

UNITED



NATIONS

REPORT OF THE TRUSTEESHIP COUNCIL

COVERING ITS FOURTH AND FIFTH SESSIONS

6 AUGUST 1948 — 22 JULY 1949

GENERAL ASSEMBLY

OFFICIAL RECORDS : FOURTH SESSION

SUPPLEMENT No. 4 (A/933)

LAKE SUCCESS, NEW YORK, 1949

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NOTE

All United Nations documents are designated by symbols, i.e., capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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ORGANIZATION OF THE COUNCIL

1. Membership

No change took place during the period under review in the membership of the Council, which was therefore as follows:

Members administering Trust Territories:

Australia
Belgium
France
New Zealand
United Kingdom
United States of America.

Members mentioned by name in Article 23 of the Charter and not administering Trust Territories:

China
Union of Soviet Socialist Republics.

Members elected by the General Assembly:

	<i>Date of retirement</i>
Costa Rica	31 December 1950
Iraq	31 December 1949
Mexico	31 December 1949
Philippines	31 December 1950

Representatives of the International Labour Organisation, of the United Nations Educational, Scientific and Cultural Organization, and of the World Health Organization took part in the proceedings of the Council as occasion required.

2. Officers

Mr. Liu Chieh (China) and Sir Alan Burns (United Kingdom) continued to serve as President and Vice-President of the Council, respectively, until the beginning of the fifth session, when Mr. Roger Garreau (France) was elected President and Mr. Padilla Nervo (Mexico), Vice-President.

3. Sessions and meetings

The Council and its subsidiary bodies held the following sessions and meetings during the period covered by this report. All meetings were held at Lake Success.

TRUSTEESHIP COUNCIL

Fourth session (1st to 48th meetings) 24 January to 25 March 1949.

Fifth session (1st to 29th meetings) 15 June to 22 July 1949.

COMMITTEE ON ADMINISTRATIVE UNIONS

(1st to 11th meetings) 2 February to 31 March 1949.

(12th to 17th meetings) 24 May to 3 June 1949.

COMMITTEE ON HIGHER EDUCATION IN TRUST TERRITORIES

(1st to 18th meetings) 1 June to 12 July 1949.

In addition, the Council appointed from time to time when it was in session a number of drafting and working committees.

At the 29th meeting of the fifth session the Council decided to hold its sixth session at Geneva.

4. Changes in the procedures of the Council

The question of the revision of the rules of procedure appeared on the agenda of both the fourth and fifth sessions of the Council. At the 3rd meeting of the fourth session, the Council adopted certain changes to its rules concerning its records, and extended from four months to six months the time-limit laid down in rule 72, paragraph 1 for the submission of the annual reports of the Administering Authorities.

At the 2nd meeting of its fifth session, the Council decided to amend rule 1 of its rules of procedure by altering the second sentence so as to read that the Council's first session in each year shall be convened during the month of January and the second session during the month of June.

At the 2nd meeting of the fourth session, the Council adopted a new procedure proposed by the President for the examination of annual reports.¹ The procedure differed from that previously followed by the Council in providing for the submission of written questions to be answered in writing by the special representative of the Administering Authority. Subsequently, oral questions might also be asked of the special representative during the discussion in the Council of the annual report. Another feature of the procedure was that each member of the Council might, if it so wished, be represented on the drafting committee on annual reports which was to draft passages for inclusion in the report of the Council to the General Assembly.

At the fifth session, the Council followed the same procedure, except that it appointed three drafting committees of four members each to replace a drafting committee of the whole.

At the 6th meeting of the fourth session, the Council took a number of procedural decisions in connexion with the handling of lengthy, confidential and "anonymous" petitions.

5. Revision of the Provisional Questionnaire

The question of revising its Provisional Questionnaire was considered by the Council at the 6th meeting of its fourth session. It was decided

¹ For the text of this procedure, see T/SR. 118, page 13.

that a committee should be created to study this question, and that the President would announce the composition of the committee later.

At the 48th meeting, the Council decided not to set up the committee at the fourth session and to postpone the revision of the Provisional Questionnaire until the fifth session.

At the 2nd meeting of the fifth session, the Council decided further to postpone this question until its sixth session in order to give the Administering Authorities, the specialized agencies and the Economic and Social Council more time in which to submit their suggestions.

6. Relations with the Security Council

At its 415th meeting on 8 March 1949, the Security Council had adopted a resolution², requesting the Trusteeship Council to undertake those functions of the United Nations under the International Trusteeship System relating to political, economic, social and educational advancement of the inhabitants of strategic areas under trusteeship. The Security Council had also approved the interpretation given to the resolution by the Trusteeship Council, when the latter had considered it in draft form at its third session.³

By resolution 46 (IV) adopted on 24 March 1949, the Trusteeship Council decided to undertake those functions. By the same resolution it requested the Secretary-General to transmit the Provisional Questionnaire⁴ to the Security Council, and, if no observations were made by the Security Council within one month, to the Government of the United States of America as Administering Authority for the Trust Territory of the Pacific Islands. No such observations having been made, the Provisional Questionnaire was forwarded to the United States Government on 3 May 1949.

7. Relations with the specialized agencies

By resolution 47 (IV) adopted on 1 March 1949, the Trusteeship Council recommended that the specialized agencies should study the annual reports on the administration of Trust Territories with a view to making such recommendations and suggestions as they might consider proper in order to facilitate the work of the Trusteeship Council; and requested the Secretary-General to keep in close touch with the specialized agencies with a view to seeking their counsel and assistance in matters with which they were concerned.

8. Consideration of action taken by the General Assembly on the reports of the Trusteeship Council

By resolution 139 (II) of 1 November 1947, on the report of the Council covering its first session, the General Assembly transmitted to the Council certain suggestions of members relating to the rules of procedure of the Council and to the Provisional Questionnaire. The suggestions relating to the rules of procedure were considered during the revision of its rules undertaken by the Council at its fourth session; those relating to the Provisional Questionnaire were deferred until its sixth session in January 1950 for the reason given in section 5 above.

By resolution 223 (III) of 18 November 1948, on the report of the Trusteeship Council covering its second and third sessions, the General Assembly recommended that the Trusteeship Council should consider at its fourth session the comments and suggestions made during the discussion of the report at the third regular session of the General Assembly.

At the 5th meeting of its fourth session, the Council considered two documents⁵ setting forth these comments and suggestions. The Council adopted resolution 45 (IV) taking note of the comments and suggestions and resolving to take them into account during the discussion of the agenda items to which they were related.

² Communicated to the Trusteeship Council as T/271.

³ For this consideration see the Report of the Trusteeship Council, covering its second and third sessions, *Official Rec-*

ords of the third regular session of the General Assembly, Supplement No. 4, page 30.

⁴ T/44.

⁵ T/230, T/231.

Chapter II

ANNUAL REPORTS

1. Cameroons under British administration

The report of the United Kingdom Government on the Cameroons under British administration for the year 1947 was received by the Secretary-General on 17 June 1948 and, having been transmitted⁶ to members of the Council on 18 June 1948, was placed on the agenda for the fourth session of the Council.

During the 4th meeting of that session, Mr. D. A. F. Shute, who had been appointed as special representative of the Administering Authority, made an opening statement on conditions in the Territory. Mr. Shute subsequently submitted written answers⁷ to written questions⁸ addressed to him by members of the Council on the report and on the administration of the Territory. During the 16th, 17th and 18th meetings, the representative and the special representative of the Administering Authority answered oral questions of members of the Council.

During the 29th and 30th meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and requested the Drafting Committee on Annual Reports to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft⁹ prepared by the Drafting Committee was considered by the Council at the 48th meeting. One paragraph of part III was deleted, and, at the suggestion of the President, parts II and III were transposed. The report, as amended, was then adopted.

PART I

OUTLINE OF GENERAL CONDITIONS AS STATED IN THE REPORT OF THE ADMINISTERING AUTHORITY AND BY THE SPECIAL REPRESENTATIVE

1. General

Area, topography and climate

The Territory lies just north of the Equator between Lake Chad and the Atlantic Ocean. It has an area of 34,081 square miles which is divided into two unconnected areas at a point near Yola. Almost the whole of the Territory, except for portions of the country in the south-west, is extremely mountainous and gives rise to numerous streams flowing towards Lake Chad and the Benue and Cross Rivers.

The Territory has an uneven distribution of rainfall and temperature. In 1946 the rainfall varied from about thirty inches in the north of the Territory to 494 inches at Debunscha, in the

south. The climate varies greatly according to the height above sea-level.

Population

In 1947 the indigenous population of the Territory was estimated to be about 991,000, with an average density of 32.77 per square mile. Estimates of population are based on annual taxation records. There is no civil register in the Territory.

2. Political advancement

General administration

The Territory is administered as an integral part of the Protectorate of Nigeria. The Governor of Nigeria is the head of the Territory's Administration. The Territory also shares with Nigeria a common legislative, judicial and budgetary system. There is one Executive Council and one Legislative Council for the whole of Nigeria and the Trust Territory. The seat of government is in Lagos, Nigeria.

The Governor is assisted by an advisory Executive Council consisting of seven official members and four appointed unofficial members. No indigenous inhabitant of the Cameroons is a member of the Executive Council.

The Legislative Council has complete control of expenditure and legislation subject only to the Governor's Reserve Powers, under which the Governor may, in certain circumstances, enact legislation which has been rejected by the Central Legislative Council. The Legislative Council consists of the Governor, thirteen European official members and twenty-eight African unofficial members. No indigenous inhabitant of the Cameroons is a member of the Legislative Council. There are no suffrage laws.

In each of the three regions into which Nigeria and the Cameroons is divided there are Regional Councils with unofficial African majorities. One member in the House of Chiefs in the Northern Regional Council and two members in the House of Assembly in the Eastern Regional Council are indigenous inhabitants of the Cameroons. The Regional Councils exercise financial and deliberative functions.

For administrative purposes the Territory is integrated with the administration of the adjoining areas of the Protectorate of Nigeria. It forms part, with adjoining areas of Nigeria, of the Northern Region and the Eastern Region. Chief Commissioners, residing in Nigeria, are the principal executive authorities of each Region responsible to the Governor.

The Regions are divided into Provinces, each in charge of a Resident. Each Province comprises several divisions, each in the charge of a District Officer.

The Territory itself is divided into four parts. The Cameroons Province, forming the largest part, is administered as though it formed a province of the Eastern Provinces of Nigeria. The

⁶ T/185.

⁷ T/251.

⁸ T/247.

⁹ T/286.

small Tigon-Ndoro-Kentu area is administered as though it formed part of the Wukari Division of the Benue Province of Nigeria. The third area of the Territory is administered as though it formed part of the Adamawa Division of the Adamawa Province of Nigeria. The fourth area, Dikwa Division, is administered as though it formed a division of the Bornu Province of Nigeria.

A total area of 1,440 square miles with a population of 150,871 has been declared "unsettled districts".

Native Authorities

With the exception of the northern section of the Territory, where Moslem rulers and their councils have been recognized as Native Authorities, the representatives of extended families or groups have been formed into councils and given statutory powers as Native Authorities.

An attempt has been made to encourage the formation of district and village councils in the northern areas and the federation of the smaller units of local government in the Cameroons Province. The only federation which has been completed is the Bakossi Native Authority in the Kumba Division, which consists of six Native Authorities.

Judicial organization

The judicial organization includes two sets of courts: (1) The Supreme Court and Magistrates' Courts which primarily administer English law; and (2) the Native Courts, which administer Native law and customs.

Appeals from Native Courts lie to the Magistrates' Courts, the Supreme Court and to the West African Court of Appeal. An appeal from the judgment of the West African Court of Appeals lies to His Majesty in Council.

The language of the Magistrates' Courts and the Supreme Court is English. Witnesses and accused may give their evidence in Native dialects which are translated into English by official interpreters.

3. Economic advancement

Agriculture

The vast majority of the inhabitants of the Territory are farmers and herdsmen. Except for the plantations of the Cameroons Development Corporation, agricultural production is primarily for local consumption and may be described as peasant farming by primitive methods. In the southern areas, coco yam is the staple food, and maize, beans and plantains important secondary foods. The most important crops for export are bananas, palm kernels, palm oil, cocoa and rubber. In the northern areas, the staple foods are guinea-corn, maize and millets, while groundnuts and beniseed are the main cash and export crops.

Outside Victoria Division, where the existence of plantations gives rise to special conditions, it is estimated that some 9,723 to 11,668 square miles, or 75 to 90 per cent of the arable land, is devoted to non-export crops (total area of the arable land other than that of Victoria Division being 12,964 square miles, or roughly 38 per cent of the total land area of the Territory).

The Territory is not deficient in its supply of food except in Victoria Division where the existence of the ports at Tiko and Victoria, and the requirements of ships and the considerable labour force on the plantations, cause shortages of some foodstuffs.

Land tenure

Laws and customs affecting land tenure among the indigenous inhabitants are not uniform. Over the greater part of the Territory the custom is for each family to cultivate its own separate holding within the community. All unoccupied land is the property of the village community. As long as an individual remains in occupation of the land he cultivates, it is considered as his property. In the northern areas land tenure is somewhat more formalized.

Under the Land and Native Rights Ordinance the whole of the lands of the Territory, except those disposed of before the Ordinance, has been declared Native land under the control of and subject to the disposition of the Governor, who holds and administers the land for the use and common benefit of the indigenous inhabitants, with due regard to their laws and customs. The Governor may grant a right of occupancy to any non-indigenous person for definite or indefinite terms within the limit of 1,200 acres and 12,500 acres for agricultural and grazing purposes respectively.

Approximately 469.6 square miles of the total area of the Territory, for the most part in Victoria and Kumba Divisions, have been alienated. The alienated land comprises roughly 9.6 square miles held by the Government, 395 square miles leased to the Cameroons Development Corporation and 65 square miles occupied by non-indigenous individuals or organizations.

Livestock

The Territory's stock population in 1947 included approximately 8,853 horses, 138,776 sheep, 316,077 goats and 365,739 cattle.

Forests

The main principles of the forest policy are to preserve the proper climatic and physical condition of the country by the maintenance or rehabilitation of vegetation and the control of rainwater run-off, and to meet the demand for forest produce that must be assured by the acquisition and preservation of an adequate forest estate. Under this policy, 25 per cent of the land area of each Province should be dedicated to forests under planned management. The total amount of produce in terms of round timber at the end of March 1947 was 467,918 cubic feet and its value was estimated at £10,233.¹⁰

Minerals

No mining operations have been undertaken in the Territory. The indications of mineralization thus far are in quantities of scientific interest only. All mineral resources are vested in the Crown. A licence was granted to two private companies jointly to explore for oil. Arrangements have been completed for the formation of the

¹⁰ £ = West-African pounds.

Cameroons Mining Corporation Limited for mineral prospecting operations. The initial capital of the Corporation is £60,000, half of which is being provided by the Government of Nigeria and the other half by the London Tin Corporation. The voting control will rest with the Government.

Commerce and trade

Apart from the Cameroons Development Corporation, five commercial enterprises operate in the Territory; four are branches of British trading companies and one is a French company dealing in the export of logs. The total investments of four British trading companies and of one British banking organization are estimated at £100,000.

On 31 March 1947, there were thirty-five co-operative cocoa sale societies in the Cameroons Province, with a membership of 1,422 and a share capital of £668.

The volume of trade through the two Cameroons ports of Victoria and Tiko was £479,855, which was made up of imports valued at £144,938 and exports valued at £334,917. Figures on total value or volume of trade for the Territory are not available since there are no statistics for the imports which reach the Territory overland from Nigeria nor for the produce which leaves the Territory by the same route.

The chief exports from the Territory are primary products such as bananas, cocoa, rubber, palm products, groundnuts, hides and skins. The important classified imports through the ports of Victoria and Tiko in 1947 were cotton manufactures, paints and colours, iron and steel manufactures, and cement.

Nigeria Cocoa Marketing Board; other marketing schemes

In order to control cocoa marketing and export in the interest of the producers and to prevent violent price fluctuations, the Administration has established the Nigeria Cocoa Marketing Board. No representative on the Cocoa Marketing Board is an inhabitant of the Trust Territory. In addition to the use of its funds as a cushion against price fluctuations in the world market, it will be within the discretion of the Board to allocate funds for other purposes of general benefit to the cocoa producers and the industry. No proportion of these funds has been allocated specifically to the Cameroons.

Palm products in 1947 were also sold through a control scheme operated by the West African Produce Control Board and its agents, the Department of Commerce and Industry in Nigeria. In 1947, bananas were sold directly to the Ministry of Food by the Cameroons Development Corporation and its sales agent, Messrs. Elders and Fyffes Ltd.

Industry

No manufacturing industries exist in the Territory. Local handicrafts, which are mainly concentrated in the northern areas on a small "cottage industry" basis, include spinning and weaving, indigo dyeing, mat, clothes and ornaments making, tanning and dyeing, etc. No developments in industrial enterprise are planned for the indige-

nous inhabitants with the exception of the introduction of a sugar crusher at Mubi in the northern area.

Public finance

As the Territory is not administered as a separate unit, neither the central government revenue derived from, nor full expenditure incurred by, the Territory can be accurately stated. The total revenue and expenditure of the Territory for 1947 were estimated at £177,100 and £471,450 respectively. Customs and excise, and interest on Government investments which are the main sources of revenue, were estimated at £66,000 and £51,000 respectively for the year 1947.

The ordinary and extraordinary expenditures in the Territory are met from the Nigerian budgetary revenue, with the exception of grants made from the United Kingdom Colonial Development and Welfare Vote, which were estimated at £35,405 for the financial year 1946-47.

There are no specific loans, debts or reserves allocated to the Territory.

No national income estimates are available.

Taxation

Taxation of non-Natives is paid into the revenue of the Nigerian Government. Company tax which is at a flat rate of 7s. 6d. in the pound on profits, is paid in Nigeria, and no separate account is made of the proportion of company tax based on earning in the Trust Territory.

Assessment and collection of the annual tax on indigenous inhabitants is undertaken by Native Authorities and is paid into Native Treasuries. The rate varies from area to area according to assessments of the relative wealth of the area. In some areas a flat tax is paid by every taxpayer; in others, the rate per individual varies according to a rough assessment of the relative wealth and burdens of the individual taxpayers. In most parts of the Territory, individuals with wealth or salaries well above the average are levied for tax at rates in the pound on a progressive scale.

Any person who without lawful justification or excuse, the proof of which lies on the person charged, refuses or neglects to pay any tax payable by him under the Ordinance, is liable to a fine of £100 or to imprisonment for one year, or both. The usual sentence for tax evasion in a Native Court is a fine of 5s. and an order to pay tax forthwith or seven days' imprisonment.

Development plan

The Trust Territory participates in the ten-year plan of development and welfare for Nigeria and the Cameroons. The cost of development in the Territory allocated over the ten years from 1946 to 1956 is estimated at £1,652,371. Funds for the execution of the plan are to be provided partly from the Colonial Development and Welfare Vote and partly by the Nigerian Government. The highest expenditure on any one scheme in the plan is allocated to the improvement of road communications on which it is proposed to spend some £670,000. Development of the scheme includes plans for medical and health services, education, agriculture, forestry, veterinary services, rural

and urban water supplies, electricity, telecommunications, marine and building programmes.

Cameroons Development Corporation

In accordance with the Ex-Enemy Lands (Cameroons) Ordinance No. 38 of 1946, the sum of £850,000 has been made available for the purchase of ex-German plantations in the Cameroons from the Custodian of Enemy Property. The Ordinance empowers the Governor to lease all or any part of these lands to the Cameroons Development Corporation. By means of an annual rental over a period of thirty-five years, the Corporation will repay the cost of the purchase of the land.

The Cameroons Development Corporation, established by Ordinance No. 39 of 1946, consists of a chairman and five members (including one indigenous member) appointed by the Governor. The functions of the Corporation include cultivation and stock-raising, and dealing in merchandise and produce of all kinds as producer, manufacturer, importer or exporter. Approximately 16,000 indigenous inhabitants are employed on the plantations of the Corporation.

All profits made by the Corporation after the payment of expenses and allocation to general or special reserves are to be applied for the benefit of the inhabitants in such a manner as the Governor may determine. In 1947 the Corporation showed a profit of £178,275, of which £158,000 was set aside as provision against taxation on current profits for the period 1946-1949 and £19,956 carried forward to the next year's accounts. No part of the profits for 1947 has so far been applied for the actual benefit of the people of the Cameroons. Taxes on profits are paid into the revenues of Nigeria.

4. Social advancement

Human rights

With the exception of certain limitations on the rights of women in matters of betrothal and marriage, the law secures to all full human rights and fundamental freedoms.

Subject only to the provisions of the law governing sedition and libel, no control is exercised over the subject matter published in newspapers. A number of Nigerian newspapers circulate in the Territory but there are no locally published newspapers. The principal outlet for the expression of public opinion is found in the time set aside daily by Administrative Officers for the hearing of "complaints".

Freedom of thought and conscience and free exercise of religious worship and instruction are ensured to all inhabitants. Petitions from the general public may be made under certain rules to the Resident, the Chief Commissioner, the Governor, the Legislative Council and the Secretary of State. The National Council of Nigeria and the Cameroons is the only political organization active in the Territory. The programme of this organization is that Nigeria should achieve self-government jointly with the Cameroons.

No person can be arrested without a warrant except for offences specified under the Criminal Procedure Ordinance. No person may be held awaiting trial for a longer period than is sufficient to ensure the attendance of witnesses. There are

no restrictions on the movements of population within the Territory or between the Territory and Nigeria except that a written permit is required for entry into an "unsettled district".

Slavery

Slavery practices do not now exist in the Territory. The Criminal Code of Nigeria provides that any person convicted of slave dealing is liable to fourteen years' imprisonment. In outlying districts cases have been known of children being pledged for debt.

Status of women

Polygamy is an accepted custom in the Territory and child marriage occurs in some areas. The custom of bride price, which is practised in the southern areas, does not extend to peoples of the Islamic faith. In Moslem areas, the law permits coercion into marriage by a parent, but only in the case of a girl who has never been married.

Under the law administered by the Supreme and Magistrates' Courts, a wife is not liable for the contracts of her husband, but a husband is liable for those of his wife for her necessities. In other respects, the legal status of a woman is the same as that of a man.

There are no legal bars to the employment of women, but the customary bars vary considerably from tribe to tribe. The opportunities available to women to enter and train for government service depend upon their educational and other qualifications. At present, these are nursing, midwifery, teaching and clerical work.

Social security and welfare

No services are provided or contemplated with respect to widows' pensions, old age pensions, maternity benefits, relief or other forms of protection for the inhabitants of both sexes. The indigenous system of family solidarity is a safeguard against social insecurity.

Standards of living

No family living studies or other surveys of cost of living have been carried out. No investigations have been conducted in regard to changes that may have taken place in the consumption of the principal groups of the population. There have been, however, considerable improvements in wage rates and an increase in the prices of primary products grown in the Territory. The comparative shortage of consumer goods in relation to purchasing power has produced a tendency toward inflation.

Labour

The two outstanding labour problems are those in connexion with the shortage of consumer goods and the development of a proper trade union organization for the plantation workers.

In the southern areas the estimated number of wage-earners in 1947 was 23,914. The number of wage-earners in the northern areas in 1947 was estimated at 1,425, of which 1,010 were employed by the Government. No workers have been recruited from outside the Territory.

None of the labour employed by the Administration or by private concerns is recruited. Compulsory labour may be authorized by the Governor and by any Native Authority under the conditions prescribed by the Labour Code Ordinance (No. 54 of 1945).

With the exception of persons employed in full-time domestic service, the hours of work per week in the Territory range from 34 hours for certain clerical workers to 48 hours for most unskilled labour. The normal number of working days in a month is twenty-six. The average monthly wages in the southern areas for unskilled, skilled and clerical workers are 36s. 10d., and 128s., and 159s. 9d., respectively. In the northern areas, the average earnings of wage earners are in the neighbourhood of 5s. a week. Rations are nowhere provided by the employer as part of remuneration. The principle of equal remuneration for work of equal value is generally accepted in the Territory.

The development of trade unions is still in the most elementary stage and the majority of workers have no conception of the proper functions of a trade union. There are three trade unions in the Territory, with a total membership of 11,126, of which the largest is the Cameroons Development Corporation Workers' Union with a membership of 10,850. These figures are unreliable and are based on effective strength at the time of a dispute rather than on the numbers of paid-up members. In 1947 there were eight industrial disputes involving 2,978 workers. The duration of strikes varied from one day to six days.

The Nigerian Labour Department deals with labour issues in the Trust Territory. The personnel of the Labour Department included one senior and one assistant Labour Officer stationed in the Territory in 1947.

Legislative provision has been made for the partial application in the Territory of the provisions of conventions and recommendations of the International Labour Organisation. Nigerian labour legislation is applicable to the Territory. No employer or employee was charged or convicted for offences against labour laws and regulations during the year 1947.

Public health

The medical and public health services of the Territory form part of the services of the Nigerian Medical Department. In 1947 the medical and public health personnel in the Territory consisted of seven registered medical officers, three licensed midwives, fifty-three qualified nurses, one assistant medical officer, two sanitary superintendents, thirty-three sanitary inspectors, one laboratory assistant, seven dispensers, twenty-six dispensary attendants and dressers, and four vaccinators.

In 1947 the Territory had eleven hospitals (six Government and five belonging to the Cameroons Development Corporation) with 679 beds, forty dispensaries (twenty-six Government and Native Authority, twelve belonging to the Cameroons Development Corporation, and two mission), and one mission leprosy treatment centre.

