that Nauruans might apply for them. Some did apply. The applications were considered, and whenever a Nauruan had the necessary qualifications, he was appointed. I also indicated in my statement that certain training positions had in fact been created so that Nauruans might get experience in particular functions.

Mr. SEAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I do not know how my question was interpreted, but I do not think that the Special Representative has answered it. Therefore, I shall repeat the last part of my question. In the statement of the Special Representative to which I referred it was said that those posts which are at present occupied by Australians are of a highly specialized nature, and I asked whether the Administering Authority was considering the possibility of promoting Nauruans to those highly specialized posts so that the Australians who are at present occupying them could, after sufficient time, become experts themselves in all these highly specialized matters. If the situation were changed about and the Nauruans placed in these posts, the Australians would then become experts and could help the Nauruans to shoulder responsibility for governing the Territory.

Mr. MARSH (Special Representative): This simply would not be practicable. For instance, one of the posts is that of Government Medical Officer. There is no Nauruan who has the requisite medical qualifications, and merely to have a Nauruan nominally fill a position with a doctor to act as his expert adviser would not work; nor would the Nauruan people want this kind of arrangement. The consideration of whether an applicant is suitable and can give the Nauruan people the kind of service they want is a responsibility shared by the Nauruan head of the public service. And the same applies in the case of teachers. Of those forty posts, twenty-six are those of teacher. All the Nauruans who are trained as teachers or capable of teaching are employed in that capacity. After all of those are employed, it is necessary to recruit expatriates as teachers, and having a Nauruan to teach with an expatriate beside him as his expert adviser seems to me to be quite unrealistic.

Mr. SEAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): The Special Representative chose a very good profession when he answered my question. He chose the profession of doctor. Of course a doctor cannot be trained in a matter of a few days. But this does not concern doctors alone. I could refer to the post of police commissioner. Is it not possible to make an appropriate change in that respect? There is a whole series of posts which could be filled by experts, thus replacing the Australians.

Mr. MARSH (Special Representative): Enough has been indicated of the keenness of the Australian Government to complete the filling of the public service with Nauruans, I think, to give this Council confidence that as and when an opportunity arises to promote a Nauruan without the community failing to get the service at once, this opportunity will be taken.

As far as the police are concerned, the training of police is done by a system of promotion. The position is that next to the Commissioner is a Nauruan inspector, and, I consider, judgement has been made that he lacks the full experience and qualifications to fill the position of director.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): From the documents that have been presented to the Council concerning the situation in Nauru, it appears that at the present time the Administrator has the right to remove judges from the High Courts in the Territory on the ground, according to the report of the Administering Authority, of misbehaviour or inadequacy for the post. When does the Administering Authority intend to abolish this right of the Administrator and to transfer it to the Local Government Council of Nauru, or to the decision of the Nauruan people by means of elections?

Mr. MARSH (Special Representative): The great bulk of cases in Nauru are heard and decided by Nauruan magistrates. The only appointment of a judicial nature external to the Territory is that of Judge of the Supreme Court. This position requires judicial competence and experience, and, while the Australian Government is responsible for the peace, order and good government of the Territory, it will have to discharge the responsibility of providing a judicial service appropriate to the Territory.

Mr. MCCARTHY (Australia): To add to what the Special Representative has said, I should explain for the better understanding of the representative of the Soviet Union that the phrase to which he refers is a standard phrase in Australia's own judicial practice. Neither in the Australian judicial system nor the British system at large are judges elected by Parliament, Council, or anybody else. They are appointed; and they are appointed for what seems to us to be very good reasons:



(Mr. McCarthy, Australia)

that is, to place them above the hazards and the vagaries of election to a post which puts them in an individual position unlike that of any other member of the community. They are not subject to election in any shape or form in any part of Australia.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): It seems to me that I understand the matter. But page 17 of the report of the Administering Authority states:  
(continued in English)

"A judge or magistrate of the Central Court may be removed from office by the Administrator on the grounds of proved misbehaviour or incapacity."  
(continued in Russian)

This is a right of the Administrator. My question was: When does the Administering Authority intend to change this procedure and to allow the Local Government Council to appoint judges? Has the Administering Authority any such plan or not?

Mr. MARSH (Special Representative): The answer is that there is no such plan. The Nauruan people are quite happy with the administration of justice.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I am quite clear on the point now. I understand that when they were talking about posts before, they said that Nauruans were incompetent. We see that all higher posts are now occupied by Australians. But in the answer to the first question, doctors were mentioned. Obviously, you cannot turn a shoemaker into a doctor.

(Mr. Shakhov, USSR)

But we constantly get the answer that all responsibility in the higher posts is exercised by Australians and that the Nauruans have no right to replace them in the positions occupied by Australians.

Now I should like to proceed to the next question.

The PRESIDENT: I call on the representative of Australia before the next question.

Mr. MCCARTHEY (Australia): I would like to correct the persistent misapprehension under which our Soviet colleague labours, that all the higher posts on the Island are occupied by Australians. All the high posts on the Island are not occupied by Australians. The highest public-service position on the Island, for example, is occupied by a Nauruan; that is one example. And out of the Nauruan Public Service of some 500-odd, as pointed out by the Special Representative, only about forty positions are occupied by Australians, of which twenty-six are positions of teachers.

I would also point out, as I have pointed out previously in this Council, that there is no particular desire on the part of Australia to retain Australians in key positions in the Public Service of Nauru. Indeed, the policy of the Government is completely to the contrary; it is to get Nauruans into all positions on the Island at the earliest possible moment. A lot of very detailed training has gone to that end. Australia has no reason, as I have pointed out here before, to look to Nauru or any other place to absorb any of its employable people. It can absorb all of its own employable people and even more than its own employable people. It does not have to look to Nauru or anywhere else to seek out positions for Australians; they can get positions as good or better in Australia itself.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I do not know what the Administering Authority intends, judging from what we observe at the meetings of the Trusteeship Council. To any question put by the Soviet delegation concerning the higher posts, a negative answer has been given.