There are no hospitals or doctors stationed in the northern areas but the inhabitants there have access to hospitals in Nigeria and to medical staff stationed there.

For the purposes of preventive medicine the Territory is divided into five areas, each under the control of a sanitary inspector who carries out vaccination programmes and inspects the villages. The curative service consists of five dispensaries. The only medical institutions within the Trust Territory providing in-patient treatment are to be found in the Cameroons Province. Between 2,000 and 3,000 out-patients are treated each year at each of the dispensaries; the hospitals also provide out-patients' treatment. The classification of disease at the dispensaries is too unreliable to permit a useful analysis by major diseases.

There are no private practitioners in the Territory and no qualified mission doctors, but non-qualified indigenous practitioners are very active. No facilities are available for training medical personnel within the Territory.

Prisons and crimes

There are eight prisons in the Territory under the control of the Nigerian Director of Prisons, with a daily average of 400 prisoners. During 1947, 1,636 persons were charged and 1,127 convicted by the Supreme Court and Magistrates' Courts, 4,308 criminal cases were heard and 3,871 persons punished by Native Courts in the Cameroons Province; while in the northern areas there were 4,164 criminal cases heard and 3,383 persons punished. Of these 5,851 were fined, 1,955 imprisoned, 175 bound over, *et cetera*, thirty-six were whipped, four sentenced to death and 360 cases classified as other punishment.

Prisoners who are not ordered to be kept under hard labour are normally employed extra-murally on works of general station sanitation; they do not work for private employers, are always under a warden's supervision and are not paid. Sentences of whipping, forfeiture or deportation imposed in accordance with the Criminal Code or Criminal Procedure Ordinance are applicable to both indigenous and non-indigenous inhabitants.

Juvenile delinquency

Juvenile delinquency is comparatively rare and is usually corrected by parental action. Long sentences are served in an approved institution in the Eastern Provinces. The sentence of imprisonment is not as a rule given, but a sentence of whipping may, in less serious cases, be imposed upon juveniles. No special laws applying to juveniles have been made applicable to the Territory, and there are no special courts to deal with them.

5. Educational advancement

Administration

The educational system of the Territory is under the control of the Nigerian Director of Education. The schools in the Territory have been affected by the shortage of equipment, school books and other literature, and trained teachers.

In the Cameroons Province no new school may be established without the approval of the Governor on the recommendation of the Director of Education and a committee of the Board of Education, while in the northern areas the establishment of new schools or classes for religious instruction requires the prior approval of the Resident of the Province concerned.

Government expenditure on education

The educational expenditure in 1947 amounted to £42,934, made up of £26,451 from Nigerian revenue and £16,483 from Native Authority revenue. The Government made a grant of £8,554 to voluntary agencies operating schools in the Territory, while £7,309 was provided for maintenance of schools, etc. Since the early nineteen-thirties, financial assistance given by Government to voluntary agency schools has not been determined by any set of fixed principles, but has been on the basis of helping voluntary agencies to meet rising staff costs.

Staff and teachers

In 1947 the educational personnel employed in the Territory consisted of forty-eight Government staff, 255 Native Authority teachers and 1,017 voluntary agency teachers. The total number of teachers in schools in the Territory was 1,320, consisting of 1,292 Africans and twenty-eight non-Africans.

Schools and curriculum

In 1947, there were 250 schools in the Territory, made up of 244 primary, four teacher training and one secondary schools, and one apprentice's class. No facilities for higher education exist in the Territory. Scholarships are available for suitable candidates who are eligible for entrance to the University College at Ibadan, Nigeria, and at institutions in the United Kingdom. There were, in 1947, four indigenous inhabitants of the Territory studying in the United Kingdom with the aid of scholarships.

In the elementary schools two vernaculars, namely, Balin and Duala, are used in the Cameroons Province, while Hausa is used in the remaining parts of the Territory. English is taught in the middle and secondary schools and in the upper classes of some elementary schools.

Pupils

In 1947 the number of students in elementary and primary schools was 26,304, as compared with 543 in attendance at schools for post-primary education. The total number of children of school age may be estimated as between 250,000 and 300,000. The degree of literacy among children of school age is 5.5 per cent in the Cameroons Province and 0.2 per cent in the north. The student enrolment in the Cameroons Province in 1947 was 22,514 as compared with that of 1,072 in the rest of the Trust Territory. The low enrolment in the north is attributed to an apathy toward western education, a prejudice against education of girls in the Mohammedan areas, and the prejudice of Moslem Native Authorities against the educational activities of missionaries owing to the fear of proselytization.

The fees in the junior primary schools are, on an average, ten shillings per annum and those in a senior primary school one pound per annum.

Illiteracy and adult education

The percentage of illiteracy is almost 100 per cent in the remote parts of the north and about 75 per cent in the Cameroons Province. Attempts

are being made to start an anti-illiteracy campaign, organize a mobile cinema, circulate the *Nigeria Review* and *Gaskiya taf Kwabo*, provide reading materials and rooms for the public, and establish adult education centres and classes.

There are no libraries or museums in the Territory.

PART II

CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. *Political advancement*

General

The Council, concerned over the difficulty in performing its supervisory functions with respect to the Trust Territory, arising from the fact that the Territory has been integrated for administrative purposes into different administrative divisions and sub-divisions of the British Protectorate of Nigeria and from the fact that the integration is so carried out that even on the lowest levels of administration certain portions of the Trust Territory are being administered by Native Authorities with seats outside the Territory, with the result that there is no legislative, judicial or budgetary autonomy in the Territory, and consequently, no adequate figures and data which would enable the Council to appraise the exact status or situation of the Trust Territory, recommends that, pending a final solution of the question of these administrative arrangements, the Administering Authority review the situation and take steps or institute measures, such as budgetary autonomy for the Territory, which will enable the Trusteeship Council better to perform the duties and functions vested in it by the Charter, and requests that the Administering Authority include in future annual reports precise and separate data on all common services.

Differences between Northern and Southern Provinces

The Council, considering that the Northern Provinces are notably less-developed than the Southern Provinces, recommends that the Administering Authority take such measures as will rapidly develop the Northern Provinces.

Suffrage and participation in organs of government

The Council recommends that the Administering Authority consider the possibility of establishing, as soon as practicable, such democratic reforms as will eventually give the indigenous inhabitants of the Trust Territory the right of suffrage and an increasing degree of participation in the executive, legislative and judicial organs of government preparatory to self-government or independence.

2. *Economic advancement*

Cameroons Development Corporation

The Council, noting the establishment of the Cameroons Development Corporation, which is to administer the ex-enemy lands for the common benefit of the inhabitants of the Trust Territory, and having in mind that a Visiting Mission will go to the Territory in 1949, expresses the hope

that future reports of the Administering Authority will clearly and sufficiently indicate that effective steps are being taken by the Administration to ensure that the Cameroons Development Corporation is working for the benefit of the indigenous population, in particular, recommends that the Administering Authority consider the possibility of shortening the period of thirty-five years which must under present arrangements elapse before the indigenous inhabitants achieve full benefit from the earnings of the Corporation, and requests that the annual reports of the Corporation be appended to the annual reports of the Administering Authority.

Communications and trade

The Council recommends that communications be improved in order to facilitate trade and commerce.

3. Social advancement

General conditions

The Council recommends that uncivilized practices which are gradually disappearing, such as child marriage, should be expressly forbidden by law.

Wages

The Council recommends that the Administering Authority take appropriate measures to establish wages at a level which would not only enable workers to meet the expenses of everyday life but would also raise progressively their standard of living.

Standard of living

The Council, considering that cost-of-living studies would provide important information on prevailing conditions and might serve as a basis for a realistic policy designed to ensure the well-being of the indigenous population, recommends that the Administering Authority undertake such studies as soon as possible.

Corporal punishment

The Council, considering that corporal punishment is a humiliating practice inconsistent with the spirit of the Universal Declaration of Human Rights, urgently recommends that the Administering Authority immediately abolish this practice.

Deportation

The Council recommends to the Administering Authority that the deportation of indigenous inhabitants from the Territory be abolished.

Health services

The Council, noting with concern that only a few medical officers are stationed in the Cameroons and that hospital, dispensary and other medical and health facilities are inadequate for a reasonable programme of medical and health care for the population of the Trust Territory, recommends the Administering Authority to take measures to increase the number of doctors and other trained personnel and to take all further steps necessary to provide for the medical and health needs of the indigenous population.

Health and education

The Council recommends that the Administering Authority increase the budgetary allocations for educational requirements and other cultural needs, as well as for the public health services.

4. Educational advancement

The Council notes the plans of the Administering Authority for educational development and recommends that the Administering Authority press forward energetically with these plans, especially in the Northern Provinces of the Territory.

The Council, desiring to emphasize the decisive influence which education plays in the political, economic and social advancement of a people, and noting that in the Cameroons under British administration education is still backward and almost entirely left in the hands of private initiative, that it is not available free of charge and that generally the fees payable are too high, urges the Administering Authority to press forward more vigorously in its efforts to develop and increase educational facilities, particularly in the Northern Provinces where literacy is admittedly only one-fifth of one per cent of the population of school age, and to devise ways and means to make education as inexpensive as possible so as eventually to make primary education free and secondary education not dependent on means; welcomes the present attempts of the Administering Authority to encourage higher education, and expresses the hope that efforts in this direction will receive added momentum through an increasing number of government scholarships abroad.

The Council urges that the Administering Authority make an earnest effort further to develop through educational channels the various indigenous cultures of the population.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

1. General

General advancement

The representative of the United Kingdom referred to a tendency in some quarters to overlook the positive advancement of the Territory due to British administration and to see only the admitted backwardness. British Colonial Administrators were well aware that a great deal remained to be done; they deplored as much as anyone the slow progress in certain fields. Another tendency was to regard British policy in the Colonies as less advanced than that laid down in the Charter for Trust Territories. The Charter and Trusteeship Agreements were based very largely on British policy. Owing to that policy, the people in Nigeria were much further advanced than in the Cameroons, which had been under British rule for only a little more than twenty-five years. It was British policy to bring the peoples of the Trust Territories up to the level of their neighbours as quickly as possible.

The representative of New Zealand thought the Council would be well advised to reserve its final opinion on the Territory and to formulate only

tentative conclusions until the report of the Visiting Mission was received.

The representative of the United States of America noted that the policy of the Administering Authority was to bring the peoples of the Trust Territory up to the level of their neighbours in Nigeria as quickly as possible. He believed that the Administering Authority should increase its efforts in this direction.

Differences between northern and southern sections

The representative of Belgium noted the contrast in development in the two sections of the Territory. The situation was encouraging in the south; in the north it was much less so. It appeared that the efforts expended by the Administering Authority had been less intensive in the north than in the south. It might be asked whether the Administering Authority should not take active steps to speed up the development of populations which had less contact with modern civilization.

Unsettled districts

The representative of Belgium observed that in unsettled districts no one, not even missionaries willing to do so at their own risk, was allowed to enter.

2. Political advancement

General observations

The representative of the Union of Soviet Socialist Republics stated that a characteristic feature of the Territory was the complete absence of political rights for the inhabitants. He believed that the Administering Authority was not complying with the requirements of the Charter of the United Nations to promote the development of the inhabitants towards self-government or independence. He thought it incumbent on the Council to adopt recommendations which would ensure compliance with these requirements.

The representative of New Zealand felt that the Territory was only at the beginning of political development and that in time, a self-governing institution for the whole Territory could develop out of the present system of local government. He noted the amalgamation of small Native Authorities as a step in this direction and hoped that this process might encourage the participation of the inhabitants not only in local matters, but in the national sphere.

Administrative integration of the Territory with Nigeria

(i) *Identity of the Territory; supervision by the Council.* The representative of the Philippines observed that the Territory had been divided into southern and northern sections and that these sections had been incorporated for administrative purposes into various provinces of Nigeria. His delegation felt that because of this incorporation it was difficult, if not impossible, for the Council to exercise its supervisory function over the Territory as was required by the Charter. As a specific example, he mentioned the difficulties of ascertaining what proportion of the budget was allocated to the Cameroons. He remarked that effective ad-

ministrative control of the Territory was located outside the Territory and that even the various parts seemed to be handled under different policies. Nigeria managed those parts of the administration which should properly be reserved for the Administering Authority.

The representative of Iraq believed that the administration of the Trust Territory from the adjacent Colony was a cumbersome arrangement. There were obvious fundamental differences distinguishing a Trust Territory from a Colony. The Administering Authority was responsible for developing the Trust Territory towards self-government. With the establishment of the centre of administration outside the Territory itself it was difficult for the Council to form an accurate appraisal of the Territory's progress.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had annexed the Trust Territory to Nigeria. The Governor of Nigeria was also the Governor of the Cameroons, the Territory had no administrative or legal autonomy, and the inhabitants and the Territory itself had no special or separate status. Even within the framework of this unified administration the Territory was neglected politically, economically and socially. He therefore considered that the unification of the Cameroons with Nigeria was incompatible with the provisions of Article 76 of the Charter.

The representative of China noted the lack of legislative, judicial or budgetary autonomy for the Territory which was integrated with the administration of Nigeria. The integration was of such a nature that various portions of the Territory were integrated separately for administrative purposes into different administrative divisions and subdivisions of Nigeria. This integration was carried down even to the lowest level of administration so that certain sections of the Territory were administered as parts by Native Authorities having their seats of administration in Nigeria. The Council could hardly consider the Cameroons as an entity having a separate political existence. In actual fact the Territory was merely administrative bits and pieces of Nigeria. The Trust Territory should preserve its international status, its own administrative unity, so that it might be a potential self-governing or independent body. The Territory was so completely integrated with Nigeria that it was very difficult for the Trusteeship Council to gain a clear understanding of the conditions which existed in the Territory.

The representative of New Zealand stated that there were three obvious comments to be made on administrative unions. First, that circumstances could be conceived where such an administrative union would be of real tangible benefit to a Territory. Secondly, where a Trusteeship Agreement specifically established the right to form an administrative union, there could be no question of the legitimacy of such an action. Thirdly, where an administrative union had been established, it inevitably made for difficulties as there was no doubt that the Council was severely handicapped in its work because the separate figures to which the Council was entitled were not available.

The representative of the United Kingdom could not agree that the administrative structure of the Cameroons was a handicap. It was a practical method fully in accord with the Trusteeship

Agreement. This administration had been enforced for 25 years and was known to exist when the Trusteeship Agreement was accepted. Nor was the relation of the Cameroons to Nigeria an administrative union in the ordinary sense of the term. He referred to article 5 (a) of the Agreement from which the arrangement in the Cameroons had been derived; article 5 (b) of the Agreement was not applicable. He emphasized that the question of administering the Cameroons as an integral part of Nigeria was entirely distinct from that of administrative unions. He also wished to emphasize that the Cameroons was small and sparsely populated as compared with Nigeria. It would not only be an economic and social loss for the Cameroons to be divorced from Nigeria, it would even be a political step backward because the Trust Territory had a greater chance of reaching self-government in association with Nigeria than as an isolated, distinct Territory. Furthermore, Nigeria had financed development in the Cameroons for twenty-five years.

(ii) *Separate information.* The representative of Costa Rica stated that if the Council was to be in a position to supervise the manner in which the Administering Authority carried out its obligations in the Cameroons, it should request that future reports should include precise and separate data with respect to those services which were common to the Trust Territory and Nigeria.

The representative of New Zealand stated that his delegation had difficulty in reaching conclusions because in most cases separate statistics for the Cameroons had not been supplied. For this reason he welcomed the assurances given by the Administering Authority that efforts would be made to provide separate financial and other records in the future. The Council was entitled to this information.

The representative of China noted that the special representative had promised to try to secure figures and facts relating to the Cameroons in future annual reports.

The representative of the United Kingdom said he appreciated that the absence of exact statistics, and especially of a separate budget, made it difficult for the Council to judge conditions in the Territory clearly. But he would remind members that the revenues of the Territory had never been as great as its expenditure and therefore the point did not carry as much weight as it might. He would, however, gladly call the attention of his Government to the matter and hoped that, in future reports, satisfactory figures would be supplied to the Council.

Executive, legislative and judicial systems

The representative of the Union of Soviet Socialist Republics proposed that the Council should recommend to the Administering Authority the establishment in the Territory of legislative, administrative and judicial organs which would not be subject to any organs established on the basis of a union between the Cameroons and Nigeria. The Trusteeship Council should recommend to the Administering Authority that it carry out legislative or other measures which would provide for the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

The representative of the United Kingdom stated, in respect to representation on legislative and other bodies, that the Cameroons had only a small population as compared with neighbouring parts of Nigeria.

The representative of the United States believed that the Trusteeship Council should urge the Administering Authority, as part of the constitutional reform which was being studied in Nigeria, to consider the possibility of increasing the representation of the Cameroons in the Executive and Legislative Councils.

The representative of Belgium thought it desirable that the Cameroons should have more representatives in the Councils of Nigeria. He could not agree with the Administering Authority that such representation would not be justified in view of the smaller ratio of population in the Cameroons. The fact that the Cameroons was a Trust Territory should justify a greater representation than that obtained at present.

The representatives of China and the Philippines observed that no indigenous inhabitants of the Cameroons were members of the Executive or Legislative Council of Nigeria. They believed that the Trusteeship Council should urge that the Cameroons be represented in the Legislative Council and Executive Council of Nigeria.

Native Authorities

The representative of Iraq observed that the method of using tribal chiefs as a medium of administration was not conducive to the abolition of a system that was incompatible with modern administration, particularly since a first lesson in democracy must be taught.

The representative of the Union of Soviet Socialist Republics stated that the Territory lacked organs of self-government. Indigenous inhabitants did not participate in the selection of so-called Native Authorities. The prevailing tribal system, encouraged by the Administering Authority, was inconsistent with the progressive political development of the indigenous inhabitant of the Territory towards self-government or independence. The Council should recommend to the Administering Authority that it take steps to bring about a transition from the tribal system to a system of self-government based on democratic principles.

Suffrage

The representative of Costa Rica pointed out that in the Cameroons under British administration there was no suffrage law and no electorate, while in the Cameroons under French administration suffrage laws had been introduced with a body of eligible voters numbering 500,000.

The representatives of China and the Philippines proposed that the Trusteeship Council should urge that some system of suffrage be instituted for the election of Cameroons representatives to the various Councils of Nigeria and the Cameroons.

The representative of the Union of Soviet Socialist Republics observed that no electoral system existed in the Cameroons.

3. *Economic advancement*

General observations

The representative of the United States believed that the Administering Authority might extend the activities of the Department of Commerce and Industries of Nigeria to the Cameroons at the earliest possible moment to encourage the indigenous inhabitants to develop local industries in the Trust Territory. He expressed the hope that other departments in the economic field would pay increasing attention to the Cameroons in the future.

Ten-year plan of development and welfare

The representative of the United States expressed his appreciation for the presentation of details on the ten-year plan of development and welfare which he found interesting and encouraging.

Lack of budgetary autonomy

The representative of China noted that since the Cameroons did not have budgetary autonomy, it was impossible for the Administering Authority to prepare exact estimates of the Territory's revenue and expenditure. The table showing the budget of the Cameroons did not seem complete; one realized that as long as the Territory had no budgetary autonomy, all figures of public finance were at best approximations.

The representative of the United States expressed his appreciation to the Administering Authority for furnishing budgetary estimates. He realized that the close administrative union between Nigeria and the Trust Territory made it difficult for the Administering Authority to present accurate budgetary figures. It appeared to him, however, that the methods used in presenting revenues and expenditures were perhaps less detailed than those employed in the reports to the Permanent Mandates Commission of the League of Nations. The Administering Authority should make every effort to give exact figures wherever possible.

The representative of the Philippines stated that, since an autonomous budget for the Cameroons had not been presented, it was impossible to determine any definite item of expense or revenue. This aspect of the result of the integration of the Trust Territory with Nigeria made it impossible for the Council clearly to understand conditions in the Territory and to ascertain whether the basic objectives of the Charter or the duties imposed upon the Administering Authority were being carried out. His delegation felt that the present system of presenting budgetary items for the Cameroons, based upon estimates which must remain arbitrary under the present type of fiscal incorporation with Nigeria, would always be unsatisfactory. This problem, therefore, should be immediately settled by the Trusteeship Council. For that reason, his delegation suggested that the Council should recommend to the Administering Authority that a separate budget be established for the Cameroons, distinct and apart from the budget for Nigeria, so that the Council might be in a position to assess more accurately the manner in which the Administering Authority was discharging its obligations under the Charter.

The representative of the Union of Soviet Socialist Republics stated that, since the Trust Territory lacked an independent budget, the Administering Authority was unable to supply separate statistics on the collection of taxes from individuals or on the incomes of British companies which exploited the resources of the Cameroons. No account was furnished as to the proportion of profits made by the Cocoa Marketing Board in the Trust Territory itself. The taxes payable by the Cameroons Development Corporation would be paid directly to the Nigerian Treasury, and there was no indication that the proceeds of these taxes would be specifically devoted to improving the economic and social conditions of the indigenous inhabitants of the Trust Territory. He noted also that import and export duties were collected by the Nigerian customs system and that the income therefrom was not used for the development of the Trust Territory.

The representative of Costa Rica expressed the view that the revenue derived from the tax on the earnings of companies operating in the Cameroons should be included in the budget of the Territory.

Taxation

The representative of Costa Rica expressed the opinion that the flat rate of taxation of 7s. 6d. in the pound on the earnings of companies was not as desirable as a system of progressive taxation. The latter method would make it possible for companies operating on a large scale to contribute more generously to the expenses of governmental administration. He suggested therefore that the Council should ask the Administering Authority to revise its taxation rates with a view to instituting a more equitable system based on the principle of progressive taxation.

The representative of the Union of Soviet Socialist Republics stated that the poll tax system placed the burden of taxation on the poorest part of the population, the overwhelming majority of the inhabitants. This system should be replaced by a progressive income tax or at least an income tax which would take into account property qualifications and the ability of the population to pay.

The representative of Costa Rica felt that the system of imprisonment and forced labour for the non-payment of tax was contrary to elementary rights. He was of the opinion that, if at the present stage of the Territory's development, such penalties could not be abolished immediately, the obligation to pay the tax should cease once a defaulter had served his prison sentence.

The representative of the United Kingdom stated that an attempt to impose a progressive income tax on companies would only result in the creation of a number of subsidiary or allied companies to reduce the apparent profit of the parent company. He could not agree that the punishment of hard labour imposed by the court on a prisoner convicted of an offence could be related to forced labour in its ordinary significance.

Cocoa Marketing Board

The representative of the United States suggested that the Council should take note of the organization and objectives of the Nigerian Cocoa Marketing Board and should ask the Administering Authority to include full details of each year's

cocoa production and marketing in the annual reports.

The representative of New Zealand expressed his agreement with the general principles of the stabilization scheme which had been set up in the Territory. He would not question too much the extent of the reserves established so long as it was clear that this money, sooner or later, went to the owners of the original product. He thought that the Council should be given detailed information in connexion with the entire scheme, particularly in view of the apparently wide gap between the world price and the price paid to the producer.

The representative of the United Kingdom noted the desire of the Council to have more figures. He wished to assure the Council that the difference between the world price of cocoa and the amount paid to the producer went to the stabilization fund. This fund would have to be substantial in order to cushion the shock to the producer resulting from the enormous variations in world price.

Cameroons Development Corporation

The representative of China stated that, in the past, the profit from the estates now comprising the Cameroons Development Corporation was for the benefit of European companies; now it was to be for the benefit of the indigenous inhabitants. The Council should commend the Administering Authority for trying to repair the omissions of the past. He was concerned, however, that it would take thirty-five years before the purchase price of £850,000 was paid and before the inhabitants could enjoy the full profits of the Corporation. The purchase was in the nature of a reparation transaction; the purchase price would be lost to the Territory and the available profits would be diminished for the next thirty-five years by the annual repayment charge. He understood that the Administering Authority was obliged to enter this sum against its reparation share, but he considered that, in view of the special circumstances, the Administering Authority might consider trying to find a way to reduce or remove altogether the considerable drain on the profits from the plantations for the next thirty-five years.

The representative of Iraq considered that there did not seem to be sufficient indication that the Administering Authority was taking effective steps to ensure that the Cameroons Development Corporation was working for the benefit of the indigenous population. The report referred to the fact that all the profits made by the Corporation were to be used for the benefit of the inhabitants in such a manner as the Governor might decide. It was to be hoped that future reports would clearly and sufficiently indicate that effective steps to that end had been taken by the Administration.

The representative of the Philippines felt that the Administering Authority should be congratulated on its attempt to make up for the omissions of the past by the establishment of the Cameroons Development Corporation, which was stated to be for the benefit of the inhabitants. However, the profits of this Corporation in 1946/1947 were £178,275. Since the price which the Nigerian Government would have to pay for these plantations would be about £850,000, it seemed that in five years this debt could be repaid. It appeared, therefore, that thirty-five years was too long a

period for the indigenous inhabitants to wait before achieving full benefit from the earnings of the Corporation. The Trusteeship Council should call the attention of the Administering Authority to these facts.

Bakweri Land

The representative of China stated that the Council should consider the present circumstances of the Bakweri people, much of whose land was now incorporated into the estates of the Cameroons Development Corporation. They had been dispossessed, disinherited and discouraged and they were in danger of disappearing. The Council should therefore request the Administering Authority to give special attention to the Bakweri people and to take such measures as would enable them to participate not only in the cultivation, but also in the management of the estates. The special representative had indicated that this was the policy and it was to be hoped that future annual reports would contain complete details on the application of this policy.