(Mr. Shakhov, USSR)

We have the following question. The Trusteeship Council recommended that the Nauruans be given a greater voice in deciding questions involving the exploitation of the phosphate deposits in Nauru. Could the Special Representative tell us why the British phosphate company did not agree to the inclusion of an adviser of the Nauruan delegation in the negotiations with the Commissioners in Australia? Why did not the British phosphate company authorize the appointment of a professional adviser? What was the position taken by the Administering Authority on this matter?

Mr. MARSH (Special Representative): The discussions to which the Soviet representative refers were the first pursuant to proposals made in this Council that there should be regular consultation directly between the Nauruans and the British Phosphate Commissioners. These first discussions under this arrangement were fixed for November 1963. They were interpreted to be round-table discussions where the principals met for frank and full discussion, so that there could be a complete understanding of viewpoints as between principals, and a working to acceptable solution of problems. The introduction of independent expert advisers as third-parties was deemed to be contrary to the whole spirit of the proposal which Australia accepted for this regular round-table consultation. For this reason, because this would introduce third-parties, agreement was not given to the introduction of an outside adviser. This did not mean that the Nauruans could not get such advice as they wanted and where they wanted to get it; it did mean that the discussions were to be between principals.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): In connexion with this matter, could the Special Representative tell us what was the cause of the request of the Council to have a professional adviser in the delegation?

Mr. MARSH (Special Representative): I think that the cause of the request was probably that the Council felt that they would like to have an expert accounting adviser; and this was and is available to the Council.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): The Council required a legal adviser, but the Council was forbidden to take this action, obviously because the representative of the British Phosphate Commissioners was much more competent in legalistic casuistry than the Council itself, and in order to place the Council in an embarrassing position, it was decided not to allow such an adviser who would be a specialist in this field, not to include him in the membership of the Nauruan delegation and thus to deprive the Nauruan delegation of the possibility of representing and defending the interests of the Nauruan people. This is how we must understand the situation.

The PRESIDENT: I understood the representative of the Soviet Union to be making a statement.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I did ask a question and I would like an answer to it.

The PRESIDENT: Would you repeat the question, Sir.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): The question was: What was the reason for the request of the Council to include a professional adviser amongst its delegation? That was the question I put.

Mr. MARSH (Special Representative): I have already answered that question. The representative of the Soviet Union has suggested that what was wanted was a legal adviser. I expressed the view that the Council desired an accounting adviser.

But I have answered the question as well as I can on my understanding. The only point that I would like to emphasize is that the Council is and always has been free to take what advice it likes from wherever it wishes.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): In his statement on 7 May 1964 in the Special Committee of Twenty-Four the representative of Australia declared (A/AC.109/PV.253, page 27) that, in fulfilment of the recommendations of the United Nations, a competent tribunal had been established in Nauru to settle the question of wages. What was the membership of that tribunal, did it adopt any decisions or make any recommendations, and, if it did, have its decisions a binding character?

Mr. McCARTHY (Australia): I will answer that question because it was my statement, apparently, to which the Soviet representative was referring. The tribunal was composed, as I recollect, of a highly qualified officer in the industrial field made available by the Department of Labour and National Defence, who was constituted as a tribunal to hear the Nauruan workers' case prepared initially by the Nauruan Workers' Association. The tribunal, with the necessary clerical assistance, went to the island and it heard the case of the Nauruan Workers' Association for revised basic wage determinations. As a result of the work of that tribunal substantial increases were made in the Nauruan basic wage and in the contiguous benefits centring around that basic wage. The tribunal made its recommendations following its hearings, and as a result of those recommendations greatly increased wages became the order of the day on Nauru.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I pass to my next question. Does the level of education in the Nauruan schools correspond to the usual level of the Australian schools, or is there a lag similar to that observed in the Trust Territory of the Pacific Islands? And for what reason are Australian children sent to Australia to obtain secondary education?

Mr. MARSH (Special Representative): The standard of education in Nauruan schools is in line with the standard of education in Victorian schools in Australia. The Victorian syllabus is adopted. There is a secondary school in Nauru open to children regardless of race. Those children who pass certain qualifying examinations become eligible for scholarships in Australia.



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Among other things, any Nauruan child under the age of seventeen who passes the intermediate certificate has an entitlement to go to Australia on a scholarship for secondary education there. This is regarded by the Nauruans as something valuable which they like to enjoy. It means, among other things, that their children may be educated in schools where there is a better opportunity for them to obtain the command of English which one obtains when one lives in an English-speaking community.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I still have not received an answer to my question. The Special Representative told us of the procedure followed in these schools and he referred to procedures in Australian schools. But my question was different. I referred to the Trust Territory of the Pacific Islands, and in the report of the Visiting Mission that went to the Pacific Islands we find mention of the fact that the general level of education there lags by three or more years behind education in the metropolitan country. My question was this. Does the level of schooling in Nauru correspond to the level in Australia, or is there a lag similar to that existing in the Pacific Islands? The Australian representative told us of the Victorian syllabus in the Australian schools, but that does not explain anything.

Mr. McCARTHY (Australia): What the Special Representative said does explain the situation, but it explains it in Australian terms. What he meant to say was that, against the background that education in Australia is free, secular and compulsory and is, in all the Australian states, conducted by the Australian states under the relevant state legislation, the standards of education in the Australian states correspond, of course, with one another, although the details of the syllabus may differ from point to point. The Special Representative took as an example the state of Victoria. He might just as well have taken the state of New South Wales, the state of Queensland or any other state. It is just that the Nauruan syllabus is geared to the Victorian state education system. There is at the present time no appreciable lag in the Nauruan schools commensurate with that to which the USSR representative refers.

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There was a time after the war when, because of the loss of years by the Nauruan school population during the war, which was not the fault of the Administering Authority, there was a lag as between corresponding age groups, so that a Nauruan child might then have been, and indeed was for the most part, some three, four or even five years behind his Australian counterpart. Now that is long since in the past, and the average Nauruan child, undergoing precisely the same sort of schooling as he would undergo if he were in Australia, is usually, at a corresponding age, at a level of education almost identical with that of an Australian child. Hence there is no lag.

Mr. MARSH (Special Representative): To make this quite clear I should like to inform the Council that I have had a great many years educational experience. I have been a teacher, and on my visit to Nauru recently I went to all the schools to try to ascertain what was the position with regard to this very matter raised in the Soviet representative's question. I examined very carefully from the third grade right through, and I state quite positively that the standard of work in the third grade classes in Nauru, age by age, is comparable with the standard one would find in an average Australian town school.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): The explanation which has just been given is not very convincing -- and I will say why. According to the report of the Administering Authority, only nineteen teachers out of forty-five have a level of training -- as it is stated -- which is equal to a level of training for similar teachers in Australian schools. The second aspect is that they are particularly concerned by the hiatus existing in the levels of education in Nauruan schools compared with schools on the Australian continent. The Nauruans have asked that the hours of instruction in the schools be increased so that the level of education in their schools should reach the level existing in Australian schools.

Mr. MARSH (Special Representative): Might I have the reference just referred to by the representative of the Soviet Union?

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Perhaps I should proceed to the next question and thereafter I will make an appropriate reference in answer to the query that was raised. In the meantime I will locate the reference that was mentioned in the report.

On page 40 of the report of the Administering Authority, we see mentioned to the effect that there are posters on the walls of the schools which describe the activities of the United Nations. Could the representative of the Administering Authority tell us that there exist in the secondary schools in Nauru, together with other posters, also posters giving the text of the Declaration on the granting of independence to colonial countries and peoples?

Mr. MCCARTHY (Australia): I do not know exactly. I will find out from Councillor Bernicke whether these posters actually exist in the schools. But I can assure the Soviet representative that the terms of resolution 1514 (XV) are very well known indeed on the island of Nauru. The Nauruans read very closely all the proceedings of the United Nations

(Mr. McCarthy, Australia)

which concern them. Copies of this Declaration have been sent to the island. It is a small place. In reply to a personal query made by me to him on his arrival here, Councillor Bernicke assured me that the circulation of resolution 1514 (XV) throughout the island had been extensive and that it had reached every Nauruan.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): On page 43 of the report of the Administering Authority, mention is made of a number of children who have sat for examinations into Australian educational institutions. I should like to know what children are we talking about? Are these Australian children or Nauruan children?

Mr. MARSH (Special Representative): If the reference is to the winners of scholarships, the reference is, of course, to Nauruan children.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): In the report of the Secretary-General contained in document T/1622, mention is made of the fact that throughout the years of the existence of the United Nations programme intended for Trust Territories, not a single Nauruan inhabitant has utilized the scholarships that were granted within the framework of this programme by other countries. My question is: Does the Administering Authority continue to maintain its policy on this question, namely, that the Administering Authority alone decides whether or not an inhabitant of the Trust Territory -- in this case, Nauru -- shall utilize the scholarship for schooling in higher educational institutes in other countries -- scholarships that are offered under the United Nations programme?

Mr. MARSH (Special Representative): The policy of the Australian Government is that any Nauruan who has the capacity to pursue higher education shall be afforded the means to do so. Australia has ample and adequate educational facilities. There is no need for fellowships and so on, which are available, to be used for Nauruans who can get the same financial assistance and other help. Therefore, no demands are made on that pool of opportunity.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): How much water is supplied on the average per week in periods of drought for the needs of the Nauruans and for the needs of the Australians who are employed by the British Phosphate Commission?

Mr. MARSH (Special Representative): I cannot give a precise answer as to the quantity. But I can say that whatever water is necessary for the people, is provided. I would draw attention to the fact that whereas there was a limit of 55,000 gallons per week previously in the supply for Nauruan consumption, by agreement between the Council and the Commissioners, this amount has been raised to 100,000 gallons a week.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Perhaps I could clarify my question. Is water limited for Australians or is there no limitation applied to the water for Australians?

Mr. MARSH (Special Representative): Subject to normal economy that is necessary where water is transported thousands of miles across the ocean, there is no particular limit on anybody.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I must say frankly that I do not quite understand the answer. What does it mean that there is no limitation? Does it mean that the water needs of Australians and of the local inhabitants are completely satisfied? Or is there some difference in the way in which their needs are satisfied -- that for Australians there are no limitations, but for the remaining inhabitants there are limitations? I am particularly interested in this sort of question. He said that there are certain criteria used for Nauruans. Is there any criterion of any sort of limit for Australians?



Mr. MARSH (Special Representative): The limit to which I referred is a blind common sense limit in the circumstances of a remote island where a reserve water capacity has to be kept and everybody has to observe a reasonable economy. For instance, a hose cannot be left on hour after hour and day after day; that would be absurd. But what I have also indicated is that the amount of water which the Council itself asked to be made available, the amount which they felt was reasonable, was a limit of 100,000 gallons a week. This does not mean that 100,000 gallons will be used each week. In fact, for many weeks the rainfall has been good in Nauru, but it means that the Council feels that in times of absolute scarcity they would need to draw up to 100,000 gallons a week. This was agreed to by the British Phosphate Commissioners, and the Government, of course, has since provided that this shall be without cost to the Council.

Mr. MCCARTHY (Australia): I thought that we had explained that the water supply on Nauru is for the most part derived from local resources, except in times of severe drought, which has not occurred in recent times. In times of severe drought, when water has to be imported to the island for the needs of the island population, there are limits applied to everybody on the island with regard to the amount of water they can use, Australians as well as Nauruans.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I did not receive an answer to my question. We are told that each person must economize and that he should not waste water. Well, this system operates everywhere, in any country. Every rational housekeeper will do the same thing. It would be illogical and irrational not to follow such a procedure. But my question was the following: we are told that the Council requested 100,000 gallons of water per week, but we do not know whether or not 100,000 gallons is adequate. Perhaps it is adequate; I will not dispute this fact, but my question was entirely concrete. Is there a definite limit applied to Nauruans, a limit of 100,000 gallons a week? This is a simple question. Is there, or is there not, such a limit applied to Australians? We have been thrashing this question about for fifteen or twenty minutes now, and we still have not received an answer to it, so we can only conclude that there is a limit applied to the Nauruans, but for the others, for Australians or employees of the British Phosphate Commissioners, there is no such limitation. That is the way we understand the situation.