The representative of the Union of Soviet Socialist Republics referred the Council to the petition of the Bakweri Land Committee, which stated that the fraction of land left to the Bakweri was unsuitable for agriculture. The land taken from the Bakweri, which had proved a source of tremendous profit for the European owners, was now being exploited by the Cameroons Development Corporation, where strikes had arisen because of miserable working conditions. The Administering Authority should return, to the indigenous population of the Territory, lands alienated from them whatever the manner of alienation, and should prohibit the alienation of land belonging to the indigenous population in the future.

The representative of the Philippines believed that the manner in which the previous large plantations were being disposed of was a matter of great importance to the progress of the Territory. Since large tracts of the best agricultural land had been taken from the Bakweri people by the Germans, they had been forced to live in narrow stretches between the plantations. This had had the effect of keeping them backward, politically, socially and economically. He believed that the Council should call the attention of the Administering Authority to the need for a prompt and satisfactory solution, in which the Bakweri and other indigenous peoples would share more quickly and more directly in the proceeds and operation of the Cameroons Development Corporation.

The representative of the United Kingdom, in reply to the suggestion of the representative of the Philippines that the backwardness of the Cameroons might be due to the alienation of the Bakweri lands, stated that there was not an acre of a European plantation in the north of the Territory, which was admittedly the most backward part.

Trade

The representative of the Union of Soviet Socialist Republics stated that the indigenous population of the Cameroons did not participate in the export or import trade, which was solely in

the hands of British companies. The quest for profits on the part of such companies doomed the inhabitants to a life of misery; the companies paid starvation wages to hired workers.

Transport and communications

The representative of Iraq observed that the condition of communications did not facilitate trade and commerce; an effort in that direction seemed urgently needed.

4. Social advancement

General observations

The representative of the Union of Soviet Socialist Republics stated that, as a result of the absence of any care for the social development of the population on the part of the Administering Authority, the indigenous inhabitants were living in conditions of backwardness and illiteracy.

Child marriage

The representative of Belgium was of the opinion that child marriage, which was the union of persons obviously incapable of consent, was most regrettable. Since such unions were rare and appeared to be disappearing, he felt that they should be prohibited by law thus abolishing once and for all a custom which was contrary to the principles of civilization and morality.

The representative of the Union of Soviet Socialist Republics noted that the horrible custom of child marriage was not even prohibited by law.

Status of women

The representative of the Union of Soviet Socialist Republics considered that women in the Cameroons were in a state of virtual slavery. In both sections of the Territory, they had a lower political status than men.

Wages

The representative of Costa Rica thought that wages should be established at a level which would not only enable workers to meet the expenses of everyday life but would also raise progressively their standard of living.

The representative of the United States suggested that the Administering Authority might wish to consider the possibility of advancing wages to immigrant workers of the Cameroons Development Corporation to enable them to marry and thus bring their wives with them. He felt that such an arrangement would solve an important social problem.

Standard of living

The representative of Costa Rica expressed his regret that surveys on the cost of living, as recommended by the Salaries Commission, had not yet been undertaken. Since such surveys would provide the Council with important information on prevailing conditions and might serve as a basis for a realistic policy designed to ensure the well-being of the indigenous population, he considered that the Council would be well advised to recommend to the Administering Authority that such studies be undertaken as soon as possible.

The representative of the Union of Soviet Socialist Republics noted the exceedingly high cost of food in the Cameroons. This was another indication of the lack of due care for the interests of the indigenous population.

Corporal punishment and deportation

The representative of Costa Rica expressed the view that corporal punishment was a humiliating practice inconsistent with the provisions of the Universal Declaration of Human Rights. The Trusteeship Council should call upon the Administering Authority to abolish that practice, as well as the penalty of deportation of indigenous delinquents from the Territory.

The representative of the United Kingdom wished to remind the Council of the restrictions by which corporal punishment was controlled, and that it was imposed only in such serious cases as rape.

Health services

The representative of Costa Rica declared that the information on medical services lacked clarity because of the unification of medical services of Nigeria and the Cameroons. This was particularly true for the northern parts of the Territory where there were no doctors or hospitals for the 525,000 people of that area. Although certain medical facilities in Nigeria were stated to be available for these inhabitants, no precise information was given. The Council therefore had no information on certain elements of medical service for the Cameroons. The Council should request the Administering Authority to provide information on medical services in a manner that would enable the Council to understand the extent to which such services affected the inhabitants of the Cameroons.

The representative of Iraq observed that there was room for energetic improvement of health conditions in the northern section of the Cameroons. He was confident that these conditions, of which the Administration was aware, would have improved considerably by the time of the next annual report.

The representative of the Union of Soviet Socialist Republics stated that the medical treatment of the indigenous inhabitants was marked by its absence. It was understandable, therefore, that the miserable existence of the mass of the population led to the broad threat of endemic diseases and a high morbidity and mortality, particularly among children.

The representative of Costa Rica compared health facilities offered in the Cameroons under French administration with those offered in the Cameroons under British administration. In the British administered Territory there were eleven hospitals with seven beds for every 10,000 inhabitants; in the French administered Territory there were forty-seven hospitals with 16.5 beds for every 10,000 inhabitants. In the Cameroons under British administration there were seven registered doctors, or one doctor for every 141,586 inhabitants; in the Cameroons under French Administration there were 105 doctors, or one doctor for every 25,812 inhabitants.

The representative of the United States recalled that the representative of the Administering Authority, who had pointed out several times the shortage of medical personnel in the Cameroons, had informed the Council that there was no objection in principle to recruiting doctors of non-British nationality. He believed that the Trusteeship Council might recommend that the Administering Authority should consider recruitment of needed doctors from among displaced persons in Europe as well as from other sources.

Vital statistics

The representative of the Union of Soviet Socialist Republics observed that there were no statistical records of births, deaths and morbidity.

5. Educational advancement

The representative of the Philippines expressed the adherence of his delegation to three basic education policies which he believed should be followed in all Trust Territories. These were: (1) the direct assumption on the part of the Administering Authority of its responsibility for education; (2) free education in government established schools; and (3) the use of a common language.

The representative of the United States recalled the statement of the special representative that the degree of literacy among people of school age was 5.5 per cent in the Cameroons Province, and only 0.2 per cent in the northern section. His delegation believed that the Trusteeship Council should urge the Administering Authority vigorously to increase its efforts to develop educational facilities in the Cameroons.

The representative of Costa Rica compared educational facilities offered in the Cameroons under French administration with those offered in the Cameroons under British administration. In the British administered Territory, out of a school age population of 247,775, only 26,586 or 10.73 per cent actually were in school; in the French administered Territory, out of a school age population of 425,000, 115,115 or 27.09 per cent, actually were in school. He also pointed out that in the Cameroons under French administration, primary education was free while in the Cameroons under British administration it was extremely expensive.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was taking no measures toward the appropriate development of education in the Territory, although of the entire population of the Cameroons, only a little more than 26,000 pupils were in elementary schools and illiteracy among the indigenous population was above 90 per cent.

The representative of Iraq observed that there was room for energetic improvement of education in the northern section of the Cameroons. He was confident that these conditions, of which the Administration was aware, would have improved considerably by the time of the next annual report.

The representative of New Zealand pointed out that political advancement depended almost entirely upon educational advancement. It was for that reason that he was pleased to learn of the plans for education development which were being

applied. He hoped that, especially in the northern section, where educational facilities were meagre, the Administering Authority would press forward energetically with its plan.

The representative of China noted the great discrepancy in educational development between the northern and southern sections of the Territory. He observed that out of a population of almost half a million in the northern section, less than 1,000 pupils were in school. This percentage of literacy appeared to be the lowest in any area in any Trust Territory which the Council had examined. His delegation, in noting the memorandum on educational policy for Nigeria, including the Cameroons, had felt that even if these plans were successfully carried out they would not go very far to promote education. It was earnestly hoped that the Administering Authority would find it possible further to expand educational facilities and to make primary education free and secondary education much less expensive than at present.

The representative of Iraq expressed the opinion that the Administering Authority must make an earnest effort to disseminate education among the groups of the population belonging to the Moslem faith, by establishing schools and educational centres to suit their own particular culture and background.

6. Miscellaneous

Form of the annual report

The representative of Iraq congratulated the Administering Authority on the manner in which the report had been prepared and noted the inclusion of photographs.

The representative of New Zealand thought that all members of the Council should join in congratulating the Administering Authority on the quality of the report, which was of literary interest and great human significance.

2. Cameroons under French administration

The Report of the Government of France on the Cameroons under French administration for the year 1947 was received by the Secretary-General on 28 October 1948 and, having been transmitted¹¹ to members of the Council on 12 November 1948, was placed on the agenda for the fourth session of the Council.

During the 3rd meeting of that session, Mr. Watier, *Administrateur des Colonies*, who had been appointed as special representative of the Administering Authority, made an opening statement on conditions in the Territory. Mr. Watier subsequently submitted written answers¹² to written questions¹³ addressed to him by members of the Council on the report and on the administration of the Territory. During the 14th, 15th and 16th meetings, the representative and the special representative of the Administering Authority answered oral questions of members of the Council.

¹¹ T/219.

¹² T/249.

¹³ T/242.

During the 26th, 27th and 28th meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and requested the Drafting Committee on Annual Reports to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft¹⁴ prepared by the Drafting Committee was considered by the Council at the 48th meeting. A number of insertions were made in part II of the draft and, at the suggestion of the President, parts II and III were transposed. The report, as amended, was then adopted.

PART I. OUTLINE OF GENERAL CONDITIONS AS SET FORTH IN THE REPORT OF THE ADMINISTERING AUTHORITY AND BY THE SPECIAL REPRESENTATIVE

1. General

Area, history and topography

The Cameroons under French administration lies on the West Coast of Africa slightly north of the equator. With an area of 432,000 square kilometres, it comprises the greater part of the former Kamerun protectorate, which was administered by Germany between 1884 and its occupation by French and United Kingdom military forces in 1916. Kamerun was divided, more or less according to the two spheres of military control, into two separate mandated Territories, one under French and the other under United Kingdom administration, and this division has been maintained under the International Trusteeship System.

The southern portion of the Territory is an equatorial forest zone. The west is mountainous and relatively cool, and the north is a dry savannah region.

Population

The indigenous population is estimated at about 2,700,000, while Europeans number some 2,500, of whom 1,700 are French. The indigenous population consists of a great diversity of races, with different languages and customs; they vary from the Bantu tribes, who occupy the forest areas in the south and have rudimentary social and political organizations, to Sudanese in the north, who until recently lived under a feudalistic system. A sense of common interest and territorial unity has, however, begun to develop.

Capital and port

The capital of the Territory is Yaounde, and its principal deep water port is Douala.

2. Political advancement

Status of the Territory

In international law, the basis of administration of the Cameroons is the Trusteeship Agreement approved by the United Nations on 13 December 1946 and made part of French Law by decree of 29 January 1948.

Since 1946, the Cameroons has occupied a place within the French Union, which consists of France, her overseas Departments and possessions, and certain associated units. It is designated an "Associated Territory". There is no law expressly providing for the incorporation of the Cameroons into the Union, but French legislation is applied to it under article 4 of the Trusteeship Agreement.

The purposes for which the Administering Authority has brought the Territory into the French Union are (a) to give it the benefit of a régime at least as liberal as that applied in neighbouring Non-Self-Governing Territories; (b) to give its inhabitants a share in the making of the laws and regulations that govern them; and (c) to advance their political education and help to disseminate the democratic principles set forth in the Charter of the United Nations.

The Territory is accordingly granted the right of representation in the organs of the French Union as a whole, in which legislative powers and right of political discussion are vested; it enjoys a system of suffrage intended eventually to be universal; it has an elected Representative Assembly empowered with financial authority and rights of decision or consultation on local administrative matters; and it has been accorded the rights and freedoms guaranteed by the French Constitution.

The status of the Territory differs from that of other territories in the French Union in so far as the Charter and the Trusteeship Agreement stipulate special administrative rules, such as economic equality for all nationals of Members of the United Nations. The Administering Authority regards the relationship of the Territory with the Union as being entirely without prejudice to its future status and that of its inhabitants, who will remain free to determine their status when their political maturity is sufficiently developed.

Representation of the Territory

The Cameroons elects three deputies to the French National Assembly, three representatives to the Council of the Republic, five to the Assembly of the French Union and two to the Economic Council. Four of these thirteen representatives are European (two doctors, a former administrator and a trader) and the remainder are Africans (including a French-naturalized tribal chief, local officials, trade union secretaries and business employees). Two of the Cameroons representatives are members of the MRP party (*Mouvement républicain populaire*) and the others are socialists of the SFIO (*Section française de l'Internationale ouvrière*) or independents.

Status of the inhabitants

Although the law establishing "citizenship of the French Union" has not been promulgated in the Territory, its inhabitants enjoy all the advantages granted to citizens of the Union.

They are, for instance, eligible for public offices without distinction as to origin, race or religion, and they enjoy the individual or collective exercise of the rights and liberties proclaimed in the Constitution of the French Union. By virtue of the status of the Territory as a Trust Territory they are exempted from conscription for military service.

¹⁴ T. 277.

Administrative structure

The chief of the local administration is the *Haut Commissaire de la République*, who represents the French Government and is directly responsible to the Minister of Overseas Territories. He is assisted by an Administrative Council.

For administrative purposes the Territory is divided into fourteen regions, each in charge of a *chef de région* who is responsible to the *Haut Commissaire*. Each region is further divided into areas under the control of *chefs de subdivision* who are responsible to the *chef de région*.

Representative Assembly

The elected Representative Assembly has an African majority. In association with the administration itself, it takes part in the exercise of the administrative and financial autonomy enjoyed by the Territory.

The Assembly has no power of initiating legislation or of discussing political matters. Laws are enacted by the organs of the French Union and applied to the Territory by special decrees. Consultation of the Assembly on local regulations in certain specified fields is required, however, and the territorial budget, which is submitted by the *Haut Commissaire*, requires the approval of the Assembly.

As an illustration of its functions, the Assembly has, since its establishment, discussed and adopted the 1947, 1948 and 1949 budgets; and it has discussed or given its opinion on all administrative measures affecting the Territory, notably an important reform in the grading of local officials, an increase in the rates of allowances, a reorganization of the educational services, and the granting of numerous scholarships.

The Assembly has a standing committee which meets once a week, and it has also established commissions on finance and the budget, public health, education and youth, economic affairs and other matters.

Qualifications for election to the Assembly include the ability to read, write and speak French fluently. The present indigenous members, of whom there are twenty-four as against sixteen Europeans, represent the *élite* of the advanced section of the population. They include heads of communities, local officials, persons who have been active in trade unions and co-operatives, a priest and a teacher.

There are no political parties in the Assembly, all the proceedings being conducted solely from the point of view of local interest.

Method and extent of suffrage

Although the Administering Authority contemplates the eventual introduction of universal suffrage, the right to vote is at present limited in the case of the indigenous inhabitants, other than the small number of naturalized French persons, to notables, members for at least two years of trade unions and co-operatives, members of provident society councils, persons able to read French, chiefs, permanent employees and a number of other groups.

There are two electoral colleges, the first consisting mainly of French citizens, who enjoy universal suffrage. The establishment of a separate college for French citizens is designed to ensure for them a proportionately higher representation in recognition of their leading economic role in the Territory. The voters registered in the first college numbered 2,590 and elected the sixteen European members of the Representative Assembly in 1946. The number of persons eligible to vote in the second college is estimated at 450,000 to 500,000 out of a total adult population of 1,400,000; as a result of the novelty of suffrage, however, only 39,615 had registered in 1947. This college elected the twenty-four African members of the Assembly.

The two colleges also elect the Cameroons deputies to the French National Assembly on the same proportionate basis.

Municipal government

The administration of the main centres of Yaounde and Douala is carried out by the respective *chefs de région*, who preside over and are assisted in each town by a Municipal Commission consisting of six appointed members, of whom two are required specifically to be indigenous notables who are French subjects. The commissions meet in ordinary sessions, which are not public, twice a year.

It is intended to transform these organs into free Municipal Commissions in which the indigenous inhabitants would have majority representation, and which would have greater powers.

Regional and local councils

On a local level, an advisory part is played in the administration by a number of indigenous councils (*Conseils de notables*). These councils have no organic connexion with the Representative Assembly, and are essentially consultative to the local administrative heads.

In the past they have been composed, in addition to high administrative officers, of chiefs and other notables elected by chiefs. An experiment is being made, however, in changing their composition to include representative economic groups, trade unions, co-operatives, and of all employers and wage earners.

Judicial system

For civil cases, there are two different judicial procedures:

(i) Where all the interests involved are African, customary law is applied as far as possible. The tribunals concerned with these cases are the Customary Tribunals (for conciliation only; one in each subdivision); the Tribunal of the First Degree (one in each subdivision); and the Tribunals of the Second Degree (one in each region). Appeals for final decision are made to the *Chambre d'Homologation* of the Higher Tribunal of Appeals.

(ii) In other cases, French law is applied. The courts concerned are those of justices with powers of summary jurisdiction and of justices with extended powers, and one Tribunal of First Instance. Final decisions are given by the Higher Tribunal

of Appeals or the *Cour de Cassation* in Paris, according to the nature of the cases.

In penal cases, the French penal code now applies to all inhabitants of the Territory. The criminal courts are the same as those listed under (ii) above for civil cases involving French law, together with the *Chambre des Mises en accusation* of the Higher Tribunal of Appeals, and a Criminal Court. Final decisions are given, according to the nature of the cases, by the Higher Tribunal of Appeals or the *Cour de Cassation* in Paris.

The customary and conciliation courts are composed exclusively of Africans, and one civil court of the first class is also presided over by an African. The Administration has attached Cameroonian of particularly good character to local chiefs in order to give them training in presiding over courts. The customary courts have a president and at least two assessors.

The *indigénat* system which allowed the more senior administrative officers to sentence Natives to fines and imprisonment for a specified number of offences, has been abolished in the Cameroons, as in all Territories under French administration.

3. Economic advancement

Agriculture and stock breeding

Agriculture is the main occupation of the inhabitants of the Territory. Palm, cocoa, banana, and coffee are extensively cultivated in the southern lowlands. Cotton, she nuts, beniseed, sesame, and peanuts are grown in the north. European plantations produce coffee, bananas, and rubber. Of the total area of 432,000 square kilometres, some 11,489 square kilometres, or 2.6 per cent, are under cultivation. This figure does not, however, take into account land lying fallow for several years between plantings under the prevailing indigenous method of cultivation. It also does not include palm plantations or pasture lands. It may be noted, further, that in some areas two crops are harvested each year from the same land.

The agricultural services include departments for scientific research, experiments, production and information, and crop-grading and centres for agricultural training. Two semi-official agricultural research institutes have been established, one of which deals with the cultivation of bananas, and the other controls the exploitation of wild palm and is responsible for the installation of oil presses.

Livestock production is concentrated in the northern section, which is free from the tsetse fly. The stock population includes over a million head of cattle, pigs, sheep and goats. There is a veterinary service, and two meat factories have been established in the Adamawa region.

Land tenure

The land policy of the Administration recognizes three distinct categories of land: (a) State land, held by title, which may be alienated by means of sale, lease or concession; (b) land not exploited or occupied for ten years and not subject to title, which may be alienated by means of concession or lease after inquiry has established that alienation is not likely to prejudice the development of communities or individuals; and (c) va-

cant and ownerless land, which may be alienated by means of concession under a procedure varying according to whether the land is urban or rural. In all cases the concession is provisional at first. All provisional and final concessions are subject to an adjudication after a preliminary inquiry or consideration of appeals against the granting of such concessions. A general reform of the system of land tenure is now being studied by the French Parliament.

There is no land shortage in the Territory except in the subdivision of Kaele and Yagoua, where the density of population is very high. The alien concessions of land include 750 rural plots, covering an area of 80,000 hectares, and 1,650 urban lots, comprising an area of 500 hectares. Concessions granted to indigenous inhabitants cover 7,500 hectares of rural areas and 100 hectares of urban land. Most of the indigenous population, however, occupies its land without having applied for formal title.

Forests

Under local legislation an area of 860,000 hectares has been set aside as forest reserves. The Administering Authority is attempting to improve forest resources. Some 51,089 tons of various grades of timber valued at 189,150,000 francs¹⁵ were produced in the Territory in 1946.

Mines

The most important minerals worked in the Territory are gold, rutile and cassiterite. Gold mining was started in 1934, and in 1946 the total output was 371 kilogrammes 21 grammes. Rutile mining operations were begun in 1935, and in 1946 the total output was 1,260 tons. Cassiterite mining was begun in 1933 and the total output in 1946 was 160 tons. Other minerals found in the Territory are molybdenite, colombite, tantalite and wolfram. Mining dues and royalties include 200,000 francs for a prospecting permit; 5,000 franc for an exploitation permit; 10,000 francs for investigation and publication of a concession; 10 francs per hectare as a superfiary annual royalty. The full royalties vary, and are approximately 5 per cent *ad valorem* for gold, rutile and tin.

Under the ten-year development plan, a Bureau of Mines of Overseas France, a State corporation, with legal personality and financially independent, has been established. The Bureau is empowered to undertake every phase of mining operations, to acquire any prospecting or mining licence and any mining concession, and to hold shares in any mining group, company or syndicate. The Bureau's initial capital (30 million francs) is underwritten by the Central Bank of Overseas France.

Industry

There are a number of processing plants, such as sawmills, soap factories, oilworks and industrial alcohol distilleries. A marked influx of capital is encouraging the establishment of new industries by private enterprise, including plants for the manufacture of groundnut and palm oils, breweries, tobacco and cigarette factories, plants

¹⁵ Francs C. F. A.

for rotary-cut and sliced veneers, possibly a wood pulp plant, and plants for mineral waters, jam-making, preserved fruits, perfumes with an alcohol base, cotton spinning and weaving and the tanning and processing of hides. The construction of the hydro-electric power plant at Edea will help the development of these new industries by supplying cheap power.

In another direction, by granting credits to indigenous agricultural co-operatives, the Administration is promoting the establishment of small industries for processing local raw materials—fermentation of cocoa, mechanical hulling of coffee beans and shelling of groundnuts, co-operative oil-works and natural latex processing plants.

Commerce and trade

External trade is largely in the hands of the local branches of French and British industrial and commercial corporations. They are subject to taxation in respect of operations actually effected in the Territory.

The Territory has an import and export control system. The total foreign trade of the Territory in 1946 was valued at 2,009,427,000 francs, which was made up of imports valued at 1,004,457,000 and exports at 1,004,970,000 francs. The principal imports in order of importance were cotton piece-goods, vehicles, spare parts, machinery, drinks, petroleum, tobacco, jute and drugs. The chief exports were bananas, palm kernel, coffee, cocoa, rubber and timber.

In 1946 the United Kingdom provided 330.9 million francs worth of the imports, the United States of America 321.2 million and France 163 million francs. Exports went mainly to France and French possessions (672.2 million francs), the United States (86 million), Nigeria (28.5 million) and South Africa (10.3 million francs).

Internal trade consists of the wholesale distribution of imported goods by the large trading concerns, and retail trade in the remote parts of the country by small concerns or indigenous agents of the wholesale dealers.

Customs union

A customs union was established between the Cameroons and French Equatorial Africa in 1941. A large part of the goods originating in or consigned to the central and northern parts of French Equatorial Africa pass through the Port of Douala and across the Cameroons. By means of a customs union, it was possible to avoid duplicated customs formalities for goods entering and leaving the Cameroons, and both Territories were relieved of the need for maintaining a costly chain of customs stations on their long common frontier. The duties and taxes due to French Equatorial Africa were collected by the Cameroons customs service and refunded to the budget of French Equatorial Africa. It was recognized, however, that the establishment of common tariffs might have constituted an obstacle to the independence of their economic policies. In 1948 the union was replaced by a simple customs convention providing more freedom for each Territory.

Provident societies and co-operatives

There are fourteen indigenous provident societies, which are equivalent to agricultural co-op-

eratives, forty-four indigenous co-operative societies for the production, consumption and exportation of agricultural commodities, and forty-seven indigenous agricultural unions. Three groups of European co-operative societies produce coffee, and a fourth produces and exports bananas.

Public finance and taxation

The budget is drawn up by the Finance Department on the basis of estimates received from the administrative and technical departments, and is then submitted to the Representative Assembly for discussion and vote.

The latest and most complete figures available of actual receipts and expenditures are those of 1944. The total revenue for that year amounted to 345,942,418 francs, and included extraordinary revenue of 66,505,780 francs. The principal sources of revenue are direct taxes, indirect taxes, revenue from government enterprises and fees and licences.

Direct taxes, which are imposed without distinction of race and nationality, include a personal tax, the rate of which varies from one area to another. It is levied on male persons of sixteen years of age or over whose income is below the minimum at which assessment for scheduled taxes begins. The Administering Authority regards the personal tax as being of questionable financial justice, being fixed on the basis of the lowest incomes, but the absence of trained controllers, assessors and collectors has so far prevented the general introduction of income tax.

Total expenditure in 1944 amounted to 288,677,061 francs and included public-debt payments (3,443,904 francs), expenditures on personnel (99,834,535 francs), expenditures on material and labour (79,864,930 francs), public works (21,125,308 francs), miscellaneous expenditure (17,125,308) and extraordinary expenditure (66,505,780 francs).