Mr. McARTHY (Australia): That is the direct opposite of what I said, and so that the Soviet representative can understand the situation better, I will repeat what I said. In times of shortage, when it is necessary to limit water supplies on the island, there is a limit imposed on everyone on the island, everyone.

Mr. SHAKHOV (Union of Soviet Socialist Republics)(interpretation from Russian): I think it is useless to pursue this matter any further. I could ask a number of other questions about what is the limitation, but you give us simply comparisons concerning the case of Nauruans and the case of Australians. I understand the matter in the following way: the question of water in the island, as we know, is a very great and vital problem. My question was: if there is no water, is there a limited supply of water for all, that is, for Nauruans and Australians and the employees of the British Phosphate Commissioners? Is it stated that such and such is the amount of water you can use a day, and no one has the right to exceed this amount of water. My question, as I see it, is so simple that it must be very simple to answer it, but they still try to give us answers to different questions, and not to the question which we set.

Mr. MARSH (Special Representative): It is not possible to state how much water an individual may use, whether it is an individual Nauruan or an individual Australian. What has been arranged is that the Nauruan Local Government Council, which is responsible for distributing water through the Nauruan community, in times of shortage may draw up to this quantity of water. It is not possible to state how much water an individual uses, and what the Australians may draw would be dictated by the same necessity of being careful. There has been no attempt made not to answer the question of the Soviet representative, but when it gets down to what individuals may use, it is not possible to answer.

Mr. SHAKHOV (Union of Soviet Socialist Republics)(interpretation from Russian): The answer given by the Special Representative is strange. It is not a question of an answer being given of how much water each individual may use, but let me give an example. Let us say that a limit of twelve glasses of water is allowed to each of us, and my neighbour has a limit of eight glasses only.

(Mr. Shakhov, USSR)

If there is a drought or a scarcity of water, then such a standard will be reduced. It may be reduced from twelve glasses to ten, or to six, so my question is quite simple. Could the Australian representative tell us whether there is a uniform limitation applied, a standard limitation applied to Australians and to Nauruans? Are both categories placed on an equal footing with respect to the limitations placed on the use of water? We know that they must economize in the use of water, but why cannot you give us a simple answer to this question? Obviously, the matter does not stand as you try to portray it. After the many years you have been coming here, you have told us now that the situation has changed, but when we put the question to you, you cannot answer a very simple question. Is there a limitation or is there no limitation for Australians? This is the question I want to ask: do these limitations exist only for Nauruans?

Mr. McCARTHY (Australia): I answered that question before. There is a limitation for everybody on the island in times of shortage when it is necessary to have such a limitation. When it is not a time of shortage, it is not necessary for the British Phosphate Commissioners to distribute extra water on the island. All water is drawn from the normal sources available to everybody on the island, that is, from the rainfall and from the wells, but when it is necessary to distribute water, and these have been comparatively rare occasions in recent years in the light of the rainfall figures that have been given, there is a limit placed on everybody on the island, regardless of race, creed or colour.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I quite understand that when there is not enough water, some limitations must be imposed on both the Nauruans and the Australians. But my question was: what is the amount of these limitations, and are they the same for both?

Mr. MARSH (Special Representative): In answer to the question, I was about to say that I am dry on the subject.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I shall proceed to my next question. Has the Administering Authority considered the possibility of constructing in Nauru installations to fight the phosphate dust similar to the installation which is presently operating on Ocean Island?

Mr. MARSH (Special Representative): Perhaps before answering this question I might explain the main features of this problem.

Phosphate dust is released from the installations in the course of two processes. One is the movement of the phosphate from the dryer through to the shipping, and the other is the regular wrapping of the precipitator electrodes to dislodge the dust collected on them. On Nauru the main cause of the nuisance is the second process -- that is, cleaning the electrodes.

About May 1963, the Commissioner set in train orders for new electrostatic precipitator units of the most modern type, equipped with automatic continuous wrapping devices to obviate the escape of dust. The first of these new units is due at Nauru this month of June and will be installed later this year, and it will be followed by other units.

Progressive installation should steadily reduce the principal dust nuisance to negligible proportions. The cost of the new equipment is expected to exceed £300,000.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to refer to page 37 of the report of the Administering Authority concerning the difference in the level of training for teachers.

At the bottom of the page we read the following:

(continued in English)

"The Director has a staff of 45 full-time teachers, of whom nineteen are trained to Australian standards."

(continued in Russian)

Page 38 gives a list -- (a), (b) and (c) -- of examples of proposed changes for the expansion and progress of the education of the Nauruans. I quote as follows:

(continued in English)

"Relying on the Committee members' decision, school hours were increased to enable schools to function on hours similar to Victorian schools and to give greater opportunity to reach parity in scholastic achievements with Victoria."

(continued in Russian)

Thus I see that there is in fact a distinction between the levels in the Nauruan schools and those in Victoria.

Mr. MARSH (Special Representative): I shall deal first with the first point. While it is stated that of the staff of 45 full-time teachers, nineteen are trained to Australian standards, this means that nineteen had had that form of training, but it does not imply, and should not imply, that the remaining teachers are not competent to give satisfactory education at the standard at which the teacher is working. In fact, I have seen some of these teachers and I know that they are good ones.

On the second point, what this says is that the hours in Nauru were brought into line with the Victorian hours, so that a syllabus based on the Victorian syllabus might be coped with in the Nauruan schools. This is not a reflection of different standards, but merely points out the necessity in Nauru, as elsewhere, if a particular syllabus is to be covered and the children are to have reasonably equal attainments, of the same hours. This is not making a distinction; it is doing the reverse.



Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to have some explanation with regard to the following. Mention is made of the necessity to increase the school hours in order "to reach parity in scholastic achievements with Victoria". How are we to interpret this?

Mr. MARSH (Special Representative): I am afraid I am at a loss to appreciate the difficulty of the representative of the Soviet Union. My understanding is that he questions whether the standard of attainment in Nauru is different from the standard of attainment elsewhere. I have stated that the standard of attainment is much the same. I have stated that the course is based upon an Australian State syllabus, and all that this says is that the hours to be worked in Nauru are the same. If the Nauruan students could cope with this course working shorter hours, the implication would be that their standard of attainment was superior to the standard in Victoria.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Perhaps it is difficult to answer my question because the systems of education are different. Let us take a fourth class in a Nauruan school: a fourth former in a Nauruan school has decided to travel to Australia. Would he enter the fourth form in Australia or not? Or would he have to enter the third form, or the second form?

Mr. MARSH (Special Representative): I would expect to enter the fourth form. If he went from Nauru to Victoria I would expect him to enter the same form.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I believe I have received an answer to my question.

I have one last question. On page 91 of document T/PV.1232, it states:  
(continued in English)

"... the Nauruans have made proposals for the setting up of a committee to consider the constitution of a legislative council to replace the present Nauru Local Government Council on Nauru designed to gain experience in legislative functions and the conduct of government, so that ...".

(continued in Russian)

Further on it states:

(continued in English)

"...whereby the Nauruans might govern themselves".

(continued in Russian)

Could the representative of Australia submit the text of this proposal? If the Australian delegation cannot do this, perhaps it can describe or give us a detailed description of the legislative functions of this Legislative Council that is planned here.

Mr. MARSH (Special Representative): I do not have the precise text. The substance is as stated in my opening statement, but it is not possible for me to indicate the nature of this legislative body because this legislative body is something which the Nauruans themselves have said they would like to investigate. They understand that there are many forms of legislative bodies, and they would like a select committee of their own Council to get assistance from the Administration to investigate different kinds of legislatures. It is not possible for me to describe the shape of this Legislature.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I can only express regret that we cannot obtain such data. Perhaps the adviser who is present here, Mr. Bernicke, could give us an answer to this question.

Mr. MARSH (Special Representative): I have ascertained from Mr. Bernicke that he does not have a copy of this with him.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Perhaps he could describe this particular document to us, what its substance is.

Mr. MARSH (Special Representative): The intimation of the desire of the Nauru Local Government Council was in the form of a resolution of the Council transmitted to the Administrator. It is a quite brief resolution which, as I have stated in substance, I have given in my statement.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): Perhaps the representative of Australia could submit the text of this resolution during our work so that it would be available to the Council, especially as we have been given to understand that it is short.

Mr. MARSH (Special Representative): This is a matter which is up for discussion between the Council and the Australian Government in the course of other discussions in July. I regret that I do not have the text of the resolution. If I had, I would put it before the Council.

The PRESIDENT: Is any other representative ready to continue the questioning of the Special Representative this afternoon?

May I suggest to the Council that rather than have two meetings which would probably both be short -- one tomorrow and one on Thursday -- we can hold our next meeting on Thursday morning or Thursday afternoon, as will be notified, if that is satisfactory to all members.

Mr. SHAKHOV (Union of Soviet Socialist Republics) (interpretation from Russian): I feel that this would not be a very acceptable procedure because on Thursday we have a meeting of the Special Committee of Twenty-four. It seems to

me that we will have to agree on this matter. If I am not mistaken, there will be a meeting of the Security Council on Thursday also. Thus there will be three meetings in one day, which would be difficult for the various delegations. Perhaps the Secretariat could ascertain when there would be no meeting of the Special Committee of Twenty-Four or of the Security Council so that our Council could meet.

The PRESIDENT: The Chair understands that it is possible for all three bodies to meet on the same day although we would not schedule a meeting of the Trusteeship Council at the same time as the Special Committee of Twenty-Four. I understand that the Special Committee of Twenty-Four desires to meet on Thursday afternoon. Provided that the members of the Trusteeship Council are willing to have a summary record, we could meet on Thursday morning even though the Security Council were meeting. Would this be satisfactory to the members of the Council?

Could I ask how many members would be willing to speak tomorrow, either continuing the questioning on Nauru or making general statements on Nauru? I understand that the representative of the United States will not be able to make his closing statement on the Pacific Islands until Thursday. So our discussion tomorrow, if we meet, would be confined to Nauru. What representatives would be ready to continue questioning tomorrow if we meet?

I see there is one member. Would any member be able to commence the general debate on Nauru tomorrow if we had a meeting? There is one member, the United States, so that if we met tomorrow we could have some questions and one statement. I suggest that it might be more satisfactory to aim at one rather longer meeting Thursday morning.

Mr. YATES (United States of America): I have already suggested to the Secretary that my delegation would want to have a full verbatim record of Mr. Goding's statement, so that a summary record would not be satisfactory to my delegation for Thursday. I would suggest that perhaps arrangements might be made so that we could get the verbatim record and the Special Committee of Twenty-Four would have a summary record, if they both cannot get it because it is important to my delegation that we have full coverage if three meetings are contemplated.

The PRESIDENT: Would members be prepared to leave it to the Chair to arrange for the Trusteeship Council to meet at the first time when it does not conflict with the Special Committee of Twenty-Four and when a verbatim record of the meeting could be obtained? I am sorry that this would be unsatisfactory. The Secretariat will notify the members of the Council as soon as this can be arranged.

Mr. McCARTHY (Australia): I should like to support what the representative of the United States has said about verbatim records in this Council. This seems to me to be getting to rather strange proportions when the times of meeting of the Trusteeship Council is completely dependent, as far as I can see, on the meetings of other United Nations bodies. Why should this be so? I would point out in this connexion that my own delegation, the Australian delegation, has gone to considerable expense and trouble to bring people here half-way across the world especially to inform and assist the meetings of this body, just as the United States delegation has done. It is not fitting that these people, who are important people in their own community and have their own private affairs to attend to, should simply be kept waiting needlessly for a convenience of this kind when this Council has reached the stage of the deliberations that it has now reached.



The PRESIDENT: The Chair understands that this year there is a special difficulty caused by the meeting of the United Nations Conference on Trade and Development in Geneva, which has removed from Headquarters a great number both of the interpreters and verbatim-record writers. It is therefore necessary this year, because of this special circumstance, that we do our best to conduct our business within this framework. I shall consult the Secretary-General or his appropriate adviser, to endeavour to assure that the business of this Council does not suffer more than is absolutely necessary, and I shall also convey to the Secretary-General the sentiments that have been expressed.