Development plan

A ten-year economic and social development plan has been formulated for the Territory, and is to be financed out of contributions from Metropolitan France and advances repayable at 2 per cent from the Central Fund for Overseas France.

The total expected investments in the Cameroons for the period 1946-1956 is 25 thousand million francs. Up to November 1948, 1,514.5 million francs had been invested in the Territory, 810 million of which constitute the free grant from Metropolitan France and 704.5 million the advances from the Central Fund.

The economic plan provides allocations for agricultural development, livestock improvement, mines and the extension of transport and communication facilities. In the social field, education, water supply and public health services receive grants for new installations and extension of facilities.

4. Social advancement

Status of women

In general, local custom does not accord women an independent legal status, although it grants them the right to own personal property. The

indigenous male inhabitants, who hold a dominant position in society, have been reluctant to encourage any rapid change in the status of women. The present small number of educated women are engaged as nurses, midwives, teachers and seamstresses.

Human rights

The French Constitution of 1946 guarantees basic human rights to all sections of the population and ensures full freedom of thought and conscience and free exercise of worship and instruction.

Seven newspapers and three bi-monthly bulletins (edited by missions) circulate in the Territory. The only grounds on which a publication or periodical could be prohibited by the High Commissioner would be that it constituted a threat to decency or public order. There has been no such prohibition for several years.

Five political parties play a role in local politics but party activity has not yet reached the mass of the population. Apart from the local branches of the major parties of French (*Mouvement républicain populaire*; *Section française de l'Internationale ouvrière*; *Rassemblement du Peuple français*), the purely local parties are considered at present to be extremely unstable and to centre around a few ambitious persons rather than around major political principles.

Freedom from arbitrary arrest and the protection of the interests of arrested persons are guaranteed under the law. Slavery is illegal, but there is some evidence of the continuance of some form of domestic slavery in the northern section of the Territory.

Social security and welfare

In 1947 a Director of Social and Cultural Affairs was appointed to co-ordinate the social welfare aspects of the work of various departments and to study the welfare needs of the Territory.

Employees of the Administration (European and African personnel) are entitled to the benefits of a pension system and some commercial firms have established their own pension funds for their personnel.

African ex-servicemen have received 15 million francs in grants and 10 million francs in loans. A loan fund of 15 million francs has been made available to European ex-servicemen. Ex-servicemen have been accorded special employment facilities and do not appear to constitute any problem.

Labour

The man-hours output of the local labour force is low and the incidence of absenteeism is considered very high. There is a general shortage of skilled workers in the Territory. The needs of the Africans are said to be few and in general they are said not to like work.

Minimum wage rates are related to the local cost-of-living indices, but in areas where the demand is great actual wages may be as much as twice the basic rate. The minimum rates have increased from 6-10 francs a day in 1946 to 16-47 francs a day in 1948 for unskilled labour; but at Douala, for instance, where the minimum is 45 francs, the actual average is 75 francs.

Most of the local skilled workers are employed by the Administration, private concerns and the military and mission workshops. Centres for the training of artisans have been established at Douala and Ebolowa. No labour is recruited.

The principle of equal pay for equal work is recognized and legally enforced. The maximum hours of work are fixed by law at nine a day for private concerns and eight for employees of the Administration. In practice, most of the plantation employees observe a seven-hour day.

Since 1944 a Labour Inspectorate has been established to handle all issues connected with labour. The Labour Inspector-General has two assistants and works in co-operation with the regional administrative officers. A new labour code embracing all the principles recognized by the International Labour Organisation is being prepared for application in all territories of the French Union.

The organization of trade unions is regulated by the decree of 7 August 1944. The trade union movement is still in its formative stage. Some of its leaders are affiliated to the two major French trade union organizations.

Medical services

In 1947 the personnel of the medical services included thirty-eight European and fifty-two African doctors, four European and one African pharmacists, two European dentists, seven European and one African midwives, eighteen European and 810 African male and female nurses, fifteen European and seven African sanitary assistants. In addition, there were fifteen European doctors, four pharmacists and three midwives outside the government service.

The Territory had twenty-nine hospitals, with beds for 115 Europeans and 3,726 Africans, eighteen medical centres, eighty-three dispensaries, fifty-four consultation centres, thirty-three leper colonies, two mental hospitals, twelve sleeping-sickness centres and three day nurseries.

The hospitals in the Territory treated 29,793 in-patients and 324,608 out-patients in 1946. The medical centres treated 5,834 in-patients and 254,238 out-patients during the same period, and the dispensaries treated 446,262 out-patients.

Endemic illnesses and social diseases, particularly venereal diseases, constitute the major public health problem. They are an infinitely greater cause of morbidity and depopulation than are epidemics.

Prisons and crimes

The prison population in 1947 was 6,721. All the prisoners receive standard rations, differing in kind but not in caloric content as between Europeans and Africans. Juvenile delinquents are sent to a penal colony at Saa where they receive some technical training, or are detained in separate sections of ordinary prisons.

5. Educational advancement

General

The educational system includes (a) primary and secondary schools whose programme of work is the same as that of similar institutions in France,

(b) upper primary schools which train teachers, and (c) professional schools which follow programmes adapted to the needs of the country.

In addition to these, the Catholic and Protestant missions have one-class schools where the children learn to read in the vernacular, and receive the rudiments of religious education. Permission for the establishment of a private school is granted by the High Commissioner on condition that: (1) the language of instruction is French, (2) the programme of work is based on the methods followed by the government schools, and (3) the teachers, and especially the directors of the schools, hold a certificate recognized by the Administration.

French has been adopted officially as the language of instruction because none of the many local dialects is considered sufficiently universal or well-developed.

The Department of Education consists of a senior officer who holds the title of Secretary of the Department and a number of inspectors of primary schools, technical schools, sports and popular education.

The Territory is divided into thirteen educational sections, corresponding to the administrative regions. The head of each section directs the work of African teachers and co-ordinates cultural activities in the region. He is normally the director of the primary school of the administrative headquarters.

Schools, pupils and teachers

In 1947 there were 1,339 private and public primary schools in the Territory. The total number of pupils enrolled was 115,115, of whom approximately 16,799 were girls, and 95,612 were in private schools. In addition to these, there were three superior primary schools with 231 pupils (all African), seven secondary schools with 926 pupils (146 Europeans) and four technical schools with 280 pupils (two Europeans).

The percentage of children who actually attended school compared to the total number of children of school age was approximately 39 per cent.

Teachers in private schools numbered 2,017, of whom 141 were Europeans and 1,123 were Africans. Teachers in public schools numbered 82 Europeans and 325 Africans.

Budget allocations

Since 1938 the percentage of the expenditure allocated for education to the total budget has been as follows:

1938	1940	1942	1944	1946	1947	1948
3.8	2.5	3	4.4	6.2	6.4	9

These figures refer only to the ordinary budget. If the credits granted under the ten-year plan are added, the total expenditure on education is approximately 20 per cent.

Textbooks

Textbooks giving special attention to the geography and history of the Cameroons, and intended for use in elementary schools, are at present being prepared by teachers with an extensive knowledge

of the country. A Bureau of Pedagogical Studies under the Department of Education has been established, the principal task of which will be to adapt curricula, textbooks and teaching methods to local needs and to the general evolution of the Cameroons.

Higher education

There is no institution of higher education in the Territory, but the Medical School at Dakar accepts students from the Cameroons. There is also a scholarship system in the Territory which enables pupils of both sexes to study in France. Under this scheme 150 Cameroons students are now studying in France.

Development plans

Under a ten-year educational development scheme, it is planned to double the number of secondary schools, to establish seven urban or regional schools in the south, twenty-seven rural schools in the north, a modern college and a technical training centre in the north, a technical college and a training centre in the south, and to extend various existing schools. The expansion of secondary education facilities is expected to meet the needs of the Territory for a considerable time to come; it is not desired to create more highly educated persons than the Territory can absorb.

PART II

CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. *Political advancement*

General

The Council commends the Administering Authority for the recent reforms which are designed to contribute to the political education and advancement of the inhabitants of the Territory, namely, the introduction of suffrage and the establishment of the Representative Assembly.

The Council has not taken a stand on the question of the participation of the Territory in the French Union, as this question is being studied by a special committee of the Council.

Development of national consciousness

The Council, noting with interest the statement of the Administering Authority that, in spite of the artificiality of the boundaries and the heterogeneity of the inhabitants, a sense of territorial unity is being developed, and, being of the opinion that full development of such a sense of unity and common identity is essential in the evolution of the Trust Territory as a distinct political entity, recommends that the Administering Authority foster this development by all possible means, such as the intensification of education, the improvement of communications and the encouragement of common political activities in the Territory.

Relationship with the French Union

The Council welcomes the important assurance given by the special representative that the inhabitants will have the right at the appropriate time to determine for themselves whether they

should remain in the French Union or assume a status of independence outside the Union. The Council notes the statement of the representative of France that at the appropriate time there will be full freedom and the population will vote the laws applying to the Territory.

Representative Assembly

The Council, noting that the powers of the Representative Assembly are limited to financial and administrative matters, and in particular that the Assembly has no power to initiate legislation, which is the prerogative of the French National Assembly, urges the Administering Authority, irrespective of the present or future relationship of the Territory to the French Union, progressively to extend the powers of the Representative Assembly, particularly in the field of legislation.

Suffrage

The Council, commending the Administering Authority for the introduction into the Territory of a system of suffrage, and noting that the right to vote is at present limited to certain advanced groups of the population, welcomes the policy of the Administering Authority to take progressive measures in order to bring about universal suffrage, which the Council considers might in the first instance be applied to the election, in the more advanced areas, of the proposed new forms of regional councils and municipal commissions.

Councils of Notables

The Council, considering that a truly democratic system of government can be built only on the basis of responsible local self-government, notes with interest and approval the intention of the Administering Authority to broaden the composition of the Councils of Notables so as to include not only chiefs and notables but also representatives of trade unions, co-operatives and other groups.

Administrative services

The Council commends the Administering Authority for creating in 1947 a common civil service for Africans and Europeans, and recommends that it intensify its efforts to bring about greater participation of the indigenous population in responsible posts in the administrative and judicial services.

Administration of justice

The Council commends the Administering Authority for the abolition on 20 February 1946 of the *indigénat*, the system by which administrative officers rather than judges sentenced indigenous inhabitants to fines or imprisonment for certain offences.

2. Economic advancement

Mining

The Council, noting with interest the establishment of a State corporation, the Bureau of Mines of Overseas France, with power to acquire mining concessions and to undertake all phases of mining operations, expresses the hope that the progressive expansion of the activities of the

Bureau will have the effect of greatly increasing the share of the indigenous inhabitants in the mineral wealth of the Territory.

Industry

The Council, noting that with a marked flow of capital towards the Territory the development of new industries is being encouraged, recommends that the Administering Authority do everything in its power, by making grants and loans or other forms of assistance available, to encourage and enable indigenous inhabitants to take a full part in industrial development.

Wages and living standards

The Council, noting with concern that in the Cameroons, as in the African Trust Territories generally, the indigenous wage rates frequently are low and sometimes do not exceed the minimum subsistence level, and being of the opinion that this situation, which may have arisen from economic conditions in the past, is harmful to the economic and social development of the indigenous inhabitants, recommends that the Administering Authority carry out a special study of the problem of wages and standards of living of the indigenous population, and urges the Administering Authority to take all possible measures to raise the wage level and to improve the standard of living in terms of housing, clothing, medical and social services.

Development plan

The Council expresses its appreciation for the endeavours of the Administering Authority to improve economic and social conditions and trusts that the ten-year plan will be successful.

3. Social advancement

Population movement

The Council notes that the population of the principal town, Yaounde, has doubled within the last six years. The Council recommends that the Administering Authority take further steps to investigate the cause of this movement lest this fact may be a dangerous symptom of a disproportionate migration from country to town.

Racial discrimination

The Council notes with special interest the assurance of the Administering Authority that all vestiges of racial discrimination have been eliminated and hopes that future reports will give an account of the effective implementation of this policy.

Labour

The Council notes with satisfaction the statement of the special representative that the French Parliament is now working on labour legislation designed to fill the gap left by the absence of a suitable labour code. The Council hopes that the Administering Authority will complete such legislation and will secure its enactment at an early date.

Public health

The Council notes the Administering Authority's recognition of the fact that the number

of doctors and nurses in the Territory at present is inadequate, and welcomes the Administering Authority's statement that it is determined to find a way of increasing their number and that in this respect the Territory will soon be adequately equipped.

Prisons system

The Council recommends that the Administering Authority devote attention to the provision of rehabilitation courses for juvenile delinquents, by such methods as the establishment of vocational and technical training facilities.

The Council notes that a distinction is drawn in the prisons system, in diet and other matters, between European and indigenous prisoners, and recommends that the Administering Authority study the situation with a view to establishing prison conditions no less favourable to the indigenous prisoners than to the Europeans.

4. Educational advancement

General

The Council commends the Administering Authority for having established, under its direct responsibility, free public education, and for having increased the budgetary allocation for education from 3.5 per cent in pre-war years to 9 per cent of the total budget.

The Council considers, however, that the development of public education should be further intensified, and notes with interest the ten-year development plan for education.

Literacy rate

The Council commends the Administering Authority for having achieved a rate of literacy which is relatively high for Africa. The Council invites the Administering Authority to increase its efforts to overcome illiteracy and urges it to strive for the achievement of permanent literacy among those who have already learned to read and write.

Higher education

The Council notes with satisfaction the laudable efforts of the Administering Authority to promote higher education by a system of scholarships abroad and expresses the hope that the Administering Authority may find it possible to intensify its efforts in this direction.

Use of local languages

The Council urges the Administering Authority to study the possibility of relaxing the requirement of a knowledge of the French language for the holding of public offices.

The Council recommends that the Administering Authority further develop, through educational channels, the best features of the indigenous cultures.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

1. General

General conditions

The representative of the United Kingdom expressed confidence that, under the wise guidance of the devoted band of French officials, the pro-

gress already achieved in the Territory would continue.

The representative of Iraq stated that credit was due to the Administering Authority for its remarkable efforts in the Trust Territory, and for the diligence with which it undertook its tasks.

2. Political advancement

General

The representative of Belgium considered that the Council would be unanimous in paying tribute to the generous spirit which governed the bold political reforms which had been carried out by France and which had given the inhabitants a very large share in the administration of their affairs.

The representative of Costa Rica praised the activities revealed in the report in the field of political development.

The representative of China expressed the opinion that the Territory had made great strides in political advancement in recent years. In general, the Territory was making rapid progress towards self-government and the liberal policy of the Administering Authority in promoting political advancement was to be commended highly.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was carrying out a policy directed towards strengthening the colonial régime, and holding the Trust Territory back from its development towards self-government or independence.

The Council should recommend to the Administering Authority that it carry out measures which would lead to the most expeditious and most complete implementation of the basic objectives of the Trusteeship System.

The representative of France observed that in view of the fact that the French Constitution, the principles of which were identical with those of the Charter, had been read and explained before the Council, the opinion expressed by the representative of the Union of Soviet Socialist Republics, which took no account whatever of this communication, could not be taken into consideration.

Development of national consciousness

The representative of China noted that, in spite of the artificiality of the boundaries and the heterogeneity of the inhabitants, it had been stated that a territorial consciousness was being developed through administration and education, development of communications and common political activities. The Council would be very much interested to watch this process, since the development of a territorial consciousness, a feeling of community and a common symbol of loyalty or identification was the ultimate determination of a distinct political entity.

Relationship with the French Union

(i) *Question of sovereignty.* The representative of the Philippines suggested that the Council would have to determine whether, in actual practice, sovereignty over the Trust Territory, as distinguished from mere administrative authority, rested in the French Union, in view of the fact

that any change in the Constitution to allow the Territory to enjoy the power of legislation seemed to require the approval of the French people as a whole.

The representative of China stated that, since the Constitution and law of the French Union did not appear to make any distinction between the status of overseas territories and that of the Trust Territories, it was not clear where French sovereignty began and where it ended.

(ii) *Status of the Territory; freedom of political development.* The representative of the United States of America welcomed the important assurance given by the special representative that the inhabitants had the right eventually to determine for themselves whether they should remain in the French Union or assume a status of independence outside the Union. He also noted the statement of the representative of France that eventually there would be full freedom and the population would vote the laws applying to the Territory.

The representative of China stated that, although the beneficial and liberalizing effects of the French Union upon the peoples of the overseas Departments and territories could not be questioned, some questions did arise in connexion with the Trust Territories. In posing a list of such questions, he stated that the Council should receive some kind of legal clarification or formal commitment from the Administering Authority as to the future status of the Trust Territories and their freedom of separate evolution.

The representative of China further stated that it was incumbent upon the Trusteeship Council to see that the special status of the Trust Territories was preserved, that each Trust Territory should have its own distinctive existence and its own free evolution, and that the advancement of each Territory should be as little conditioned by and dependent upon the advancement of other Non-Self-Governing Territories as possible.

The representative of the Philippines proposed that, in spite of the enlightened policy reflected in the right of representation granted to the indigenous inhabitants, the Council should express some concern as to the effects of the inclusion of the Trust Territories in the French Union.

The Council might take note of the fact that, although the Territories had been brought into the French Union on a basis of equality with territories under French sovereignty, and might derive certain immediate advantages from this fact, some doubt might well arise as to whether this association would permit their unrestricted evolution in the spirit of the Charter.

The Council might note in particular that the Constitution of the French Union did not appear to provide for the development of full autonomy on the part of the Trust Territories, since the power of legislation was reserved to the organs of the French Union as a whole. The Council might note that any transfer or delegation of this power of legislation to the Trust Territories would seem to require a fundamental change in the Constitution, and that such a change in turn would seem to necessitate the approval of the French people as a whole.

The Council might thus observe that the determination of the form of government or the

political association subsequently to be enjoyed by the inhabitants of the Trust Territories appeared to rest with the people of the French Union as a whole, rather than with the freely expressed wishes of the indigenous inhabitants of the Trust Territories themselves, as envisaged in the Charter.

The representative of the Philippines considered that the Trusteeship Council should express the opinion that, since the two Trust Territories were large enough in size, population and economic resources to be capable of attaining a considerable degree of self-sufficiency, their political development should also be planned on a basis of self-sufficiency and should not be made dependent on the destiny of other territories under actual French sovereignty.

In this respect, the Council might take the view that it might be more consistent with the principles of the International Trusteeship System for the Administering Authority to adopt separate and special constitutional measures for these two Trust Territories, designed to create for them, at the earliest possible time, complete political autonomy, legislative and administrative.

The representative of the Union of Soviet Socialist Republics while stating that he would give his full views when the special questions of administrative union came before the Council, declared that the inclusion of the Trust Territory in the French Union was in contradiction to the provisions of the Charter for the development of the Trust Territories towards self-government or independence.

The representative of France remarked, in connexion with all the observations contained in this subsection, that he had proposed to the Council to show that the political concept of the French Union constituted the surest means of free political development. He could not admit the gratuitous statement of the representative of the Union of Soviet Socialist Republics which itself contradicted the Trusteeship Agreement signed and ratified by France, as well as the principles of the French Constitution.

(iii) *Status of the inhabitants:* The representative of China drew the attention of the Council, for purposes of study, to the fact that, although there was a legal distinction between "citizens of the French Union" and "persons under French Trusteeship administration", this distinction seemed to be diminished by the fact that "persons under French Trusteeship administration" might be members of the high organs of the French Union.

Representative Assembly

(i) *General; powers.* The representative of the United States commended the Administering Authority for the establishment of an entirely elective Representative Assembly, which was a distinct advance on those other Trust Territories with which the Council had been concerned.

The representative of China observed that, although the Assembly had been given powers to decide a considerable number of matters, including the initiation of expenditures, all these powers related to matters of purely local concern. The Assembly had no power to initiate legislation, which was the prerogative of the French National Assembly.

The representative of the Union of Soviet Socialist Republics stated that the members of the Assembly had no real powers and simply constituted a consultative organ for the High Commissioner. They could give advice when so requested, but their opinions had no obligatory force and all rules and regulations were issued by the High Commissioner on his own initiative. Consultation of the Assembly was provided for only on questions of secondary importance. The French officials actually enjoyed unlimited rights.

The representative of France observed that the assertion of the representative of the Union of Soviet Socialist Republics was contradicted by the legislative texts annexed to the annual report, in particular by the decree of 25 October 1946 which determined the powers of the Assembly.

(ii) *Suffrage*. The representative of the United States urged the Administering Authority to increase its efforts to induce a larger number of the 500,000 qualified voters to register and exercise their right to vote.

The representative of the Philippines proposed that the Council should invite the Administering Authority to study the possibility of formulating and adopting a definite programme designed to extend the right to vote on a universal basis. The Council might suggest, as a means of accelerating political education in this respect, that universal suffrage should be applied in the first instance to the election in the more advanced areas of the proposed new forms of regional councils and municipal commissions.

The representative of China, while welcoming the establishment of suffrage as a first step towards self-government, observed that the electorate was still limited in scope in that out of a total population of 2,800,000, of whom about 1,400,000 were estimated to be twenty-one years of age or more, the number of voters in the first elections was only 42,000. He expressed the hope that in due course the principle of universal suffrage might be universally applied.

(iii) *Two-college system*. The representative of the Philippines stated that the Council might note that a distinction was made in the suffrage system, and therefore in the persons elected, through the maintenance of two electoral colleges, divided broadly between French citizens on the one hand and indigenous inhabitants on the other. The Council might express the opinion that the removal of any such distinction between groups of individuals was essential to the development of a fully democratic system of suffrage, and recommend that the Administering Authority take progressive steps in that direction.

The representative of China also expressed the hope that, in due course, the two colleges might be unified.

The representative of the Union of Soviet Socialist Republics observed that the sixteen members of the Assembly elected by French citizens comprised one representative for each 162 French members of the population, while the twenty-four members elected by a privileged upper-crust of the indigenous population comprised one representative for 112,500 inhabitants. Only 1.5 per cent of the indigenous population participated in the election to what was in any case a powerless body. The Administering Authority had thus

taken special measures to ensure a position of mastery for French citizens and, by the practice of racial discrimination, deprived the great mass of the population of all political rights.

The representative of France recalled that the reasons for the existence of the double college had been explained at length to the Council, that they were far removed from any idea of racial discrimination and that, on the contrary, they demonstrated the willingness of France to lead the population of the Cameroons in a logical manner towards political progress.

(iv) *Language requirement for office*. The representative of Iraq expressed the belief that the enforcement of a language entirely foreign to peoples under trusteeship, and its establishment as a condition of holding of office and even of eligibility to vote, would jeopardize the eventual decision of the inhabitants as to their political status.

The representative of France pointed out that as far as eligibility to vote was concerned, knowledge of French was by no means a universal condition. The twelve most important categories of voters were not based on a knowledge of the language, which simply formed a thirteenth category.

Native administration

(i) *Regional councils*. The representative of China noted that the Administering Authority was planning to enlarge the membership of local and regional councils so as to include not only chiefs and notables but also representatives of trade unions, co-operatives and other economic and social groups. He expressed the hope that these organs would eventually become real bodies of local government, for it was only on a basis of such local institutions that a true democracy could gradually be built in the Territory as a whole.

(ii) *Tribal system*. The representative of the Union of Soviet Socialist Republics observed that the Administering Authority had officially maintained the anti-democratic tribal system and made use of the privileged upper group of tribal notables in the carrying out of its policy, particularly in the collection of taxes. This tribal system was inconsistent with the progressive political development of the indigenous inhabitants of the Territory towards self-government or independence. The Council should recommend that the Administering Authority should take steps to bring about a transition from the tribal system to a system of self-government based upon democratic principles, including the participation of the broad mass of the indigenous population.

The representative of France observed that such a recommendation would be absolutely pointless, since French policy had always followed the line of democratic progress.

Administrative services

(i) *African participation*. The representative of the Philippines noted that there were, as yet, very few Africans in responsible administrative positions. (See observation under *Educational advancement*, page 26).

The representative of the Union of Soviet Socialist Republics observed that all the more or less important administrative or legal posts were held by Europeans, as shown by the tables of administrative structure on pages 148-9 of the report. The Council should recommend to the Administering Authority to carry out legislative and other measures which would bring about the participation of the indigenous population in the administrative and legal services.

The representative of France observed that, in view of the legislation already in force and the continued progress of education, such a recommendation would have no point.

(ii) *Common civil service.* The representative of the United States commended the Administering Authority for creating in 1947 a common civil service for Europeans and Africans, thus taking an important step towards the elimination of racial discrimination.

Administration of justice

(i) *Powers of French officials.* The representative of the Union of Soviet Socialist Republics observed that the entire legal power and judicial authority were in the hands of French officials, who were appointed by the High Commissioner and who might be removed by him at his discretion.

The representative of France pointed out that this observation was inaccurate.

(ii) *Introduction of the French penal code.* The representative of the United States noted the abolition of Native justice in penal matters by the decree of 30 April 1946 and the subsequent application of the penal code of France. He invited the Administering Authority to furnish more detailed information as to the difficulties and problems that might develop in this bold experiment of applying penal laws framed to meet different social and economic conditions.

(iii) *Judicial powers of chiefs.* The representative of the Union of Soviet Socialist Republics observed that for convenience in administration the French officials appealed for help to the tribal notables and traditional chiefs, who had the right to settle disputes between members of their tribes. A great number of these disputes were settled by the chiefs at their own discretion.

The representative of France observed that it was entirely unwarranted to state that justice meted out by the Africans was often arbitrary, and that it was untrue to say that the French administration accommodated itself to such practices. The perfecting of the administration of justice was, on the contrary, one of the constant preoccupations of the French administration.