Mr. KIANG (China): Mr. President, I would like to know from you whether, when we meet on Thursday, our meeting will be confined to, first, the closing statement of the United States delegation on the Pacific Islands, and then further questioning on Nauru. Or do you prefer that at that same meeting the members of the Council also join in the general debate on Nauru?

The PRESIDENT: The hope of the Chair would be that we would take up both subjects at the meeting, starting with the closing statement of the representative of the United States, continuing on Nauru and pushing through as much business as we can achieve in the afternoon or the morning.

Mr. McCARTHY (Australia): Do I understand, Mr. President, that for the Thursday meeting verbatim records will be possible?

The PRESIDENT: The present arrangement, as I understand it, is that I shall consult the Secretary-General to see whether a verbatim record is possible. If one is not possible, then in response to the request of one of the representatives on the Council, no meeting would be scheduled for Thursday, but one would be scheduled for the first date when a verbatim record can be supplied.

Mr. McCARTHY (Australia): Do I also understand that there is no verbatim record being made of this afternoon's meeting?

The PRESIDENT: There will be only a summary record of this afternoon's meeting, as I indicated to the Council at the end of our meeting yesterday.

Mr. KIANG (China): Mr. President, I have conferred with my colleague from Liberia. It seems most likely that we shall not be able to have the general debate on Nauru on Thursday, and both Liberia and China will be confined to questioning on Nauru at one of the meetings on Thursday. I think that it is better to have one meeting on Thursday, and another on Friday which will be given over to the general debate on Nauru.

The PRESIDENT: There is at least one representative prepared to make his general statement on Nauru either tomorrow or Thursday, therefore I suggest that we take whatever opportunity we can to proceed with our work.

Mr. KIANG (China): I believe it would be quite a departure from our practice to have the general debate on any Territory start even before the questioning is over. I do not know whether the Council is prepared to depart from that practice.

The PRESIDENT: I shall consult the Council. I appreciate the desire of the representative of China to preserve precedent, but on occasion precedents have been broken. The purpose of the questions is to elicit such information as members of the Council may desire in preparing their general statements. But if any member feels he has enough information and is prepared to go ahead with his statement, I assume it is permissible for him to do so.

Mr. SEAKHOV (Union of Soviet Socialist Republics)(interpretation from Russian): The Soviet delegation for its part would like to state that it has complete confidence in the President and hopes he will be able to reach a decision which will satisfy all members of the Council. I am certain he will and, in fact, am quite willing to leave this decision to his initiative.

The PRESIDENT : I am grateful for this expression of confidence.

Mr. McCARTHY (Australia): I was wondering, Mr. President, since you said that verbatim facilities would be available tomorrow, what the obstacles might be in the way of other delegations getting their questioning out of the way tomorrow. It seems to me that a great deal of information is now available on Nauru from various sources. Even more is available now as a result of the exhaustive questions this afternoon by our Soviet colleague. I wonder, therefore, whether you might care to make an appeal to the members of the Council to try to get the questioning out of the way tomorrow, perhaps. I am thinking of the expeditious conduct of the Trusteeship Council's meeting and I am thinking of the convenience of our visitors from overseas.

The PRESIDENT: I am most concerned that our business be expedited. But having asked my colleagues whether they are ready to ask questions, I accepted their position.

Might I ask again whether the position of any member has changed in the meantime?.

Mr. KIANG (China): What position are you referring to, Mr. President?

The PRESIDENT: The position, as I understand it, is that there is at least one member of the Council who still desires to ask questions on Nauru but will not be ready to do so until tomorrow.

Mr. KIANG (China): I believe I have signified that I am quite ready to ask questions even today, if you wish to proceed with the Council's meeting.

The PRESIDENT: Well then, let us at least proceed with that.

Mr. KIANG (China): But I think, Mr. President, we had better ask the Special Representative whether, after two and a half hours' questioning, he would like to have a little rest. I certainly will not be ready to share the responsibility for the cumulative effect of questioning upon him.

The PRESIDENT: Like all Australians, the Special Representative, is a glutton for punishment, and I am sure he will be ready to continue.

May I take it that this is so?

Mr. MARSH (Special Representative): Mr. President, I ran dry earlier, but I have revived.

Mr. KIANG (China): If that is the wish of the Special Representative, I will go on to ask questions, but I cannot assure him how long they will take. However, I will confine my questions to the political field only.

The first question I would like to put to the Special Representative is in connexion with his reply to a question raised at a previous meeting. I would invite the Special Representative to look at verbatim record T/PV.1234, page 47. A question was raised in connexion with the extension of the powers of the Local Government Council; The question was whether the Local Government Council is subject to control. The Special Representative's answer was that the Council is not subject to control. My question is: May I then draw the conclusion that the Administrator will concur in whatever decision the Local Government Council might make in relation to the seven items enumerated on page 3 of the Special Representative's supplemental report? I wonder if that understanding of mine is correct.

Mr. MARSH (Special Representative): In relation to various functions, my reply was: "With respect to this range of executive functions, the Council is not subject to control". (1234th meeting, page 47) That is the position: that it is not a matter even of the Administrator's disallowance; the Council is not subject to control in respect of those executive functions.

Mr. KIANG (China): Will the Administrator concur in whatever decision the Local Government Council might make in relation to any of the seven items enumerated in the second part of the opening statement?

Mr. MARSH (Special Representative): I am sure that the Administrator would concur, but it would not even require his concurrence.

Mr. KIANG (China): I understand that the powers have been widened. In the case of fixing remuneration for the head chief and counsellors, he will concur whatever the remuneration that will be fixed by the Local Government Council?

Mr. MARSH (Special Representative): That is correct. My previous answer is subject only to the qualification which is in parenthesis in (d), which I mentioned earlier -- in the making of by-laws (which are now subject only to disallowance by the Administrator). That is a legislative function. All the other functions are executive functions and not subject to the Administrator's concurrence.

Mr. KIANG (China): I am not talking about the functions but about the decisions to be made by the Local Government Council. Does the Special Representative mean that the Administrator will concur in whatever decisions the Local Government Council may make in reference to any of the seven items?