The representative of Belgium observed that outside the regular courts the chiefs were permitted to exercise a conciliatory function, and there was no doubt that many cases were settled by this means without any kind of intervention or control by the Administration. The Administering Authority might be invited to examine the advisability of regularizing these unofficial indigenous judgments and exercising supervision by such means as requiring written decisions, in order to protect the population against the possibility of arbitrary judgment.

(iv) *Abolition of the indigénat.* The representative of the United States commended the Administering Authority for the abolition on 20 February 1946 of the *indigénat*, the system by which administrative officers, rather than judges, sentenced indigenous inhabitants to fines or imprisonment for certain offences.

3. Economic advancement

General

The representative of Belgium expressed the hope that the new political institutions would prove by experience sufficiently fruitful to enable the economic development of the Territory, without which the finances would not bear the burden of the administration and of the cultural efforts which the Administering Authority had undertaken, particularly in the field of education.

The representative of the Union of Soviet Socialist Republics stated that the policy of the Administering Authority was leading to further economic enslavement of the Territory by foreign companies, holding the economic development of the indigenous inhabitants at its present extremely low level, and fully exploiting the natural wealth of the Territory for the profit of English and French industrial and trading companies.

The representative of France observed that, entirely contrary to the views advanced by the representative of the Union of Soviet Socialist Republics, the policy of the Administering Authority in the Cameroons had as its objective the economic progress of the inhabitants.

Land tenure

The representative of China noted that a general reform of the system of land tenure was now being studied by the French Parliament, and suggested that the Council invite the Administering Authority to include in its next annual report a full account of the existing land situation and the problems arising from it, the nature of the contemplated reforms and some account of the discussions in the French Parliament. The Council would no doubt welcome any measure designed to clarify and safeguard fully the rights and interests of the indigenous inhabitants in the matter of land tenure.

The representative of the Union of Soviet Socialist Republics stated that evidence of a violation of the rights of the inhabitants was shown by the fact (page 66 of the report) that the 2,700,000 indigenous inhabitants had legal title to only 4,600 hectares of land—0.017 hectare per person—while the 2,900 Europeans had legal title to 70,000 hectares, or 24.276 hectares per person, which was 1,428 times greater than the average amount for the indigenous inhabitants. The Administering Authority had stated that the greater part of the indigenous population held land without asking for legal title.

The Council should seriously study this situation, through its Visiting Mission, with a view to putting an end to the alienation of land to Europeans at the expense of the indigenous population, and should take up the question of the return to the indigenous population of land already alienated from it.

The representative of France pointed out that (1) the figures quoted did not take into account lands held by customary tenure, which covered almost the entire Territory; (2) registered African land holdings became subject to alienation and could therefore pass into the hands of non-Africans, which, if the practice became general, would create the danger of the way being opened to land speculation contrary to the interests of the Africans; and (3) land could be taken only from those who hold it by legal title by means of expropriation for public purposes.

Mines

The representative of China noted with interest the establishment of a State corporation, the Bureau of Mines, with power to acquire mining concessions and to undertake all phases of mining operations and suggested that the Council might invite the Administering Authority to keep it fully informed of the operations of the Bureau of Mines, including annual figures showing the proportion of mining production under its control and the amount and proportion of revenue derived from it for the benefit of the Territory. The Council might also express the hope that a progressive expansion of activities of the Bureau would have the effect of greatly increasing the share of the indigenous inhabitants in the mineral wealth of the Territory.

The representative of the Union of Soviet Socialist Republics observed that in the administration of the Bureau there were no representatives of the indigenous population, and stated that the exploitation of mineral resources was thus shown to be carried out without any participation by the inhabitants or consideration of their interests.

Industry

The representative of China noted that, with a marked flow of capital towards the Territory, the development of new industries was being encouraged. The Council might express the view that the Administering Authority should do everything in its power by making grants and loans or other forms of assistance available, to encourage and enable the indigenous inhabitants to take a full part in industrial development, and to place them upon at least as favourable a basis as enterprises supported by external private capital.

Commerce and trade; corporation taxes

The representative of the United States invited the Administering Authority to continue its efforts to ensure that a fair proportion of the profits of enterprises engaging in business in the Territory was returned to the Territory itself. It seemed of high importance that the Trust Territories should not be drained of their economic wealth. He noted the statement of the representative of France that the Administering Authority would try to work out more detailed figures on the taxation of corporations and expressed the hope that more complete information could be furnished to the Council on this matter.

The representative of the Union of Soviet Socialist Republics stated that the foreign trade of the Territory was in the hands of English and French companies. The Council should note not merely the fact of this foreign control, but also the fact of the resulting discrimination against

the indigenous population, which controlled no companies dealing in import and export trade. The Administering Authority did not know the profits of the foreign companies, which exploited the wealth of the Territory and its people and paid no taxes which would go directly towards their development. He pointed out the urgent necessity for measures to be taken to limit the unrestricted exploitation of the Territory's resources by foreign companies, such as the immediate introduction of taxes on their incomes and the use of these taxes for the health and educational services of the Territory and for the improvement of the extremely difficult material situation of the indigenous population.

The representative of France observed that it was incorrect to state that the companies did not pay taxes devoted to the development of the inhabitants of the Cameroons; the contrary was the case.

Wages and living standards

The representative of China noted that in the Cameroons, as in African Trust Territories generally, wage rates were related to the minimum subsistence level of the inhabitants. A somewhat disturbing aspect was that it was said that the workers nevertheless did not desire high wages, since their needs were simple. He doubted the validity of this argument and pointed out that the contrary might also be argued, that the needs of the inhabitants were simple because they had no means of acquiring those goods and services which satisfied their higher needs—better clothes, better housing and improved health and sanitary conditions. If economic and social conditions were to be improved, there must be an improvement in the first place, in terms of better clothing, housing, health, etc. Such improvement required positive action and initiative on the part of the Administering Authority, not only to create greater desires and needs but also to satisfy them.

The representative of the Union of Soviet Socialist Republics observed that, whereas an attempt had been made to explain the low labour productivity and frequent absenteeism by saying that the indigenous inhabitants had very meagre demands and did not like to work, the real reason was the fact that indigenous labour received a very low wage and was in a very unequal position by comparison with the Europeans.

The representative of France stated that the conclusion drawn by the representative of the Union of Soviet Socialist Republics was incorrect.

Taxation

The representative of the Union of Soviet Socialist Republics observed that matters of taxation, including the imposition of taxes, could not be decided by the Representative Assembly but were conditional upon the approval of the French Council.

The representative of France stated that he would refer purely and simply to the decree of 25 October 1946, which laid down an exactly contrary situation.

The representative of the Union of Soviet Socialist Republics proposed that the Council should recommend the Administering Authority to take

measures to replace the personal and hut tax by a progressive income tax system, or at least by an income tax system which would take into account property qualifications and ability to pay.

Customs union

The representative of China noted the abolition of the customs union between the Cameroons and French Equatorial Africa on the apparent grounds that common tariffs might have constituted an obstacle to the independence of the economic policies of these two Territories. The Council might ask for details of the simple customs convention by which the union was replaced in 1948 and an account of the difference between the two systems, including an explanation of the manner in which the previous obstacle had been overcome.

Development plan

The representative of China noted with interest the beginning of a ten-year plan for social and economic development involving a total expenditure of more than 8 thousand million francs. He expressed good wishes for the success of the plan and appreciation of the endeavours of the Administering Authority to improve economic and social conditions.

4. Social advancement

General

The representative of Belgium suggested that the Council would be unanimous in paying tribute to the boldness and the generosity with which France had extended to the African territories the social legislation and the labour code of the metropolitan country.

The representative of the United States approved in principle the forward step taken by the Administering Authority in creating at the end of 1947 a Department of Social and Cultural Affairs. He hoped that the Administering Authority, in its next annual report, would give more complete information on the objectives and accomplishments of this Department.

The representative of the Union of Soviet Socialist Republics noted that the report contained very little information regarding the conditions of work and life of the indigenous population.

The representative of France observed that this statement was incorrect. The report made it possible to obtain a clear idea of the conditions of life and work in the Cameroons.

Population movement

The representative of Costa Rica noted that the population of the principal town, Yaounde, had been doubled in the last six years. If this were a symptom of a dangerous tendency towards migration from country to town, steps should be taken to encourage the population to stay on the land, since the economy of the Territory was primarily agricultural. The Administering Authority should concern itself with discovering the cause and investigating the means of counteracting this movement.

The representative of France remarked that the authorities were concerned with the problem and were contemplating additional measures to settle

the population on the land by developing their agricultural knowledge and efficiency.

Human rights and fundamental freedoms

The representative of the Union of Soviet Socialist Republics observed that although the report stated that the indigenous inhabitants enjoyed the same rights and freedoms as the inhabitants of France itself, this statement was not in any way substantiated by the facts of the situation.

The representative of France stated that the Visiting Mission would be able to ascertain for itself a situation of which France was proud.

Racial discrimination

The representative of the Philippines noted with special interest the assurance of the Administering Authority that all vestiges of racial discrimination had been wiped out. He hoped that future reports would give a better account of the effective implementation of this policy.

The representative of the Union of Soviet Socialist Republics stated that the racial problem was completely overlooked in the section of the report dealing with social advancement, although it was one of the most outstanding problems in the Territory.

The representative of France observed that he wished to recall once again that all vestiges of racial discrimination had been abolished in all territories under French administration.

Labour

The representative of the United States noted the statement of the special representative that the French Parliament was now working on labour legislation which, when applied to the Territory, would fill the gap left by the absence of a suitable labour code. He urged the Administering Authority to complete this legislation and secure its enactment at an early date.

The representative of the Union of Soviet Socialist Republics noted that the report did not contain information on the factual situation in the field of labour, but limited itself to some formal statistics and a listing of applicable legislation and international conventions.

Public health

The representative of Iraq observed that there was room for improvement in health conditions, where the situation was extremely acute, but he was confident that the Administering Authority was alive to its responsibilities.

The representative of the United States noted the Administering Authority's recognition of the fact that the number of doctors and nurses in the Territory at present was inadequate, and welcomed the statement that it was determined to find a way of increasing the numbers and that in this respect the Territory would soon be adequately equipped.

The representative of the Union of Soviet Socialist Republics observed that the information supplied showed that the condition of public health in the Territory was very poor. The figures given on page 108 of this report showed, on the one hand, the heavy incidence of illness and, on

the other hand, the insignificant hospital service available. The report stated that endemic illnesses—malaria, trypanosomiasis, leprosy and particularly venereal diseases—were much greater causes of death and limitation of population than were epidemics. Malaria was rampant throughout the Territory and was particularly malignant as regards children. One of the reasons for this serious situation was the absolutely insufficient medical services, including the small number of doctors, and sometimes the complete lack of medical services. According to the incomplete statistics, there was only one doctor to about 300,000 of the indigenous inhabitants and to each 4,292 patients. He considered it essential that the Council should recommend to the Administering Authority to take urgent measures for a decisive improvement in the health situation, for which it would be necessary substantially to increase the budget allocations for health services and the number of hospitals, clinics and doctors, with special attention to the training of doctors from among the indigenous inhabitants themselves.

The President of the Council suggested that the Administering Authority should take account, in its next annual report, of the observations of the representative of the World Health Organization.

Prisons system

The representative of Costa Rica observed that no re-orientation courses existed for juvenile delinquents and that this matter deserved the greatest attention and care. The Administering Authority should concern itself, for instance, with the establishment of vocational and technical courses and the general re-education of delinquents.

The representative of Costa Rica noted that different diet scales were provided for European and indigenous prisoners. The special representative had explained that a European could not be submitted to the African diet, but the desire of the representative of Costa Rica was that the African should have the same diet as the European.

The representative of France remarked that this was not a case of discrimination, but was merely recognition of the fact—as was also the case in the military organizations—that the customary diets of the two groups were different. There was no difference as far as the amount of calories provided was concerned.

5. Educational advancement

General

The representative of the Philippines observed that the educational policy of the Administering Authority appeared to be characterized by three special features: the direct assumption of responsibility for education, the establishment of free education in government schools, and the use of a common language. He proposed that the Council should commend the Administering Authority on these principles of policy which he believed should be adopted in all Trust Territories.

The representative of the Union of Soviet Socialist Republics stated that the unsatisfactory educational situation, with 82 per cent of the population illiterate and only one-half of the school-age children at school, was holding back the development of the Territory towards self-govern-

ment or independence. The Administering Authority should take urgent measures to bring about the improvement of primary, secondary and higher education. He pointed out that, according to official data, the proportion of children aged 7-13 in schools was only 39 per cent, children aged 13-17 on the secondary level only 9.1 per cent, and students aged 17-20 in the second degree only 0.95 per cent.

Budget allocations

The representative of the United States commended the Administering Authority for having increased its budget for education to 9 per cent of the total budget instead of the 2 to 3½ per cent of the pre-war years.

The representative of the Union of Soviet Socialist Republics expressed the view that the budgetary allocations for education should be increased.

Public and private schools

The representative of the Union of Soviet Socialist Republics proposed that the Council should recommend to the Administering Authority to have basic education carried out in government and not in private schools.

The representative of France observed that if educational conditions were as yet unsatisfactory, as the representative of the USSR himself had indicated previously, it would not be fitting to deprive the African population of the still indispensable assistance of subsidized private schools.

The representative of Costa Rica stated that, although the ratio of one teacher to forty-seven pupils in the schools was almost satisfactory, too many teachers in private schools had not adequate training and technical background. The Administering Authority should do all it could to increase the number and scope of public schools, since the teachers there were better trained and had higher standards than in the private schools.

Number of schools and teachers

The representative of the United States commended the Administering Authority for having opened 150 new elementary classes in 1947.

The representative of the Union of Soviet Socialist Republics proposed that the Council should recommend to the Administering Authority to increase the number of schools and teachers, and to take all school-age children into school. He expressed the view that special attention should be paid to the training of teachers for the indigenous population.

Development plans

The representative of the United States noted the extremely encouraging plans of the Administering Authority for educational development in the next few years.

The representative of China stated that the ten-year educational development plan appeared to be a very encouraging aspect of the administration of the Territory; future annual reports should fully cover the progressive development of education.

The representative of the Union of Soviet Socialist Republics described the plan as completely insufficient to satisfy the requirements of the indigenous population. It envisaged, for instance, the creation of twenty-seven rural schools, at a time when one-half of the school age children were not studying in schools and 82 per cent of the population was illiterate. Yet the special representative had said that in order to bring about complete education for all children of school age, which was the basic objective, one thousand schools were needed.

Secondary and higher education

The representative of the Philippines proposed that the Council should note that under the ten-year educational development plan it was intended to increase the number of secondary establishments from six to twelve. Since the present schools could accommodate no more than 780 African pupils, a mere doubling of the present enrolment would fall short of the great need for educated Africans who could assume greater responsibility in the administration of the Territory.

The Council should take the view that in a territory of some 2,700,000 persons, the proposal to have only twelve secondary schools for the next ten years or more pre-supposed that the political, economic and social conditions of the inhabitants would remain almost at a standstill. The Council should note that there were, as yet, only a very few Africans in responsible administrative positions, and that there was a shortage of doctors and other trained persons. It should point out, therefore, that the scope of and need for the employment in the administration alone, demanded more energetic measures to produce Africans with the proper qualifications.

Furthermore, the Council should express the hope that the next ten or fifteen years should show a much greater advance in the economic, political and social progress of the Territory and a much greater increase in the responsible participation of the Africans in this field, all of which would require the most vigorous implementation of educational policy.

The representative of Iraq stated that there seemed to be room for improvement of higher education, and that the Administering Authority was aware of its responsibility in this matter.

Education of Moslems

The representative of Iraq expressed the opinion that the Administering Authority must make an earnest effort to disseminate education among the groups of the population belonging to the Moslem faith, by establishing schools and educational centres to suit their own particular culture and background.

Curricula; agricultural instruction

The representative of Costa Rica stated that in the curricula for indigenous pupils greater emphasis should be placed on agricultural instruction, since the economy of the Territory was agricultural and the population should be taught to cultivate the soil by increasingly efficient scientific methods.

Use of local languages

The representative of the United States noted that the authorities of the Togoland Territories under British and French administration were studying the problem of whether the vernacular or the metropolitan language should be used in the first years of instruction, and that the Department of Education of the Cameroons under French administration was planning an experiment in vernacular education. He also invited the Administering Authorities to put their best co-operative efforts into a further study of this question.

The representative of the Philippines welcomed the use and teaching of the French language in public schools maintained by the Government. None of the numerous dialects had ever reached a national level, but the development of French as a national language would bring about the sense of unity and nationalism which was desirable in the progress of a people towards self-government or independence.

The representative of Iraq expressed the view that there must exist a vernacular of some sort that could be encouraged, instead of enforcing a foreign language which, carrying foreign traditions, background and culture and being conditional to the holding of office, would jeopardize the eventual self-determination of the inhabitants. Since the populations of even the most advanced nations could hardly be expected to know a second language, it seemed somewhat arbitrary that people under trusteeship were by law required to know a foreign language before they could exercise their rights as citizens. The knowledge of a secondary language must be second to the development of a local vernacular, which was essential to the respect required by Article 73 of the Charter for the indigenous culture of a Territory.

The representative of the Union of Soviet Socialist Republics stated that in the use of the French language at all stages in all recognized private and government schools the national characteristics of the population were not taken into account. The lack of a single *lingua franca* in the Territory had been advanced as one of the reasons for the lack of teaching in Native languages, but during the several years in which France had been the Administering Authority the various local languages could have been carefully studied and a common alphabet and one or more of the most popular local languages could have been developed.

He proposed that the Council should recommend to the Administering Authority to have education conducted in local languages.

The representative of France emphasized the existence of a great number of dialects which were not even of the same linguistic origin, and none of which was sufficiently developed to serve as a basis for education. Even if local dialects were used at the elementary stages, pupils would be at a disadvantage in going on to higher education—especially in such fields as medicine and technical training—for which the local dialects were simply not equipped. The Administering Authority was equally concerned that the local culture should not be destroyed by the teaching of a foreign language, and considerable studies were being carried out for the purpose of preserving the African culture.

Literacy rate

The representative of the United States commended the Administering Authority for having achieved a rate of literacy that was relatively high among the Non-Self-Governing Territories of Africa. He invited the Administering Authority to increase its efforts to overcome illiteracy and urged it to strive for the achievement of permanent literacy among those who had already learned to read and write.

The representative of the Union of Soviet Socialist Republics drew attention, in emphasizing the urgent need for educational improvement, to the fact that according to official data the high proportion of 82 per cent of the population was illiterate.

Library services

The representative of the Union of Soviet Socialist Republics noted the existence of only fifteen small libraries in the entire Territory, nine of them possessing only about 300 to 500 books. Furthermore, the greater number of publications in circulation were in the French language and were thus not available to the majority of the indigenous population.

He proposed that the Council should recommend to the Administering Authority to increase substantially the number of libraries and the number of books in local languages.

6. Miscellaneous

Form of the annual report

The representative of the United States observed that, although the quality of the report was high, there were at least twelve instances in which answers to several questions were combined. This seemed to make the examination of the report unnecessarily difficult.

The representative of the Union of Soviet Socialist Republics stated that the information contained in the report was insufficient and inexact and did not give a true picture of the situation in respect of the fulfilment of the basic objectives set forth in Article 76 of the Charter. Instead of concrete data on any given question, the report was limited to general statements, and although the questioning of the special representative and the representative of France made it possible to clarify some points, in many cases the special representative had said that he had not the necessary information.

3. Togoland under British administration

The report of the United Kingdom Government on Togoland under British administration for the year 1947 was received by the Secretary-General on 21 June 1948 and, having been transmitted¹⁶ to members of the Council on the same date, was placed on the agenda for the fourth session of the Council.

During the 6th meeting of that session, Mr. D. A. Sutherland, who had been appointed as

special representative of the Administering Authority, made an opening statement on conditions in the Territory. Mr. Sutherland subsequently submitted written answers¹⁷ to written questions¹⁸ addressed to him by members of the Council on the report and on the administration of the Territory. During the 22nd, 23rd and 24th meetings, the representative and the special representative of the Administering Authority answered oral questions of members of the Council. During the 29th and 30th meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and requested the Drafting Committee on Annual Reports to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft¹⁹ prepared by the Drafting Committee was considered by the Council at the 48th meeting. One amendment was made to part III of the draft and one paragraph of part III was deleted. At the suggestion of the President, parts II and III were transposed. The report, as amended, was then adopted.

PART I

OUTLINE OF GENERAL CONDITIONS AS STATED IN THE REPORT OF THE ADMINISTERING AUTHORITY AND BY THE SPECIAL REPRESENTATIVE

1. General

Area, topography and climate

Togoland under British administration consists of a narrow strip of land about 320 miles long with an average width of about 40 miles. It lies just north of the Equator between the Gold Coast and Togoland under French administration. Its area of 13,040 square miles is divided into a Northern Section of 10,576 square miles, and a Southern Section of 2,464 square miles. The Southern Section consists of flat, lightly forested savannah country in the south and very hilly and more densely forested terrain in the north. The Northern section is generally flat, with a predominantly savannah type of vegetation. Rains normally fall from May to October inclusive, the yearly total varying from about 40 inches in the north to about 80 inches in the south. Annual mean temperatures range between 70.6° and 93.5° F.

Population

The indigenous population is estimated at 382,200, consisting of 209,900 in the Northern Section and 172,300 in the Southern Section. The majority of the people in the Southern Section are Ewes; there are various tribes in the north, some of Sudanese origin.

There is no civil register in the Territory.

2. Political advancement

General

The Territory is administered as an integral part of the Gold Coast; it does not possess legis-

¹⁷ T/254.

¹⁸ T/250.

¹⁹ T/287.

¹⁶ T/186.

lative, administrative or budgetary autonomy. The Governor of the Gold Coast is responsible for the administration of Togoland. The seat of the Government is in Accra, Gold Coast.

For administrative purposes, the Territory is divided into two Sections. The Northern Section is administered as if it formed a part of the Northern Territories of the Gold Coast; the Southern Section is administered as if it formed a part of the Gold Coast Colony. There is no organic law defining the status of the Territory.

The Northern Section of Togoland consists of one district and parts of three other districts of the Northern Territories of the Gold Coast. The Southern Section forms the larger part of a district of the Eastern Province of the Gold Coast Colony.

Chief Commissioners represent the Governor in the Northern Territories of the Gold Coast and the Gold Coast Colony. District Commissioners in charge of districts are responsible in the Northern Section to the Chief Commissioner of the Northern Territories of the Gold Coast; in the Southern Section, the District Commissioner is responsible to the Chief Commissioner of the Gold Coast Colony through the Provincial Commissioner.

The Governor of the Gold Coast is assisted by an Executive Council consisting of seven ex-officio members and such other persons as may be appointed by him. None of the members is from the Trust Territory.

The Gold Coast Legislative Council, consisting of thirty-one members with an unofficial majority, debates and enacts all legislation which affects the Gold Coast generally. No indigenous inhabitant of the Trust Territory is a member of the Legislative Council.

The Governor is the legislative authority for the Northern Territories of the Gold Coast (including the Northern Section of Togoland). A Territorial Council was formed in 1947 which discusses and advises upon draft legislation affecting the Northern Territories. It is intended that this development should lead to representation of the Northern Territories in the Legislative Council.

There are no suffrage laws or regulations in the Territory.

Native Authorities

Local government institutions in the Southern Section comprise the Native Authorities and State Councils, constituted in accordance with the provisions of the Native Administration (Southern Section of Togoland) Ordinance. State Councils are constituted by the paramount chiefs and divisional chiefs of the State. There are also Divisional Councils which consist of the divisional chiefs sitting with their divisional sub-chiefs. State and Divisional Councils have power to enquire into all disputes of a constitutional or political nature which arise within the limits of the State or division.

In the Northern Section the local government institutions are also Native Authorities. They have power to make rules subject to the approval of the Chief Commissioner.

Attempts have been made in the Southern Section to establish enlarged districts. The purpose is to ensure a greater measure of continuity of policy, and to amalgamate, administratively, kindred tribal units.

Ewe problem

The consideration given by the Trusteeship Council to the Ewe petitions and the Anglo-French memorandum concerning this problem was the main event of the year. An administrative reorganization took place in the Southern Section. The Keta (Anlo) District and the Ewe-speaking portion of the Ad District of the Gold Coast Colony were amalgamated with the Southern Section for administrative purposes, under a Senior District Commissioner at Ho. This amalgamation is designed to secure greater continuity of service by administrative officers among related tribal units and a concentration of departmental officers in Ho which will allow of more co-operation than before.

Judicial organization

The Southern Section is regarded for judicial purposes as being within the Gold Coast Colony and the Northern Section as being within the Northern Territories of the Gold Coast.

The judicial organization includes two sets of courts: (1) the Supreme Court and the Magistrates' Courts, which administer English law, and (2) the Native Tribunals and Courts, which administer Native law and custom. Administrative officers have powers of review and transfer in Native Courts.

Appeals proceed through the Magistrates' Courts, the Chief Commissioner's Court and the Supreme Court of the Gold Coast to the West African Court of Appeal.

English is the language of the Magistrates' Courts and the Supreme Court. Native Courts hear cases in the tribal language, but court records are kept in English.

3. Economic advancement

Agriculture

The economic basis of the Territory is almost wholly agricultural and pastoral. Probably 95 per cent of the people are full-time peasant farmers, living slightly above subsistence level. Abnormal weather conditions can bring about food shortages or even famine, though there is normally no serious deficiency in food supplies, except in the north.