Mr. MARSH (Special Representative): That is so with regard to (a), (b), (c), (e), (f) and (g). The statement in (d) does say that the by-laws are now subject only to disallowance by the Administrator. I have indicated that the kind of disallowance would be to prevent legal flaws and the like. That is the main kind of disallowance which is envisaged as likely to be required.

Mr. KIANG (China): Does the Local Government Council fully utilize the powers so far extended to it as the result of recent amendments to the Local Government Ordinance?



Mr. MARSH (Special Representative): This is of fairly recent making and I am not aware whether the Local Government Council has in fact taken decisions of every one of the points listed. This is up to the Council.

Mr. KIANG (China): I am not referring to the exercise of powers in the context of those seven items. I would like to know whether the Local Government Council now really utilizes all the powers that have been granted to it.

Mr. MARSH (Special Representative): In answer to that question, I am advised, for instance, that the Council did exercise all these powers for the purpose of carrying out the last election in December. I am sure the Council will proceed to take advantage of these powers as they feel will be good and necessary for their people.

Mr. KIANG (China): A question was raised at the last meeting in connexion with the application for positions in the Public Service. I understand that the Administration advertised for such applications and the Special Representative said that in response to the advertisement in the Nauruan Gazette, only two applications were received, and neither person had the qualifications required for the positions. Could the Special Representative tell us how he feels about such a situation in which so few people applied and so very few were really qualified?

Mr. MARSH (Special Representative): I think it has to be remembered first that there have been great demands made on the available Nauruans to fill the positions in the Nauru Public Service which they have filled. This represents the residue of positions. I do not think it is a reflection on the Nauruans that there should be this kind of residue when we are involved in over 500 positions. There is, for instance, a Nauruan student seeking a matriculation in medicine who aims to get full medical qualifications, and if he does so, no doubt, he would become Director of Health in due course. But this is a rather

longer process to fill this kind of professional position. With regard to some of the other positions, such as the typist, secretarial and so on, I am not aware of any applications being received, although there are Nauruan girls employed in secretarial positions. The only implication is that they did not choose to apply for this position. It may be that they felt they might not possess the stipulated shorthand speed or have some other personal reason.

Mr. KIANG (China): In connexion with the resettlement of the Nauruan community we now learn from the Special Representative that the Australian proposal was considered unacceptable by the Nauruans. In his opening statement the Special Representative has told us that a certain amount of consultation took place between the Nauru Local Government Council and the people, but it is not clear in what way the consultation actually took place and how -- after a very short period during which a film of Curtis Island and a model of the homes to be built there were shown and several public meetings held -- the Local Government Council can come to the conclusion that the proposals were rejected by the Nauruan community as a whole. I am very much interested to know how a decision of this kind was reached.

Mr. MARSH (Special Representative): Nauru is a small and intimate community. The public at large was able to participate in very free and open question and discussion sessions. The Council itself had discussions and, in the circumstances of Nauru, it was easy for the councillors to go to their own districts and enter into actual direct discussion with their communities and ascertain what was the opinion in the various community groups. I understand that they came back from a series of meetings in the districts and came to the conclusion, when they compared notes, that the offer which I had described was not acceptable.

Mr. KIANG (China): Could the Special Representative tell us whether the Local Government Council would consider the earlier proposal made by Australia, that is, to resettle by stages -- or, as it was called, gradual resettlement. Does he think there is any prospect of reconsideration by the Local Government Council of this proposal of resettlement by stages?

Mr. MARSH (Special Representative): I take it that the representative of China is not referring to the original Australian proposal for resettlement individually when and as houses and employment could be found, but to the offer which I carried across to Nauru. The fact that the Nauru Council has indicated

(Mr. Marsh,  
Special Representative)

that it would like to have further discussions with the Australian Government to traverse and clarify its own proposal in relation to an independent State on resettlement, the fact that it informed me that Curtis Island should not be discarded from further consideration, and the fact that it is coming to Australia in July -- these things lead me to the conclusion that the Nauru Council feels that an answer to the problem may be found in some negotiated way. My precise answer to the question, therefore, is that I believe that the Nauruan people still see a prospect of eventually finding a basis for an acceptable resettlement scheme.

Mr. KIANG (China): In spite of the fact that the Nauruans have not accepted for the time being the recent Australian proposal, is there any possibility of the Australian Government's offering any other alternative to what has already been proposed, or would it prefer to wait until the Nauruan people changes its mind?

Mr. MARSH (Special Representative): I think the position is that the Australian Government will not see its way clear to giving sovereign independence over Curtis Island, if that is to be the location for a resettlement scheme, but that, short of that ultimate point, it is prepared to consider with the Nauruans some possible basis whereby they will manage their own affairs, and I believe that the Australian Government has agreed to enter into the discussions in July in the hope that they may throw light on the possible way to an acceptable resettlement agreement.

Mr. KIANG (China): I shall now put to the Special Representative my three last questions, and I hope that I shall make myself very clearly understood because they are major questions which I have in mind in relation to resettlement. First of all, I think the Special Representative may know that during our last session I put a question to the Head Chief asking him whether the Local Government Council would ever consider the possibility of Nauru becoming a self-governing entity itself, associated with the larger independent community, as a solution

to the problem of the future of the Nauruan community. The Head Chief promised me that he would take that question back to Nauru and consult the Local Government Council, and I wonder whether that consultation on this question ever took place. Could the Special Representative tell me if he heard anything about it?

Mr. MARSH (Special Representative): I believe that that might be the genesis of the latest proposal which I have reported, that is, the proposal that the Council should set up a committee to consider the possibility and the practicability of a legislative council having these wider functions.

Mr. KIANG (China): It is very interesting to have that answer, which throws some light on the thinking of the Nauruans. When I put the question to the Head Chief last year I made it quite clear that this would be definitely an alternative to the original independent sovereign nation proposal from the Nauruan community. Now the Special Representative has told us that, in his opinion, the question which I put to the Head Chief may have been the genesis of the proposal for a committee put forward by the Nauruan people. I hope that it was in the context of that question which I put to the Head Chief that they made this new proposal. I do not wish to pin the matter down any more, and I shall proceed to the next question, but I just wanted to make very clear to the Special Representative what actually happened in the Trusteeship Council last year when I raised this question.