With the exception of an unsurveyed area of some 800 square miles, nearly the whole of the Territory (13,040 square miles) is arable. There is no information available as to the acreage or production of crops within the Northern Section. In 1947, 130,511 acres in the Southern Section were estimated to be devoted to the cultivation of the principal crops.

Land tenure

Land in the Southern Section generally belongs to the tribe, but the individual occupier enjoys security of tenure, so long as he has the consent

of the chief and keeps his land under cultivation. With the introduction of permanent crops, such as cocoa, the tendency has been toward individual as opposed to communal ownership of land. The indigenous priest-kings, the Tendanas, in the Northern Section, have the sole authority to grant or terminate rights of occupancy and receive the customary offerings to propitiate the spirits.

Under the Administration Ordinance, no indigenous person in the Northern Section may, without previous consent of the Governor, alienate any estate, right or interest in any land to any person not a Native. Under the Public Lands Ordinance, the Gold Coast Government may acquire land for public service; a total of 5.24 square miles has been so acquired.

In the Northern Section the non-indigenous population comes under the Land and Native Rights Ordinance which prevents undue encroachment on the land by strangers. The Chief Commissioner of the Northern Territories is empowered under the Administrative Ordinance to acquire land for public service. With the exception of some 258,000 acres held by the Government, by missions and by some non-indigenous Africans, all the land in the Northern Section is held by the indigenous inhabitants communally.

Livestock

The Territory stock population in 1947 included approximately 586 horses, 1,304 donkeys, 11,101 pigs, 43,345 goats, 43,530 cattle and 55,255 sheep. The quality of domestic livestock is low; protozoal diseases are serious and the standards of animal husbandry are poor.

Forests

Forestry policy is directed towards conservation rather than any large-scale economic exploitation. The forest law provides for the constitution of forest reserves which are managed by duly appointed forest officers. The Timber Protection Ordinance prevents the cutting of certain valuable timber trees while immature. Some 242 square miles have been reserved. It is estimated that the total forest products of the Territory in 1946 amounted to 6,046,300 cubic feet, including sawn timber, roundwood, firewood, charcoal etc. There is no export of forest products with the exception of small quantities of ebony, such as carvings.

Minerals

No mineral deposits of economic value are known and no mines are operated in the Territory.

Commerce, trade and industry

It is not possible to separate the Territory's trade figures from those of the Gold Coast.

External trade consists of the exports of agricultural produce. Cocoa accounted for 98 per cent of the total export for the period 1943-1947.

Both the Territory and the Gold Coast are governed by the same custom laws. No customs agreements with neighbouring territories are in effect.

Apart from government controlled commodities, i.e., cocoa, coffee and palm kernels, any person

is free to export goods, while imports are subject to a licensing system designed partly for the control of currency and partly for the control of quantity where the goods are subject to international allocation.

There are no major manufacturing industries, and the amount of outside private capital invested is negligible. The principal local handicrafts and industries are brick and tile-making, weaving, collection of beeswax and honey, ivory and ebony carving; these are mainly located in the Southern Section.

There are ten co-operative societies established in the Territory with a total membership of 1,893 persons. A Federation of Co-operative Societies sells cocoa to the Cocoa Marketing Board on behalf of its constituent members.

An ordinance has been passed to establish an Industrial Development Corporation designed to aid Africans and others in the development of local industries.

In the Territory a strong and continuous demand for imported consumer goods of all types is apparent and the prices of those available have been high.

Gold Coast Marketing Board

Cocoa is purchased at fixed prices on behalf of the Gold Coast Marketing Board by licensed firms and by co-operative societies. The estimated average tonnage of cocoa produced in Togoland in the period 1943-1947 was approximately 14,000 to 16,000 tons and accounted for 98 per cent of the total export. The Board, which was set up by statute as a semi-public corporation, began operation in 1947 with an initial capital of £14,000,000 handed over by the West African Produce Control Board. The present Board sells its cocoa at world prices and is charged with the duty of operating its fund for the benefit of the industry, particularly with a view to cushioning the effects of price fluctuations. No inhabitant of Togoland is a member of the Board.

Public finance

No national income estimates are available.

It is not possible to give separate financial figures for the Territory; the figures given for the Gold Coast do not necessarily present an accurate picture of the Territory's finances.

The main forms of government taxation are income tax, excise and licensing fees, import and export duties, the last accounting for a large proportion of the total revenue and being chiefly collected at the ports of the Gold Coast. In the Territory only companies and higher income level groups are liable to pay income tax. Native Authority revenue is derived principally from market tolls, slaughter house and lorry park fees, licence fees, capitation tax, the last varying from 2 to 6 shillings per head per year and being normally paid individually. Tax defaulters are generally sentenced to a fine or imprisonment for three months or both.

4. Social advancement

Human rights

Freedom of thought and conscience and free exercise of religious worship and instruction are

ensured to all inhabitants. There is no restriction on the exercise of the right of petition, provided the petitioner follows the procedure laid down.

The only political association in the Territory is the Ewe Conference which was set up in June 1946.

No newspapers are published in the Territory. Gold Coast newspapers which circulate in the Territory are not censored.

Ordinarily the English law of arrest prevails, with its concomitant safeguards. Native Authorities have certain defined powers in the prevention of crime and the arrest of offenders. All elements of the population are subject to the same laws with regard to the safety of their person and property.

No restrictions exist governing the free movement of the population within and outside the Territory.

Slavery

Slavery practices no longer exist. In the Northern Section the pledging of children for debt may be practised, and there is child betrothal in some areas.

Status of women

Politically, the women of both Sections have a lower status than men.

The legal status of women in civil law is equal to that of men, but indigenous tribunals accept and enforce the rights of women only in accordance with indigenous custom. Polygamy is practised. Child marriage exists but not to the same extent as in the past.

Women play an important part in the economic life of both Sections, having a virtual monopoly of all petty trade in local produce and a large share in the trade in imported goods.

It is not customary for women to take employment as wage earners in any occupation, but they are not debarred from doing so. Opportunities exist for women to enter and train for government service but their general lack of education has prevented them from being more widely employed by the Government.

Social security and welfare

A Government Department of Social Welfare and Housing is responsible for the organization of social welfare. The total expenditure under this head in 1947 was £43,800.²⁰ It is not possible, however, to distinguish the services provided specifically for the Territory from those provided generally for the Gold Coast, nor the amount spent specifically for the Territory. There is no organized social welfare work in the Northern Section and measures for undertaking such activities are only now being extended to Togoland.

Other than provisions made by the Government for workmen's compensation in case of accidents and pensions paid to retired government officers, there are no services provided or contemplated with respect to widows' pensions, old age pensions, maternity benefits or other aspects of social security.

Standards of living

No family living studies or other surveys of cost of living have been made. There has been an increase in the average prices of imported articles and a high rise in prices of textiles used as clothing. A slight but general improvement in the standard of living has taken place during recent years owing to improved communications, higher prices for agricultural produce, and improved water supplies.

Labour

Approximately 20,000 to 25,000 workers are employed in cocoa farming each year. The Government and the Native Authorities employ approximately 700 and 1,200 workers respectively. The local demand for labour is normally satisfied. There is little opportunity for the absorption of skilled labour owing to the absence of industrial and technical works of any importance. No recruiting of local or outside labour by either public or private organizations is carried out in the Territory. Compulsory labour for public works and services is not permitted although, subject to the approval of the District Commissioner, chiefs may call upon such labour for certain economic purposes within the limits permitted by the Forced Labour Convention.

Standards for wages are set by the Government in the Southern Section, where they vary from 2s. 6d. per day for labourers to a maximum for overseers of 200s. per month. In the Northern Section standards for wages are set by the Native Authorities and wages are lower than in the Southern Section. No information is available of rations being provided by employers as a part of remuneration. Labour employed by Government and Native Authorities generally works 45 hours per week. Hours of work on cocoa farms are not fixed and therefore vary.

The only dispute that arose in 1947 occurred in the Krachi district, where forty sanitary labourers employed by the Government and Native Authorities went on strike. It was brief and was promptly settled.

There are no trade unions in the Territory.

Those conventions and recommendations of the International Labour Organisation accepted by the Government of the United Kingdom on behalf of the Gold Coast have been equally applied to the Territory. The terms of conventions which have not so far been applied in the Gold Coast have been taken into account in the draft Labour Ordinance, 1948, which will be applicable to the Territory.

Public health

The medical and health services of the Territory form part of the services of the Gold Coast Medical and Health Department. In 1947 the Medical and Health Department's personnel in the Territory consisted of two medical officers stationed at Ho and Hohoe. There are no medical officers stationed in the Northern Section but a medical officer in the Northern Territories of the Gold Coast makes fairly regular visits, mainly in the large towns. Medical officers in charge of mass treatment campaigns visit this area.

²⁰ £ = West African pounds.

In addition, there are two licensed midwives, five qualified nurses, four sanitary inspectors, four qualified dispensers, two ward attendants, three village overseers, two vaccinators and one field assistant.

In 1947 there were four government hospitals and one dispensary, two mission dispensaries, two leper settlements, and five ante-natal and child welfare clinics in the Territory. Government hospitals treated 1,413 in-patients and 17,999 out-patients during 1947, while clinics or medical centres treated 27,572 in-patients and out-patients. Mass treatment of yaws and trypanosomiasis is carried out in the Territory, as well as routine anti-smallpox vaccination.

Frequent outbreaks of smallpox and cerebro-spinal meningitis on the north-eastern border of the Northern Territories and the Kete Krachi area have made it advisable to place the whole area under the Infectious Diseases Ordinance.

No figures for actual expenditure for 1947 are available. Plans for medical and health development have been delayed through lack of medical staff, essential materials and equipment.

Prisons and crimes

There are four prisons in the Territory classified as local prisons under the control of the Gold Coast Prisons Department. Prisoners sentenced to twelve months and over are transferred to central prisons of the Gold Coast.

During 1947, 504 persons were committed for debt, on remand and for penal imprisonment, the latter totalling 381 persons. Corporal punishment may by law be applied to both indigenous and non-indigenous inhabitants, although it is rarely imposed upon adults. The law does not inflict penalties of forced residence or deportation in respect of indigenous inhabitants of the Territory, but aliens convicted of serious crimes may be deported.

Juvenile delinquency

No juvenile under fourteen years of age is imprisoned. Offenders between fourteen and sixteen are committed to the Industrial School at Agona Swedru, Gold Coast, and those between sixteen and twenty to the Industrial Institution, Accra.

There are special laws applying to juveniles, and the courts are empowered to consider a wide range of methods of dealing with juvenile offenders. Juvenile courts have recently been established in the Gold Coast; arrangements are in force whereby a juvenile offender in the Territory is treated in the same manner as in the Colony.

5. *Educational advancement*

Administration

Control and development of education in the Territory are the responsibility of the Education Department of the Gold Coast. All schools are open to inspection by the Education Department and all grant-aided institutions must achieve and maintain certain minimum standards of efficiency, staffing accommodation, equipment and teachers' salaries.

Government expenditure on education

The Gold Coast budget for 1947 provides for an expenditure of £1,212,760 for education and

the construction of schools. No separate figures are given for Togoland.

Schools and curriculum

In 1947 there were 370 primary schools in the Territory; of these 128 were State-assisted. Of the 242 non-assisted schools, sixty-three were classified as designated schools and were entitled to receive grants from the Native Authorities.

All schools in the Southern Section are conducted by missions. In the Northern Section, schools in the majority of cases are managed by Native Authorities and facilities for education are very limited.

With the exception of two two-year post-primary teacher training colleges, there are no secondary schools, technical schools, or institutions of higher learning in the Territory. Facilities for education on these levels are available in the Gold Coast and attendance at these schools may be facilitated by grants from the Government. Scholarships are available in the United Kingdom for qualified Africans.

The medium of instruction in the lower classes of the primary schools is the vernacular of each area. In the upper classes, English replaces the vernacular as the medium of instruction.

Pupils

The estimated school age population (6-15 years) of the Territory is 75,733. The total enrolment in the primary schools in 1947 was 22,576 of whom 21,985 were in the Southern Section and 591 in the Northern Section.

Adult education

With the exception of the Public Relations Department's mobile cinema and news bulletin, the social centres at Yendi and Kete Krachi, and some mission experiments, no comprehensive scheme for adult education has been formulated. There are no public libraries in the Territory.

PART II

CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. *Political advancement*

General

The Council, concerned over the difficulty in performing its supervisory functions with respect to the Trust Territory, arising from the fact that the Territory has been integrated for administrative purposes into different administrative divisions and sub-divisions of the British Colony of the Gold Coast and from the fact that the integration is so carried out that even on the lowest levels of administration certain portions of the Trust Territory are being administered by Native Authorities with seats outside the Territory, with the result that there is no legislative, judicial or budgetary autonomy in the Territory, and consequently, no adequate figures and data which would enable the Council to appraise the exact status or situation of the Trust Territory, recommends that, pending a final solution of the question of these administrative arrangements, the Administering Authority review the situation and take steps or

institute measures, such as budgetary autonomy for the Territory, which will enable the Trusteeship Council better to perform the duties and functions vested in it by the Charter, and requests that the Administering Authority include in future annual reports precise and separate data on all common services.

Differences between Northern and Southern Sections

The Council, considering that the Northern Section is notably less-developed than the Southern Section recommends that the Administering Authority take such measures as will rapidly develop the Northern Section.

Suffrage and participation in organs of government

The Council recommends that the Administering Authority consider the possibility of establishing, as soon as practicable such democratic reforms as will eventually give the indigenous inhabitants of the Trust Territory the right of suffrage and an increasing degree of participation in the executive, legislative and judicial organs of government preparatory to self-government or independence.

2. Economic advancement

The Council recommends that the Administering Authority review from time to time its policy with respect to the cocoa industry, to the end that the cocoa producer may get the most direct benefits from his cocoa produce.

3. Social Advancement

General conditions

The Council recommends that uncivilized practices which are gradually disappearing, such as child marriage, should be expressly forbidden by law.

Wages

The Council recommends that the Administering Authority take appropriate measures to establish wages at a level which would not only enable workers to meet the expenses of every day life but would also raise progressively their standard of living.

Standard of living

The Council, considering that cost-of-living studies would provide important information on prevailing conditions and might serve as a basis for a realistic policy designed to ensure the well-being of the indigenous population, recommends that the Administering Authority undertake such studies as soon as possible.

Corporal punishment

The Council, considering that corporal punishment is a humiliating practice inconsistent with the spirit of the Universal Declaration on Human Rights, urgently recommends that the Administering Authority immediately abolish this practice.

Health

The Council, noting with concern that only two medical officers are stationed in Togoland and that hospital, dispensary and other medical and health facilities are inadequate for a reasonable programme of medical and health care for the population of the Trust Territory, recommends the Administering Authority to take measures to increase the numbers of doctors and other trained personnel and to take all further steps necessary to provide for the medical and health needs of the indigenous population.

Health and education

The Council recommends that the Administering Authority increase the budgetary allocations for educational requirements and other cultural needs, as well as for the public health services.

4. Educational advancement

The Council notes the plans of the Administering Authority for educational development and recommends that the Administering Authority press forward energetically with these plans especially in the Northern Section of the Territory.

The Council, desiring to emphasize the decisive influence which education plays in the political, economic and social advancement of a people, and noting that in Togoland under British Administration education is still backward, and almost entirely left in the hands of private initiative, that it is not available free of charge and that generally the fees payable are too high; urges the Administering Authority to press forward more vigorously in its efforts to develop and increase educational facilities, particularly in the Northern Section where literacy is admittedly very low, and to devise ways and means to make education as inexpensive as possible so as eventually to make primary education free and secondary education not dependent on means, and further urges the Administering Authority to institute a programme of mass and adult education; welcomes the present attempts of the Administering Authority to encourage higher education, and expresses the hope that efforts in this direction will receive added momentum through an increasing number of government scholarships abroad.

The Council urges the Administering Authority to make an earnest effort further to develop through educational channels the various indigenous cultures of the population.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS

1. General

General advancement

The representative of the United Kingdom referred to a tendency in some quarters to overlook the positive advancement of the Territory due to British administration and to see only the admitted backwardness. British Colonial Administrators were well aware that a great deal remained to be done; they deplored as much as anyone the slow progress in certain fields. Another tendency was to regard British policy in the Colonies as less advanced than that laid down in the Charter for Trust Territories. The Charter and Trusteeship

Agreements were based very largely on British policy. Owing to that policy, the people in the Gold Coast were much further advanced than those in Togoland, which had been under British rule for only a little more than twenty-five years. It was British policy to bring the peoples of the Trust Territories up to the level of their neighbours as quickly as possible.

The representative of New Zealand thought the Council would be well advised to reserve its final opinion on the Territory and to formulate only tentative conclusions until the report of the Visiting Mission was received.

The representative of the United States of America noted that the policy of the Administering Authority was to bring the peoples of the Trust Territory up to the level of their neighbours in the Gold Coast as quickly as possible. He believed that the Administering Authority should increase its efforts in this direction.

Differences between Northern and Southern Sections

The representative of Belgium noted the contrast in development in the two Sections of the Territory. The situation was encouraging in the south; in the north it was much less so. It appeared that the efforts expended by the Administering Authority had been less intensive in the north than in the south. It might be asked whether the Administering Authority should not take active steps to speed up the development of populations which had less contact with modern civilization.

2. Political advancement

General observations

The representative of the Union of Soviet Socialist Republics stated that a characteristic feature of the Territory was the complete absence of political rights for the inhabitants. He believed that the Administering Authority was not complying with the requirements of the Charter of the United Nations to promote the development of the inhabitants towards self-government or independence. He thought it incumbent on the Council to adopt recommendations which would ensure compliance with these requirements.

Administrative integration of the Territory with the Gold Coast

(i) *Identity of the Territory: supervision by the Council.* The representative of the Philippines observed that the Territory had been divided into Southern and Northern Sections and that these regions had been incorporated for administrative purposes into various provinces of the Gold Coast. His delegation felt that because of this incorporation it was difficult, if not impossible, for the Council to exercise its supervisory function over the Territory as was required by the Charter. As a specific example, he mentioned the difficulties of ascertaining what proportion of the budget was allocated to Togoland. He remarked that effective administrative control of the Territory was located outside the Territory and that even the various parts of the Territory seemed to be handled under different policies. The Gold Coast managed those parts of the administration which should properly be reserved for the Administering Authority.

The representative of Iraq believed that the administration of the Trust Territory from the adjacent Colony was a cumbersome arrangement. There were obvious fundamental differences distinguishing a Trust Territory from a colony. The Administering Authority was responsible for developing the Trust Territory towards self-government. With the establishment of the centre of administration outside the Territory itself it was difficult for the Trusteeship Council to form an accurate appraisal of the Territory's progress.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had annexed the Trust Territory to the Gold Coast. The Governor of the Gold Coast was also the Governor of Togoland; the Territory had no administrative or legal autonomy; and the inhabitants and the Territory itself had no special or separate status. The southern part of Togoland was administered as an integral part of the Gold Coast Colony while the northern part was deemed to be an integral part of the Northern Territories of the Gold Coast. Even within the framework of this unified administration the Territory was neglected politically, economically and socially. He therefore considered that the unification of Togoland with the Gold Coast was incompatible with the provisions of Article 76 of the Charter.

The representative of China noted the lack of legislative, judicial or budgetary autonomy for the Territory which was integrated with the administration of the Gold Coast. The integration was of such a nature that various portions of the Territory were integrated separately for administrative purposes into different administrative divisions and subdivisions of the Gold Coast. This integration was carried down even to the lowest level of administration so that certain sections of the Territory were administered as parts of Native Authorities having their seats of administration in the Gold Coast. The Trusteeship Council could hardly consider Togoland as an entity having a separate political existence. In actual fact the Territory was merely administrative bits and pieces of the Gold Coast. The Trust Territory should preserve its international status, its own administrative unity, so that it might be a potential self-governing or independent body. The Territory was so completely integrated with the Gold Coast that it was very difficult for the Trusteeship Council to gain a clear understanding of the conditions which existed in the Territory.

The representative of New Zealand stated that there were three obvious comments to be made on administrative unions. First, that circumstances could be conceived where such an administrative union would be of real tangible benefit to a Territory. Secondly, where a Trusteeship Agreement specifically established the right to form an administrative union there could be no question of the legitimacy of such an action. Thirdly, where an administrative union had been established, it inevitably made for difficulties as there was no doubt that the Council was severely handicapped in its work because the separate figures to which the Council was entitled were not available.

The representative of the United Kingdom could not agree that the administrative structure of Togoland was a handicap. It was a practical method fully in accord with the Trusteeship Agreement. This administration had been enforced for twenty-five years and was known to exist

when the Trusteeship Agreement was accepted. Nor was the relation of Togoland to the Gold Coast an administrative union in the ordinary sense of the term. He referred to article 5 (a) of the Agreement from which the arrangement in Togoland had been derived; article 5 (b) of the Agreement was not applicable. He emphasized that the question of administering Togoland as an integral part of the Gold Coast was entirely distinct from that of administrative unions. He also wished to emphasize that Togoland was small and sparsely populated as compared with the Gold Coast. It would not only be an economic and social loss for Togoland to be divorced from the Gold Coast, it would be even a political step backward because the Trust Territory had a greater chance of reaching self-government in association with the Gold Coast than as an isolated, distinct Territory. Furthermore, the Gold Coast had financed development in Togoland for twenty-five years.

(ii) *Separate information.* The representative of Costa Rica stated that if the Council was to be in a position to supervise the manner in which the Administering Authority carried out its obligations in Togoland, it should request that future reports should include precise and separate data with respect to those services which were common to the Trust Territory and the Gold Coast.

The representative of New Zealand stated that his delegation had difficulty in reaching conclusions because in most cases separate statistics for Togoland had not been supplied. For this reason he welcomed the assurances given by the Administering Authority that efforts would be made to provide separate financial and other records in the future. The Council was entitled to this information.

The representative of China noted that the special representative had promised to try to secure figures and facts relating to Togoland in future annual reports.

The representative of the United States stated that the Trusteeship Council could not adequately examine conditions in Togoland unless it were provided with separate financial, statistical and other records. He welcomed the assurance of the special representative that such separate and detailed statistical information would be included in future annual reports.

The representative of the United Kingdom said he appreciated that the absence of exact statistics, and especially of a separate budget, made it difficult for the Council to judge conditions in the Territory clearly. But he would remind members that the revenues of the Territory had never been as great as its expenditure and therefore the point did not carry as much weight as it might. He would, however, gladly call the attention of his Government to the matter and hoped that, in future reports, satisfactory figures would be supplied to the Council.

Executive, legislative and judicial systems

The representative of the Union of Soviet Socialist Republics observed that no inhabitant of Togoland was a member of either the Executive or Legislative Council. He proposed that the Council should recommend to the Administering Authority the establishment in the Trust Territory of legislative, judicial and administrative or-

gans which would not be subject to any organs established on the basis of a union between Togoland and the Gold Coast; it should also recommend the adoption of legislative or other measures which would provide for the participation of the indigenous population in legislative, administrative and judicial organs of the Trust Territory.

The representative of the United Kingdom stated that in respect to representation on legislative and other bodies, Togoland had only a small population as compared with neighbouring parts of the Gold Coast.

The representative of Belgium thought it desirable that Togoland should have more representatives in the Councils of the Gold Coast. He could not agree with the Administering Authority that such representation would not be justified in view of the smaller ratio of population in Togoland. The fact that Togoland was a Trust Territory should justify a greater representation than that obtained at present.

The representatives of China and Philippines observed that no indigenous inhabitants of Togoland were members of the Executive or Legislative Councils of the Gold Coast. They believed that the Trusteeship Council should urge that Togoland be represented in the Legislative Council and Executive Council of the Gold Coast.

The representative of New Zealand considered that the question of Togoland representation on the Gold Coast Legislative Council was of substantial importance. He was pleased to note that the Administering Authority was considering a scheme whereby southern Togoland would be assured of representation on the Legislative Council.

The representative of the United States believed that the Trusteeship Council should take note of the special representative's statement that it was the intention of the Administering Authority to give the Southern Section of Togoland specific representation on the Legislative Council.

Native Authorities

The representative of Iraq observed that the method of using tribal chiefs as a medium of administration was not conducive to the abolition of a system that was incompatible with modern administration, particularly since a first lesson in democracy must be taught.

The representative of the Union of Soviet Socialist Republics stated that the Territory lacked organs of self-government. Indigenous inhabitants did not participate in the selection of so-called Native Authorities. The prevailing tribal system, encouraged by the Administering Authority, was inconsistent with the progressive political development of the Territory towards self-government or independence. The Trusteeship Council should recommend to the Administering Authority that it take steps to bring about a transition from the tribal system to one of self-government based on democratic principles.

Suffrage

The representatives of China and the Philippines proposed that the Trusteeship Council should urge that some system of suffrage be instituted for the election of Togoland representatives

to the various Councils of the Gold Coast and Togoland.

The representative of the Union of Soviet Socialist Republics observed that no electoral system existed in Togoland.

3. *Economic advancement*

Lack of budgetary autonomy

The representative of China noted that since Togoland did not have budgetary autonomy, it was impossible for the Administering Authority to prepare exact estimates of the Territory's revenue and expenditure. As long as the Territory had no budgetary autonomy, all figures of public finance were at best approximations.

The representative of the Philippines stated that since an autonomous budget for Togoland had not been presented, it was impossible to determine any definite item of expense or revenue. This aspect of the result of the integration of the Trust Territory with the Gold Coast made it impossible for the Council clearly to understand conditions in the Territory and to ascertain whether the basic objectives of the Charter or the duties imposed upon the Administering Authority were being carried out. This problem, therefore, should be immediately settled by the Trusteeship Council. For that reason, his delegation suggested that the Council should recommend to the Administering Authority that a separate budget be established for Togoland, distinct and apart from the budget for the Gold Coast, so that the Council might be in a position to assess more accurately the manner in which the Administering Authority was discharging its obligations under the Charter.

The representative of the Union of Soviet Socialist Republics stated that since the Trust Territory lacked an independent budget, the Administering Authority was unable to supply separate statistics on the collection of taxes from individuals or on the incomes of British companies which exploited the resources of Togoland.

Taxation

The representative of the Union of Soviet Socialist Republics stated that the poll tax system placed the burden of taxation on the poorest part of the population, the overwhelming majority of the inhabitants. This system should be replaced by a progressive income tax or at least by an income tax system which would take into account property qualifications and the ability of the population to pay.

Cocoa Marketing Board

The representative of the United States suggested that the Council should take note of the organization and objectives of the Gold Coast Cocoa Marketing Board and should ask the Administering Authority to include full details of each year's cocoa production and marketing in the annual reports.

The representative of New Zealand expressed his agreement with the general principles of the stabilization scheme which had been set up in the Territory. He would not question too much the extent of the reserves established so long as it was clear that this money, sooner or later, went to the owners of the original product. He thought that the

Council should be given detailed information in connexion with the entire scheme, particularly in view of the apparently wide gap between the world price and the price paid to the producer.

The representative of the Philippines observed that there was a wide discrepancy between the price of cocoa on the world market and the price paid to cocoa producers in Togoland. He believed that many economic problems would be well on their way to solution if the Administering Authority would reconsider its stand on the matter.

The representative of Costa Rica suggested that the Council should request clear and detailed information on the marketing of Togoland cocoa, including the work of the Cocoa Board and the disposition of its funds as well as complete details on the fate of every penny received from the sale of every ton of Togoland cocoa on the world market.

The representative of the United Kingdom noted the desire of the Council to have more figures. He wished to assure the Council that the difference between the world price of cocoa and the amount paid to the producer went to the stabilization fund. This fund would have to be substantial in order to cushion the shock to the producer resulting from the enormous variations in world price.

Trade

The representative of the Union of Soviet Socialist Republics stated that the indigenous population of Togoland did not participate in the export or import trade, which was solely in the hands of British companies. The quest for profits on the part of such companies doomed the inhabitants to a life of misery; the companies paid starvation wages to hired workers.

4. *Social advancement*

General observations

The representative of the Union of Soviet Socialist Republics stated that, as a result of the absence of any care for the social development of the population on the part of the Administering Authority, the indigenous inhabitants were living in conditions of backwardness and illiteracy.

Child marriage

The representative of Belgium was of the opinion that child marriage, which was the union of persons obviously incapable of consent, was most regrettable. Since such unions were rare and appeared to be disappearing, he felt that they should be prohibited by law, thus abolishing once and for all a custom which was contrary to the principles of civilization and morality.

The representative of the Union of Soviet Socialist Republics noted that the horrible custom of child marriage was not even prohibited by law.

Pledging of children for debt

The representative of the Union of Soviet Socialist Republics stated that the lack of rights and the misery of the local population were such that the taking away of children for payment of debts in the Northern Section of Togoland was considered to be a customary and generally accepted event.

Status of women

The representative of the Union of Soviet Socialist Republics considered that women in Togoland were in a state of virtual slavery. In both sections of the Territory, they had a lower political status than men.

The representative of New Zealand was pleased to note that unofficial women's councils were taking great interest in progressive health work, as well as in political and economic matters.

Wages

The representative of Costa Rica thought that wages should be established at a level which would not only enable workers to meet the expenses of everyday life but would also raise progressively their standard of living.

Standard of living

The representative of the Union of Soviet Socialist Republics stated that in view of the backward economic development, the lack of manufacturing industries and the low level of agricultural techniques, food prices were so high that meat, fish and fats were largely inaccessible to the poor people of Togoland. This was another indication of the lack of due care for the interests of the indigenous population.

Corporal punishment and deportation

The representative of Costa Rica expressed the view that corporal punishment was a humiliating practice inconsistent with the provisions of the Universal Declaration of Human Rights. The Trusteeship Council should call upon the Administering Authority to abolish that practice.

The representative of the United Kingdom wished to remind the Council of the restrictions by which corporal punishment was controlled, and that it was imposed only in such serious cases as rape.

Health services

The representative of Iraq stated that there was an urgent need for medical and health personnel to cope with the acute health situation in Togoland.

The representative of the Union of Soviet Socialist Republics stated that the medical treatment of the indigenous inhabitants was marked by its absence. He observed that in the northern part of Togoland there was no governmental medical personnel. It was understandable therefore that the miserable existence of the mass of the population led to the broad threat of endemic diseases and a high morbidity and mortality, particularly among children.

The representative of Costa Rica declared that the information on medical services lacked clarity because of the unification of medical services of Togoland and the Gold Coast. The Council should request the Administering Authority to provide information on medical services in a manner that would enable the Council to understand the extent to which such services affected the inhabitants of Togoland.

The representative of the United States recalled that the representative of the Administering Authority, who had pointed out several times the shortage of medical personnel in Togoland, had informed the Council that there was no objection in principle to recruiting doctors of non-British nationality. He believed that the Trusteeship Council might recommend that the Administering Authority should consider recruitment of needed doctors from among displaced persons in Europe as well as from other sources.

Vital statistics

The representative of the Union of Soviet Socialist Republics observed that there were no statistical records of births, deaths and morbidity.

5. Educational advancement

The representative of the Philippines expressed the adherence of his delegation to three basic education policies which he believed should be followed in all Trust Territories. These were: (1) the direct assumption on the part of the Administering Authority of its responsibility for education; (2) free education in government established schools; and (3) the use of a common language.

The representative of Iraq stated that education in Togoland appeared to be extremely undeveloped; there seemed to be no secondary, higher or vocational instruction.

The representative of New Zealand noted with interest the ten year plan for education. He hoped that full details of this plan, as well as details on annual progress would be given to the Council.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was taking no measures toward the appropriate development of education in the Territory. The population was generally illiterate and no legislative measures had been adopted for improving educational standards. Of the 210,000 people in the Northern Section of Togoland, only 591 pupils were in school.

The representative of the United States declared that, in view of the complete lack of secondary schools and government primary schools, he welcomed the Administering Authority's plan to establish a grant-aided secondary school for boys at Ho. He believed that the Council should urge the Administering Authority to further extend facilities for education in Togoland.

The representative of Iraq expressed the opinion that the Administering Authority must make an earnest effort to disseminate education among the groups of the population belonging to the Moslem faith, by establishing schools and educational centres to suit their own particular culture and background.

The representative of China noted the great discrepancy in educational development between the Northern and Southern Sections of the Territory. His delegation, in noting the ten year plan for education for the Gold Coast, including Togoland, had felt that even if this plan was successfully carried out it would not go very far to promote education. A discouraging feature was that educational fees were charged for primary education and were so high for secondary education that they became actually prohibitive. It was earnestly hoped

that the Administering Authority would find it possible further to expand educational facilities and to make primary education free and secondary education much less expensive than at present.

4. Togoland under French administration

The report of the Government of France on Togoland under French administration for the year 1947 was received by the Secretary-General on 14 December 1948 and, having been transmitted²¹ to members of the Council on the same date, was placed on the agenda for the fourth session of the Council.

During the 5th meeting of that session, Mr. Jean Cedile, Commissioner of the Republic in Togoland, who had been appointed as special representative of the Administering Authority, made an opening statement on conditions in the Territory. Mr. Cedile subsequently submitted written answers²² to written questions²³ addressed to him by members of the Council on the report and on the administration of the Territory. During the 20th and 21st meetings, the representative and the special representative of the Administering Authority answered oral questions of members of the Council.

During the 26th, 27th and 28th meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and requested the Drafting Committee on Annual Reports to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft²⁴ prepared by the Drafting Committee was considered by the Council at the 48th meeting. At the suggestion of the President, parts II and III were transposed. Part I (Outline of conditions) and part III (Conclusions and recommendations, were adopted separately, but part II (Observations of individual members) was rejected as a result of two successive tie-votes. Subsequently, the draft report as amended was defeated as a whole by the same vote. At the 28th and 29th meetings of the fifth session the Council reconsidered the draft report and, after agreeing to the insertion in part II, now part III (Observations of individual members), of certain amendments proposed by the representative of France, adopted the report as a whole.

PART I

OUTLINE OF GENERAL CONDITIONS AS STATED IN THE REPORT OF THE ADMINISTERING AUTHORITY AND BY THE SPECIAL REPRESENTATIVE

1. General

Area, history and topography

Togoland under French administration lies on the West Coast of Africa between 6° and 11°

north latitude. With an area of 55,000 square kilometres, it comprises the greater part of the former Togoland protectorate, which was administered by Germany between 1884 and its occupation by French and United Kingdom military forces in 1914. Togoland was divided into two separate mandated territories, one under French and the other under United Kingdom administration, and this division has been maintained under the International Trusteeship System.

The southern portion of the Territory is a low-lying, humid coastal zone. A mountainous region runs across the centre of the Territory from south-south-west to north-north-east. The north is a flat and fertile savannah area. The south experiences two rainy and two dry seasons, but the north has only one rainy season.

Population

The indigenous population is estimated at about 943,364, while Europeans number some 1,082. The indigenous population consists of a great diversity of linguistic and tribal groups.

Capital and port

The capital and principal port of the Territory is Lomé.

2. Political advancement

Status of the Territory

In international law, the basis of the administration of Togoland is the Trusteeship Agreement approved by the United Nations on 13 December 1946 and made part of French law by decree of 29 January 1948.

Since 1946, Togoland has occupied a place within the French Union, which consists of France, her overseas Departments and possessions, and certain associated units. It is designated an "Associated Territory". There is no law expressly providing for the incorporation of Togoland into the Union, but French legislation is applied to it under article 4 of the Trusteeship Agreement.

The purposes for which the Administering Authority has brought the Territory into the French Union are (a) to give it the benefit of a régime at least as liberal as that applied in neighbouring Non-Self-Governing Territories; (b) to give its inhabitants a share in the making of the laws and regulations that govern them; and (c) to advance their political education and help to disseminate the democratic principles set forth in the Charter of the United Nations.

The Territory is accordingly granted the right of representation in the organs of the French Union as a whole, in which legislative powers and right of political discussion are vested; it enjoys a system of suffrage intended eventually to be universal; it has an elected Representative Assembly empowered with financial authority and rights of decision or consultation on local administrative matters; and it has been accorded the rights and freedoms guaranteed by the French Constitution.

The status of the Territory differs from that of other territories in the French Union in so far as the Charter and the Trusteeship Agreement stipulate special administrative rules such as eco-

²¹ T/221.

²² T/252.

²³ T/248.

²⁴ T/278.

conomic equality for all nationals of Members of the United Nations. The Administering Authority regards the relationship of the Territory with the Union as being entirely without prejudice to its future status and that of its inhabitants, who will remain free to determine their status when their political maturity is sufficiently developed.

Representation of the Territory

Togoland elects one deputy to the French National Assembly, two representatives to the Council of the Republic, and one to the Assembly of the French Union. One of these four representatives is a European trader, another is a West Indian (a public works engineer), and the remainder are Africans (a doctor and a journalist).

Status of the inhabitants

Although the law establishing "citizenship of the French Union" has not been promulgated in the Territory, its inhabitants enjoy all the advantages granted to citizens of the Union.

They are, for instance, eligible for public offices without distinction as to origin, race or religion, and they enjoy the individual or collective exercise of the rights and liberties proclaimed in the French Constitution. By virtue of the status of the Territory as a Trust Territory, they are exempted from conscription for military service.

Administrative structure

The chief of the local administration is the *Commissaire de la République*, who represents the French Government and is directly responsible to the Minister of Overseas Territories. He is assisted by an administrative council.

For administrative purposes the Territory is divided into six *cercles*, each in charge of a *commandant de cercle* who is responsible to the *Commissaire*. Each *cercle* is further divided into areas under the control of *chefs de subdivision* who are responsible to the *commandant de cercle*.

Representative Assembly

The elected Representative Assembly has an African majority. In association with the administration itself, it takes part in the exercise of the administrative and financial autonomy enjoyed by the Territory.

The Assembly has no power of initiating legislation or of discussing political matters. Laws are enacted by the organs of the French Union and applied to the Territory by special decrees. Consultation of the Assembly on local regulations in certain specified fields is required however, and the territorial budget, which is submitted by the *Commissaire*, requires the approval of the Assembly.

As an illustration of its functions, the Assembly has, since its establishment, discussed and adopted the 1947, 1948 and 1949 budgets; and it has discussed or given its opinion on all administrative measures affecting the Territory.

Qualifications for election to the Assembly include the ability to read, write and speak French fluently. The present indigenous members, of whom there are twenty-four as against six French citizens, represent the advanced section of the

population. There are two political parties in the Territory. Their membership represents only a small minority of the population—mostly persons of some social standing.

Method and extent of suffrage

Although the Administering Authority contemplates the eventual introduction of universal suffrage, the right to vote is at present limited in the case of the indigenous inhabitants, other than the small number possessing French civil status, to notables; members for at least two years of trade unions and co-operatives; members of provident society councils, persons able to read French; chiefs; permanent employees and a number of other groups.

There are two electoral colleges. The first consists mainly of French citizens who enjoy universal suffrage. The establishment of a separate college for French citizens is designed to ensure for them a proportionately higher representation in recognition of their leading economic role in the Territory. The number of persons eligible to vote in the first college is estimated at 400. Out of a total adult population of 944,446, only 39,615 registered in 1947, as a result of the novelty of suffrage. The first college is entitled to elect six members and the second the remaining twenty-four African members of the Assembly. Two of the six members of the first section of the Representative Assembly are Africans possessing French citizenship.

Municipal government

The administration of Lomé is carried out by a mayor who presides over and is assisted by an administrative council.

Regional and local councils

On a local level, an advisory part is played in the administration by a number of indigenous councils (*Conseil des notables*). These councils have no organic connexion with the Representative Assembly and are essentially consultative to the local administrative heads.

In the past they have been composed, in addition to high administrative officers, of chiefs and other notables elected by chiefs. An experiment is being made, however, in changing their composition to include representatives of economic groups, trade unions, co-operatives, and of all employers and wage earners.

Native Authorities

The Administration recognizes the following categories of chiefs: *chefs de canton*, *chefs de village* and *chefs de quartier*. *Chefs de village* are appointed by the *commandant de cercle*, in consultation with the village councils concerned. (In the south, *chefs de village* are selected by village councils and confirmed by the inhabitants of the villages). *Chefs de canton* are appointed by the *Commissaire* after a report has been submitted to him by the *Commandant* stating that all customary practices have been observed.

The indigenous chiefs play an important role in the administration of justice and in the collection of taxes from the indigenous communities. All chiefs receive salaries from the Administration.

Judicial system

For civil cases, there are two different judicial procedures:

(i) Where all the interests involved are African, customary law is applied as far as possible. The tribunals concerned with these cases are indigenous conciliation tribunals, presided over by the local chiefs; tribunals of the First and Second Degree, presided over by senior administrative officers, assisted by indigenous assessors; the Colonial Court of Appeal, composed of magistrates; and the *Chambre d'Annulation* at Dakar, which is the final court of appeal.

(ii) In other cases, French law is applied by a Civil Court of First Instance at Lomé.

Most indigenous cases do not go beyond the stage of the chiefs' tribunals; only cases in which conciliation has failed are brought before the higher courts.

In penal cases, the French penal code now applies to all inhabitants of the Territory. Criminal tribunals are the *Justices de Paix* at Aneho, Atakpamé and Sokode, the *Tribunal Correctionnel* at Lomé, the *Cour d'assises* and for the appeals, the *Cour d'appel* at Dakar.

3. Economic advancement

Agriculture and stock breeding

Almost all the inhabitants of the Territory depend on agriculture for their livelihood. The Territory produces a variety of crops for export and local consumption. Apart from foodstuffs the most important agricultural products are palm oil and kernels, cocoa and coffee. The land is nowhere very fertile, and in the densely populated Lama-Kara subdivision, it is almost exhausted. The rainfall distribution, lack of transport facilities, and the primitive technique of the indigenous people limit the quantity and quality of agricultural production. There is shortage of food in the densely populated parts of the Territory which the Administration has sought to alleviate by moving the inhabitants to more sparsely occupied sections.

Land tenure

There is no vacant or ownerless land in Togoland, where every piece of land is part of a collective estate, owned by the family, village or tribe. In most areas land is considered as belonging to divinities, chiefs or the tribal groups, and the individual occupier enjoys only the *jus freundi*. Security of tenure is guaranteed while the land is kept under cultivation.

In the southern areas, the idea of family property and of individual property is coming into existence. Alienation of land is controlled by the Administration; the area which has thus far been alienated is small. All farms are owned by indigenous peasants, except for a plantation at Agon—a former German concession which, after passing through various hands, now belongs to a company called *La Compagnie générale du Togo*. It is the only company of its kind, the policy of the Territory being to return all lands to the Native communities. Since 1940 the company has given up about 7,000 hectares, or three-quarters of the total area, and Togoland peasants have settled

there. Negotiations are taking place for the construction of a large palm oil factory on a portion of the estate, 2,575 hectares in size, now planted with palm trees.

Forests

Some parts of the Territory have been declared forest reserves and the exploitation of other parts has been placed under the control of the Administration. The inhabitants of the Territory are opposed to any request for forest classification. They see in such proceedings a restriction of their liberties and are unable to understand the general aim pursued by such a policy. The African majority in the Assembly is always opposed to classification. The Territory has a programme for the preservation of forests and the reafforestation of certain areas.

Industry

The local industries which are being developed include oil works and soap works, rope works and esparto factories, fisheries and fish-drying yards.

Commerce and trade

Internal trade is confined to the marketing of foodstuffs and retail trade in imported goods. Trade is carried on in markets controlled by the Administration. Outside these markets, hawkers are required to carry trading licences. In 1947 some 3,550 persons held such licences. There are twenty-three Lebanese and two Greek concerns engaged in retail trade. Most indigenous women engage in petty trading.

External trade is in the hands of French and British corporations. The post-war shortage of imported goods has made it necessary to establish a system of rationing and price control in the Territory. In order to encourage local agricultural production, the Administration has organized a barter system whereby the indigenous peasants exchange palm produce, cocoa and coffee for imported manufactured goods.

The Territory does not form part of any customs union and has no tariff arrangement with neighbouring dependencies. There is no preferential treatment accorded to its imports and exports in France or French possessions.

The total foreign trade of the Territory in 1947 amounted to 1,570.5 million metropolitan francs, which was made up of imports valued at 959.8 million francs and exports at 610.7 million francs. The principal imports, in order of importance, were cotton-piece goods, distilled beverages, vehicles, perfumes, jute, sugar, household goods, confectionery, drugs, wines, iron and steel, petroleum, gasoline, coal, fresh fruits, paper, matches, canned fish and flour. The chief exports were coffee, cocoa, palm kernel, ground-nuts, livestock, copra, cotton and palm oil.

In 1947 France and French possessions provided 64.2 per cent of the imports, the United States of America 12.5 per cent, the British Empire 12.1 per cent, and the Netherlands 6.3 per cent. The exports went mainly to France and French possessions (73 per cent approximately), the Gold Coast (11 per cent approximately) and the United States (5.5 per cent approximately). Partly as a result of the war, a large proportion of the Territory's trade has been confined to

France. It is hoped that improvement in shipping facilities will make it possible to remove currency and commodities controls, and to re-establish an absolutely free economy in the Territory.

Provident societies and co-operatives

Indigenous provident societies which were established by the decree of 3 November 1934, provide the indigenous peasants with credit for the purchase of seed and equipment. Loans are made to individual members or to a society as a whole. The societies promote agricultural development by financing the purchase of machines (coffee decorticators), the establishment of nurseries for the improvement of seeds, the supply of plants, the purchase of bulls and boars for breeding purposes, which the farmers could not purchase on their own account. They provide farmers with agricultural consultants who give them guidance and advice. They operate the agricultural credit system, by issuing monetary loans to certain farmers who have the capacity but not the funds necessary to start and develop large-scale exploitation. There is one society in each subdivision.

Public finance

The total revenue of the Territory in 1947 was estimated at 304,176,308.20 francs. The principal sources of revenue are customs and excise duties, direct taxes and the local profit tax. Direct taxes include a poll tax (*impôt personnel*), the rate of which varies with the subdivisions, and an income tax with a uniform rate for all persons with an income above 10,000 francs. The commercial corporations pay taxes on transactions (imports and exports) effected in the Territory, such as turnover taxes, and taxes on industrial and commercial profits.

The total expenditure up to November 1947 was estimated at 175,239,163.30 francs. About 34 per cent of the expenditure was allocated to government enterprises, 28 per cent to social and economic services, 26 per cent to general administration, 10 per cent to miscellaneous expenditure and 1.2 per cent for public debt services. The Territory received a grant of 13,063,000 francs from the Administering Authority for health projects in 1947.

The public debt of the Territory amounts to 73 million francs.

Development plan

A ten-year economic and social development plan has been established for the Territory. The plan is to be financed out of grants from the Administering Authority, and advances from the Central Fund for Overseas France. Interest on the advances is at 1 per cent and repayment is to be completed within thirty years after the loan is made. A commission of 1 per cent is to be paid to the Central Fund. The items of expenditure are (in francs): agriculture 22,200,000; railways 130 million; ports 17,700,000; roads 44 million; telecommunications 14,600,000; sanitary and water works 37,400,000; health 26,300,000; education 41 million; town-planning 28 million.

Great emphasis is placed on the restoration of communications (ports, railways and roads). The proposed expenditure on agricultural development includes the establishment of several experimental

stations, of model farms, and of a station for the development of ground-nut production. In the social field, sanitary works and improvements in the system of education, particularly the opening of new schools, receive special attention.

4. Social advancement

Status of women

The general principles of French law, applying throughout the Territory, recognize the judicial equality of women with men. In practice, however, the status of women continues to be determined by custom, and differs from one community to another. In some communities the authority of men is supreme, and women cannot undertake any venture without the consent of the husband or male head of the household. The Administration is not aware of any indigenous customary restrictions against women entering any trade or profession. Some of the few women who have been educated are employed as clerks, typists, midwives and nurses.

Human rights

The French Constitution of 1946 guarantees basic human rights to all sections of the population. Press privileges recognized in France are extended to the Territory, where eight newspapers are published. Freedom of association is guaranteed, and two political parties are active. The criminal and penal codes and local legislation protect all persons against arbitrary arrest and guarantee individual liberty. The Administration has suppressed slavery and practices akin to it.

Labour

In 1947 some 3,810 persons were in paid employment in the Territory; these were divided as follows: agriculture 167; public works 613; commerce 906; industries 148; banks 35; railways and ports 1,788; personal services (hotels) 24; transport 55; building construction 74.

There is no shortage of labourers. A certain amount of technical training is given at the Sokode trade school and most of the indigenous artisans have a few apprentices. A new trade school is being built at Lomé. No workers have been recruited for work in the Territory and none are known to have sought employment outside. The employment of boys under twelve and girls under fourteen years of age is forbidden. Between the ages of twelve and fourteen children may be employed only for light work, subject to authorization from the chief of the district who supervises and checks the nature and duration of the work and who may, if necessary, revoke his authorization.

Commandants de cercle and *chefs de subdivision* are authorized to inspect work places and to enforce labour regulations. Since 1944 a Labour Inspectorate has been established to handle all issues connected with labour.

Local legislation permits the formation of trade unions and employees, associations, and provides for workmen's compensation and arbitration councils. There are two trade union organizations: one for all government officials (approximately fifteen trade unions) and the other for employees and

workers in private enterprise. Most of the trade unions are affiliated to the CGT (General Confederation of Labour). The others are affiliated to the CFTC (Christian trade unions).

Local legislation also recognizes the principle of non-discrimination in employment and wages. The average working week is 48 hours; but civil servants observe a 45-hour week and at Lomé most enterprises do not operate on Saturday afternoons.

The average monthly wages of skilled workers range from 1,200 to 6,841 francs and of semi-skilled workers from 950 to 2,325 francs. The daily rates for unskilled workers average from 25 to 80 francs a day. The wages of employees and workers other than officials are revised periodically to correspond with the increase in the cost of living. There were no trade disputes in the Territory in 1947. Some eight industrial accidents occurred, two of which were fatal.

Medical services

The most common epidemic diseases are yaws and malaria and the most serious social disease is syphilis. The Administration is, within the limits of financial and other resources, conducting a continuous campaign against these diseases.

The budget credits for public health have increased as follows 1947, 12,381,250 francs; 1948, 16,135,000 francs; 1949, 40,527,000 francs.

At the same time *FIDES*²⁵ credits for the financial years 1947-48 and 1948-49 have risen from 33,200,000 francs to 87,400,000 francs.

In 1947 the personnel of the Medical and Public Health Department consisted of one Director of Medical Services, eight medical officers, seventeen assistant medical officers, one surgeon, nineteen midwives, twenty-two sanitary assistants, and 215 nurses. The Territory had one hospital, nine medical centres with facilities for maternity cases, thirty-six rural dispensaries, seven sleeping sickness camps, two isolation settlements, one mental hospital, two maternity clinics and three mission dispensaries. A total of 7,834 in-patients were treated, and 556,817 out-patient consultations were made by medical institutions.