Mr. MARSH (Special Representative): I think that the position is that the Nauruan people has not indicated any abandonment of its belief in the essentiality of a new home, but at the same time it is interested in pursuing the possibility of developing an instrument of greater self-government in the future.

Mr. KIANG (China): My next question is this. If the Nauruans decided to resettle elsewhere, and some of them -- most probably the older generation -- wanted to remain in Nauru, what sort of regime or political set up would there be in Nauru for their administration?



Mr. MARSH (Special Representative): I would expect that the administration of the island would need to be continued. There would be a community still engaged in the phosphate industry and there would also be Nauruan land rights in Nauru to be administered and protected. As to the form that the administration would take, I imagine it would either be a continuation of the trusteeship or -- taking a lead from one question I was asked in the Nauru Local Government Council -- it might be that the Nauruan people, if they accepted a resettlement scheme as Australian citizens, might require as a condition of resettlement an undertaking from the Australian Government that it would continue indefinitely, and after there was no phosphate value in the island, to administer the island and protect what residual land rights they had in the island.

Mr. KIANG (China): As I understand it, the Special Representative or the representative of Australia, in reply to a question this afternoon, said that the form of government that the Nauruan community might have when it moves away from Nauru and resettles elsewhere is under consideration, and that there is no definite thinking on this question. In the light of the questions which we put earlier and the one I have just asked, would the Administering Authority still consider it valuable to endorse a proposal by the 1962 Visiting Mission that an advisory committee should be set up to consider the whole matter of future legislative and executive authority -- which would certainly cover whatever situation might exist when the Nauruans resettle elsewhere -- that advisory committee, of course, working very closely with the Administrator and, as the Visiting Mission proposed, even a representative of the Department of Territories together with a legal officer experienced in such matters?

The Administering Authority has not yet made its attitude clear on this proposal of the Visiting Mission. I do not know whether the Administering Authority would consider it wise to have an advisory committee such as was proposed by the Visiting Mission.

Mr. MARSH (Special Representative): I think that the proposal now made by the Nauruan council for consultations with representatives of the Government has, in a sense, superseded that proposal, and the Government has agreed to these

(Mr. Marsh, Special Representative)

discussions. The Government having agreed to that kind of discussion, I think it would therefore have been favourable to the kind of committee mentioned by the representative of China. But we are past that point, and we are now in the process of discussions on, shall I say, a higher level.

Mr. KIANG (China): When I asked that question, I had very much in mind one passage from the opening statement of the Special Representative. He made reference to the Nauruan "proposals for the setting up of a committee to consider the constitution of a legislative council to replace the present Nauru Local Government Council on Nauru...". (1232nd meeting, page 91) Is that the same thing which the Special Representative had in mind when he answered my question?

Mr. MARSH (Special Representative): That was the particular matter I had in mind.

Mr. KIANG (China): If that is the case, that legislative council is limited only to replacement of the present Nauru Local Government Council, which certainly does not cover the subjects of discussion which the Visiting Mission had in mind when it made the proposal for an advisory committee. I do not know whether the Special Representative is aware of the contents of the proposal made by the Visiting Mission in its report.

Mr. MARSH (Special Representative): I have read the Visiting Mission's report. I might say that, as regards these discussions in July, the Council has also indicated that it wants to have a discussion with the Government on its attitude to their 1962 proposals, which I think were germane to this report. It was with that in mind that I felt that these discussions, asked for and agreed to, seem to a degree to have superseded these proposals. However, these proposals will be looked at again in case they can serve a constructive purpose.

Mr. KIANG (China): In the light of that answer, do I take it that the Administering Authority has already agreed to the setting up of this committee to consider the constitution of a legislative council to replace the present Local Government Council?

Mr. MARSH (Special Representative): The Administering Authority has agreed to have discussions in July traversing these matters. At that time, the question of what was in the minds of the Nauruans and the kind of assistance that they might want for their committee in other matters will be discussed. The Australian Government has the barest information at the present moment on what is in the minds of the Nauru Local Government Council on their latest proposal.

Mr. KIANG (China): In the light of the last answer, it is clear that what was proposed by the Nauru Local Government Council regarding the setting up of a committee to consider the constitution of a legislative council does not supersede what was proposed by the Visiting Mission, because the Visiting Mission's proposals included the consideration of executive authority.

Mr. MARSH (Special Representative): The point will be pursued.

Mr. KIANG (China): May I take it that, when the committee suggested by the Nauruans proposes to constitute a new legislative council replacing the Nauru Local Government Council, the Administering Authority will give sympathetic consideration to it?

Mr. MARSH (Special Representative): The Australian Government is anxious to ascertain what the Council has in mind. I cannot say whether or not sympathetic consideration will be given to a particular proposal until the Government knows what it is.

Mr. KIANG (China): May I put a final question to the Special Representative? In view of the unique character of the Trust Territory of Nauru and its special problems, how and at what point would the Administering Authority itself consider that the basic objectives of the International Trusteeship System, as set forth in Article 76 of the Charter, had been achieved?

Mr. MARSH (Special Representative): The Administering Authority would consider that this had been achieved if and when the future of the Nauruan people has been assured by the acceptance and execution of a resettlement scheme which would give the people an assured future and a new home.

Mr. KIANG (China): I am most grateful to the Special Representative for that particular answer because my delegation was the first to make this point a few years ago regarding the achievement of the basic objectives of the Trusteeship system when the Nauruan people decided to resettle elsewhere. That is why I say I am most grateful for that answer. For the first time, the Administering Authority has made it quite clear to the Council that this was their interpretation of the achievement of the basic objectives so far as Nauru is concerned.

The PRESIDENT: The Chair thanks the representative of China and the Special Representative for their co-operation with regard to the business of the Council today.

My consultations with the members indicate that although a meeting is possible tomorrow morning with a verbatim record, there is only sufficient business to last about fifteen minutes. In view of this, may I suggest that it be left to the Chair to arrange a meeting as soon as possible after tomorrow, a meeting which will not conflict with the Committee-of Twenty-Four and which will have a verbatim record? It will be so decided, and I suggest that the members read the Journal for an announcement of the next meeting.

The meeting rose at 6.25 p.m.