Prisons and crimes

In 1947 the prison population was 1,242. Female prisoners were confined to separate sections of prisons. Juvenile delinquents are sent to an institution at Sokode where they receive technical training at the local trade school. The law does not permit courts to inflict corporal punishment: but disciplinary punishment in prison includes reduction of rations, solitary confinement, chaining and work during rest periods. In some cases prisoners are hired out to private concerns. A prison commission presided over by the president of the Tribunal of First Instance at Lomé is charged with the supervision of prisons. The *Procureur Général* or his representative is also authorized to carry out periodic inspection of prisons.

²⁵ *Fonds d'investissement pour le développement économique et social des territoires d'Outre-Mer* (Investment Fund for the economic and social development of the Overseas Territories).

5. Educational advancement

General

The educational system of the Territory includes rural schools, lower primary schools, higher primary schools, and secondary schools. In 1948, fifteen schools were in course of construction in Lomé and the interior. Plans have been drawn up for establishing a *lycée* and a technical school; and in 1949 the construction of a university college will be started.

An insufficient number of girls attend schools because the local population has had to become accustomed to the idea of giving girls the same education as boys. This has now, however, apparently become generally accepted, except in the Moslem districts. The establishment of special elementary schools for girls is provided for and is being carried out in all areas; schools teaching domestic economy have been suggested and it is proposed to allow girls to attend secondary schools.

The Education Department supervises the work of both government and private institutions, and directs sports, physical education and youth movements.

Conditions for the establishment and management of private schools, which are run by French missionary societies, are laid down by law.

Schools and pupils

There are seven (four official and three private) upper primary schools with an enrolment of 18,693 pupils, 2,164 of whom are girls. There are also two secondary schools, one trade school and a teacher-training course.

Budget allocation

Government expenditure on education in 1947 amounted to 27,651,000 francs (or 9.09 per cent of the budget), apart from a grant of 4,941,425 francs to mission schools. In 1947 *FIDES* granted a 13,900,000 franc loan towards buildings for schools. This amount was additional to the normal budget. In 1948 *FIDES* paid 67,100,000 francs for education services, and this sum was spent on new buildings. The budgetary estimates for the Education Department only cover current expenses, including the payment of staff. All building expenses are borne by *FIDES*.

Higher education

Under a plan of scholarships for higher education, six students are studying at the Dakar and Saint-Louis Lycée and ninety-two awards have been made for students to pursue their studies in France.

Mass education

A great effort has been made, not only in Togoland, but throughout the French territories, in scientific research, partly centred at the Institute of Dakar, and linguistic authorities have been in residence in Lomé studying and preparing a book dedicated to the Ewe people and language. Records and the cinematograph are used; songs and dances of the Togolandese have also been recorded. Attempts are being made to make use of the services of Togolandese in the study of culture and folklore. Togoland students in France are studying at the Institute of Oriental Studies

and preparing to develop a curriculum for the scientific teaching of local language. A Togoland student of music in France is preparing to work in the field of folk music.

PART II

CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. Political advancement

General

The Council commends the Administering Authority for the recent political reforms which are designed to contribute to the political education and advancement of the inhabitants of the Territory, namely, the introduction of suffrage and the establishment of the Representative Assembly.

The Council has not taken a stand on the question of the participation of the Territory in the French Union, as this question is under study by a special committee of the Council.

Relationship with the French Union

The Council welcomes the important assurance given by the Administering Authority that the inhabitants will have the right at the appropriate time to determine for themselves whether they should remain in the French Union or assume a status of independence outside the Union. The Council notes the statement of the representative of France that at the appropriate time there will be full freedom and the population will vote the laws applying to the Territory.

Representative Assembly

The Council, noting that the powers of the Representative Assembly are limited to financial and administrative matters, and in particular that the Assembly has no power to initiate legislation, which is the prerogative of the French National Assembly, urges the Administering Authority, irrespective of the present or future relationship of the Territory to the French Union, progressively to extend the powers of the Representative Assembly, particularly in the field of legislation.

Suffrage

The Council, commending the Administering Authority for the introduction into the Territory of a system of suffrage, and noting that the right to vote is at present limited to certain advanced groups of the population, welcomes the policy of the Administering Authority to take progressive measures in order to bring about universal suffrage, which the Council considers might in the first instance be applied to the election of the proposed new forms of regional councils and municipal commissions.

Councils of Notables

The Council, considering that a truly democratic system of government can only be built on the basis of responsible local self-government, notes with interest and approval the intention of the Administering Authority to broaden the composition of the Councils of Notables so as to include not only chiefs and notables but also representa-

tives of trade unions, co-operatives and other groups.

Administrative services

The Council commends the Administering Authority for creating a common civil service for Africans and Europeans and recommends that it intensify its efforts to bring about greater participation of the indigenous population in responsible posts in the administrative and judicial services.

Administration of justice

The Council commends the Administering Authority for the abolition on 20 February 1946 of the *indigénat*, the system by which administrative officers rather than judges sentenced indigenous inhabitants to fines or imprisonment for certain offences.

2. Economic advancement

Industry

The Council recommends that the Administering Authority do everything in its power, by making grants and loans or other forms of assistance available, to encourage and enable indigenous inhabitants to take a full part in industrial development.

Wages and living standards

The Council, noting with concern that in Togoland, as in African Trust Territories generally, indigenous wage rates are low and sometimes do not exceed the minimum subsistence level of the inhabitants, and being of the opinion that this situation, which may have arisen from economic conditions in the past, is harmful to the economic and social development of the indigenous population, recommends that the Administering Authority carry out a special study of the problem of wages and standards of living of the indigenous population, and urges the Administering Authority to take positive action to raise the wage level and to improve the standard of living in terms of clothing, housing, medical and social services.

Development plan

The Council expresses its appreciation for the endeavours of the Administering Authority to improve economic and social conditions, and trusts that the ten-year plan will be successful.

3. Social advancement

Racial discrimination

The Council notes with special interest the assurance of the Administering Authority that all vestiges of racial discrimination have been eliminated and hopes that future reports will give an account of the effective implementation of this policy.

Labour

The Council notes with satisfaction that the French Parliament is now working on labour legislation designed to fill the gap left by the absence of a suitable labour code. The Council hopes that the Administering Authority will complete such legislation and secure its enactment at an early date.

Public health

The Council notes the constructive plan for medical collaboration devised by the French and British medical authorities and commends the two Administering Authorities for this forward step.

4. Educational advancement

General

The Council welcomes the Administering Authority's direct assumption of responsibility for education and its establishment of free education in government schools, but considers that the development of public education should be further intensified and notes with interest the ten-year development plan for education.

Indigenous teachers

The Council recommends that the Administering Authority pay special attention to the training of indigenous teachers.

Secondary, technical and higher education

The Council, noting the almost complete absence of facilities for secondary and technical education in the Territory itself, urges the Administering Authority to carry out its plan for the development of such facilities with the utmost vigour.

The Council notes with satisfaction the laudable efforts of the Administering Authority to promote higher education by a system of scholarships abroad, and expresses the hope that the Administering Authority may find it possible to intensify its efforts in this direction.

Use of local languages

The Council recommends that the Administering Authority should give further study to the possibility and desirability of employing one or more of the vernacular languages for the purpose of mass education, so that, *inter alia*, the best features of indigenous cultures may be fostered.

The Council urges the Administering Authority to study the possibility of relaxing the requirement of the knowledge of the French language for the holding of public offices.

The Council recommends that the Administering Authority further develop, through educational channels, the best features of the indigenous cultures.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

1. General

General conditions

The representative of the United Kingdom expressed confidence that, under the wise guidance of the devoted band of French officials, the progress already achieved in the territory would continue.

The representative of Iraq stated that credit was due to the Administering Authority for its remarkable efforts in the Trust Territory, and for the diligence with which it undertook its tasks.

2. Political advancement

General

The representative of Belgium considered that the Council would be unanimous in paying tribute to the generous spirit which governed the bold political reforms which had been carried out by France and which had given the inhabitants a very large share in the administration of their affairs.

The representative of Costa Rica praised the activities revealed in the report in the field of political development.

The representative of China expressed the opinion that the Territory had made great strides in political advancement in recent years. In general, the Territory was making rapid progress towards self-government and the liberal policy of the Administering Authority in promoting political advancement was to be commended highly.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was carrying out a policy directed towards strengthening the colonial régime, and holding the Trust Territory back from its development towards self-government or independence.

The Council should recommend that the Administering Authority carry out measures which would lead to the most expeditious and most complete implementation of the basic objectives of the Trusteeship System.

The representative of France observed that the French Constitution, the principles of which were identical with those of the Charter, had been read and explained to the Council. This Act put an end legally and practically to any kind of colonial régime whatsoever (T.P.N.130, pages 71-75).

Relationship with the French Union

(i) *Question of sovereignty.* The representative of the Philippines suggested that the Council would have to determine whether, in actual practice, sovereignty over the Trust Territory, as distinguished from mere administrative authority, rested in the French Union, in view of the fact that any change in the Constitution to allow the Territory to enjoy the power of legislation seemed to require the approval of the French people as a whole.

The representative of China stated that, since the Constitution and law of the French Union did not appear to make any distinction between the status of overseas territories and that of the Trust Territories, it was not clear where French sovereignty began and where it ended.

(ii) *Status of the Territory: freedom of political development.* The representative of the United States of America welcomed the assurances given by the Administering Authority that the inhabitants had the right eventually to determine for themselves whether they should remain in the French Union or assume a status of independence outside the Union.

The representative of China stated that, although the beneficial and liberalizing effects of the French Union upon the peoples of the overseas Departments and territories could not be questioned, some questions did arise in connexion with the Trust Territories. In posing a list of such ques-

tions, he stated that the Council should receive some kind of legal clarification or formal commitment from the Administering Authority as to the future status of the Trust Territories and their freedom of separate evolution.

The representative of China further stated that it was incumbent upon the Trusteeship Council to see that the special status of the Trust Territories was preserved, that each Trust Territory should have its own distinctive existence and its own free evolution, and that the advancement of each Territory should be as little conditioned by and dependent upon the advancement of other Non-Self-Governing Territories as possible.

The representative of the Philippines proposed that, in spite of the enlightened policy reflected in the right of representation granted to the indigenous inhabitants, the Council should express some concern as to the effects of the inclusion of the Trust Territories in the French Union.

The Council might take note of the fact that, although the Territories had been brought into the French Union on a basis of equality with territories under French sovereignty, and might derive certain immediate advantages from this fact, some doubt might well arise as to whether this association would permit their unrestricted evolution in the spirit of the Charter.

The Council might note in particular that the Constitution of the French Union did not appear to provide for the development of full autonomy on the part of the Trust Territories, since the power of legislation was reserved to the organs of the French Union as a whole. The Council might note that any transfer or delegation of this power of legislation to the Trust Territories would seem to require a fundamental change in the Constitution, and that such a change in turn would seem to necessitate the approval of the French people as a whole.

The Council might thus observe that the determination of the form of government or the political association subsequently to be enjoyed by the inhabitants of the Trust Territories appeared to rest with the people of the French Union as a whole, rather than with the freely expressed wishes of the indigenous inhabitants of the Trust Territories themselves, as envisaged in the Charter.

The representative of the Philippines considered that the Trusteeship Council should express the opinion that, since the Two Trust Territories were large enough in size, population and economic resources to be capable of attaining a considerable degree of self-sufficiency, their political development should also be planned on a basis of self-sufficiency and should not be made dependent on the destiny of other territories under actual French sovereignty.

In this respect, the Council might take the view that it might be more consistent with the principles of the International Trusteeship System for the Administering Authority to adopt separate and special constitutional measures for these two Trust Territories, designed to create for them, at the earliest possible time, complete political autonomy, legislative and administrative.

The representative of the Union of Soviet Socialist Republics, while stating that he would give his full views when the special questions of

administrative union came before the Council, declared that the inclusion of the Trust Territory in the French Union was in contradiction to the provisions of the Charter for the development of the Trust Territories towards self-government or independence.

The representative of France remarked, in connexion with the observations contained in this sub-section, that he had proposed to the Council to show that the political concept of the French Union constituted the surest means of free political development and that the provisions of the French Constitution were in accordance with the Charter and with the terms of the Trusteeship Agreement (T/P.V.130, page 37).

(iii) *Status of the inhabitants.* The representative of China drew the attention of the Council, for purposes of study, to the fact that, although there was a legal distinction between "citizens of the French Union" and "persons under French Trusteeship administration", this distinction seemed to be diminished by the fact that "persons under French Trusteeship administration" might be members of the high organs of the French Union.

The Ewe movement

The representative of the United States of America observed a confusing conflict between, on the one hand, the statements in the report (pages 12-13) deprecating the standing of the Ewe movement and describing its claims as excessive, and, on the other hand, the statements made before the Council on behalf of the delegation of France in December 1947. Further information on this question would be appreciated, and the Visiting Mission would want to make a special study of the problem.

Representative Assembly

(i) *General powers.* The representative of the United States commended the Administering Authority for the establishment of an entirely elective Representative Assembly, which was a distinct advance on those other Trust Territories with which the Council had been concerned.

The representative of China observed that, although the Assembly had been given powers to decide a considerable number of matters, including the initiation of expenditures, all these powers related to matters of purely local concern. The Assembly had no power to initiate legislation, which was the prerogative of the French National Assembly.

The representative of the Union of Soviet Socialist Republics stated that the members of the Assembly had no real powers and simply constituted a consultative organ for the Commissioner of the Republic. They could give advice when so requested, but their opinions had no obligatory force, and all rules and regulations were issued by the Commissioner on his own initiative. Consultation of the Assembly was provided for only on questions of secondary importance. The French officials actually enjoyed unlimited rights.

The delegation of France referred to pages 41-43 of the report in which the above assertion was contradicted by the legislative texts, and in particular by the decree of 25 October 1946 which determined the powers of the Assembly.

(i) *Suffrage.* The representative of the United States of America urged the Administering Authority to increase its efforts to induce a larger number of the qualified voters to register and exercise their right to vote.

The representative of the Philippines proposed that the Council should invite the Administering Authority to study the possibility of formulating and adopting a definite programme designed to extend the right to vote on a universal basis. The Council might suggest, as a means of accelerating political education in this respect, that universal suffrage should be applied in the first instance to the election in the more advanced areas of the indigenous local or regional councils and the municipal commission at Lomé.

The representative of China, while welcoming the establishment of suffrage as a first step towards self-government, observed that the electorate was still limited in scope. He expressed the hope that in due course the principle of universal suffrage might be universally applied.

(iii) *Two-college system.* The representative of the Philippines stated that the Council might note that a distinction was made in the suffrage system, and therefore in the persons elected, through the maintenance of two electoral colleges, divided broadly between French citizens on the one hand and indigenous inhabitants on the other. The Council might express the opinion that the removal of any such distinction between groups of individuals was essential to the development of a fully democratic system of suffrage, and recommend that the Administering Authority take progressive steps in that direction.

The representative of China also expressed the hope that, in due course, the two colleges might be unified.

The representative of the Union of Soviet Socialist Republics commented on the disparity between the proportionate representation in the Assembly of Europeans and Africans, and the fact that only about 1 per cent of the indigenous population participated in the election to what was in any case a powerless body. The Administering Authority had thus taken special measures to ensure a position of mastery for French citizens and, by the practice of racial discrimination, deprived the great mass of the population of all political rights.

The delegation of France recalled that as explained in the written answer to a written question put to the special representative by the representative of the Philippines, the reasons for the existence of a double electoral college were far removed from any idea of racial discrimination, and that, on the contrary, they demonstrated the willingness of France to lead the population of Togoland in a logical manner towards political progress (T/249, page 4).

(iv) *Language requirement for office.* The representative of Iraq expressed the belief that the enforcement of a language entirely foreign to peoples under trusteeship, and its establishment as a condition of the holding of office, and even of eligibility to vote, would jeopardize the eventual decision of the inhabitants as to their political status.

The representative of France pointed out that, as far as eligibility to vote was concerned, knowl-

edge of French was by no means a universal condition. The twelve most important categories of voters were not based on a knowledge of the language, which simply formed a thirteenth category.

Native administration

(i) *Regional councils.* The representative of China expressed the hope that the Councils of Notables would eventually become real bodies of local government, for it was only on a basis of such local institutions that a true democracy could gradually be built in the Territory as a whole.

(ii) *Tribal system.* The representative of the Union of Soviet Socialist Republics observed that the Administering Authority had officially maintained the anti-democratic tribal system, and made use of the privileged upper group of tribal notables in the carrying out of its policy, particularly in the collection of taxes. This tribal system was inconsistent with the progressive development of the indigenous inhabitants of the Territory towards self-government or independence. The Council should recommend that the Administering Authority should take steps to bring about a transition from the tribal system to a system of self-government based upon democratic principles, including the participation of the broad mass of the indigenous population.

The representative of France recalled that, on the contrary, French policy had always followed the line of democratic progress (T/P.V.130, pages 82 and 83).

Administrative services

African participation. The representative of the Union of Soviet Socialist Republics observed that all the more or less important administrative or legal posts were held by Europeans, as shown by the table of administrative structure on page 51 of the report. The Council should recommend to the Administering Authority to carry out legislative and other measures which would bring about the participation of the indigenous population in the administrative and legal services.

Administration of justice

(i) *Powers of French officials.* The representative of the Union of Soviet Socialist Republics observed that the entire legal power and judicial authority were in the hands of French officials, who were appointed by the High Commissioner and who might be removed by him at his discretion.

(ii) *Introduction of the French penal code.* The representative of the United States noted the abolition of Native justice in penal matters by the decree of 30 April 1946 and the subsequent application of the penal code of France. He invited the Administering Authority to furnish more detailed information as to the difficulties and problems that might develop in this bold experiment of applying penal laws framed to meet different social and economic conditions.

(iii) *Judicial powers of chiefs.* The representative of the Union of Soviet Socialist Republics observed that for convenience in administration the French officials appealed for help to the tribal notables and traditional chiefs, who had the right

to settle disputes between members of their tribes. A great number of these disputes were settled by the chiefs at their own discretion.

The representative of Belgium observed that outside the regular courts the chiefs were permitted to exercise a conciliatory function, and there was no doubt that many cases were settled by this means without any kind of intervention or control by the Administration. The Administering Authority might be invited to examine the advisability of regularizing these unofficial indigenous judgments and exercising supervision by such means as requiring written decisions, in order to protect the population against the possibility of arbitrary judgment.

(iv) *Abolition of the indigénat*. The representative of the United States commended the Administering Authority for the abolition on 20 February 1946 of the *indigénat*, the system by which administrative officers, rather than judges, sentenced indigenous inhabitants to fines or imprisonment for certain offences.

(v) *Corporal punishment*. The representative of the United States noted with interest that corporal punishment in the Territory was illegal.

3. Economic advancement

General

The representative of Belgium expressed the hope that the new political institutions would prove by experience sufficiently fruitful to enable the economic development of the Territory, without which the finances would not bear the burden of the administration and of the cultural efforts which the Administering Authority had undertaken, particularly in the field of education.

The representative of the Union of Soviet Socialist Republics stated that the policy of the Administering Authority was leading to further economic enslavement of the Territory by foreign companies, holding the economic development of the indigenous inhabitants at its present extremely low level, and fully exploiting the natural wealth of the Territory for the profit of English and French industrial and trading companies.

The delegation of France recalled that, as stated on pages 79-81 of the report, the policy of the Administering Authority in Togoland had, as its objective, the economic progress of the inhabitants.

Forests

The representative of the Union of Soviet Socialist Republics observed that the objections and opposition on the part of the indigenous inhabitants and the majority of the representatives in the Assembly to the matter of the classification of forest lands were clear evidence that the forced removal of groups of the population on the pretext of reserving forests was against the interests of the inhabitants and was a cause of dissatisfaction on their part. This matter should be the subject of special study by the Visiting Mission.

The representative of France reminded the Council that decisions on the classification of forests were never made without the agreement of the village notables or without a decision by the Representative Assembly. It was always possible

to find, in the territory of a given tribe, uncultivated lands on which members of the small displaced community could be re-established. The removal of a small community was designed to preserve the forests and consequently served the interests of the population as a whole (T/P.V. 137, pages 26-35).

Industry

The representative of China suggested that the Council might express the view that the Administering Authority should do everything in its power, by making grants and loans or other forms of assistance available, to encourage and enable the indigenous inhabitants to take a full part in industrial development, and to place them upon at least as favourable a basis as enterprises supported by external private capital.

Commerce and trade; corporation taxes

The representative of the Union of Soviet Socialist Republics observed that the entire foreign trade of the Territory was in the hands of European-owned companies. There was an urgent need for measures to be taken to limit the unrestricted exploitation of the Territory's resources by foreign companies, such as the immediate introduction of taxes on their incomes and the use of these taxes for the improvement of the health and educational services of the Territory and for the improvement of the extremely difficult material situation of the indigenous inhabitants.

The representative of France observed that, in fact, the companies already effectively paid taxes, which were devoted entirely to the development of Togoland and to the well-being of its inhabitants (T/P.V.131, page 12).

Wages and living standards

The representative of China noted that in African Trust Territories generally, wage rates were related to the minimum subsistence level of the inhabitants. A somewhat disturbing aspect was that it was said that the workers nevertheless did not desire high wages, since their needs were simple. He doubted the validity of this argument, and pointed out that the contrary might also be argued, to the effect that the needs of the inhabitants were simple because they had no means of acquiring those goods and services which satisfied the higher needs—better clothes, better housing, and improved health and sanitary conditions. If economic and social conditions were to be improved, there must be an improvement, in the first place, in terms of better clothing, housing, health, etc. Such improvement required positive action and initiative on the part of the Administering Authority, not only to create greater desires and needs but also to satisfy them.

The representative of the Union of Soviet Socialist Republics observed that indigenous labour received a very low wage and was in a very unequal position by comparison with the Europeans. This did not apply only to purely physical labour; the figures given on page 57 of the report showed, for instance, that indigenous teachers received only one-half of the annual salaries of European teachers.

The delegation of France recalled that, as stated on page 57 of the report, the scale of salaries and

allowances applied uniformly to Africans and Europeans, equal pay for equal work being the absolute rule in the matter. An African pharmacist, for example, received as much, on the average, as a French army officer. The expatriation grant payable to European persons or otherwise, recruited outside tropical Africa, did not constitute part of the salary, and was for the sole purpose of compensating for the risks and expenses involved in expatriation (T P.V.137, page 47).

Taxation

The representative of the Union of Soviet Socialist Republics observed that matters of taxation, including the imposition of taxes, could not be decided by the Representative Assembly but were conditional upon the approval of the French Council. He proposed that the Council should recommend to the Administering Authority to take measures to transform the existing personal (poll) tax into a progressive income tax system, or at least into a pure income tax system which would take into account property conditions and ability to pay.

The representative of the United States noted that since 1 January 1945 prestation (payment in kind) had been suppressed.

The delegation of France referred purely and simply to the decree of 25 October 1946 contained in the annex to the report by which the power of decision effectively belonged to the Representative Assembly. The fact that the Representative Assembly, as every other French local assembly, was under the administrative control of the French Council of State did not in any way impede its power of initiative.

4. Social advancement

General

The representative of Belgium suggested that the Council would be unanimous in paying tribute to the boldness and the generosity with which France had extended to the African territories the social legislation and the labour code of the metropolitan country.

The representative of the Union of Soviet Socialist Republics noted that the report contained very little information regarding the conditions of work and life of the indigenous population.

Human rights and fundamental freedoms

The representative of the Union of Soviet Socialist Republics observed that, although the report stated that the indigenous inhabitants enjoyed the same rights and freedoms as the inhabitants of France itself, this statement was not in any way substantiated by the facts of the situation.

Racial discrimination

The representative of the Philippines noted with special interest the assurance of the Administering Authority that all vestiges of racial discrimination had been wiped out. He hoped that future reports would give a better account of the effective implementation of this policy.

The representative of the Union of Soviet Socialist Republics stated that the racial problem

was completely overlooked in the section of the report dealing with social advancement, although it was one of the most outstanding problems in the Territory.

Labour

The representative of the Union of Soviet Socialist Republics noted that the report did not contain information on the factual situation in the field of labour, but limited itself to some formal statistics and a listing of applicable legislation and international conventions.

Public health

The representative of Iraq observed that there was room for improvement in health conditions, where the situation was extremely acute, but he was confident that the Administering Authority was alive to its responsibilities.

The representative of the Union of Soviet Socialist Republics stated that the information supplied to the Council showed that the condition of public health in the Territory was very poor. There were only seventeen doctors for the indigenous population (page 181 of the report) and this number was absolutely insufficient for even the minimum of medical care. The very high rate of illness shown by the statistics on page 185 of the report could be explained only by the very difficult conditions of life, based on insufficient medical care. As a result, there was a very high mortality rate; the report stated, on page 185, that the mortality rate in hospitals, representing only a small percentage of the total, gave no true picture of the over-all mortality figures. There was no record of the majority of cases of death in the villages, and the total number of illnesses was probably also greater than the number actually registered. For instance, it was stated (page 188) that only those persons who, for instance, suffered from syphilis in the second degree and in very serious form applied for medical assistance. The Administering Authority had done very little in the field of health. There were only one hospital, six medical stations, and seventy-six very primitive village medical stations—facilities obviously inadequate for a population of almost one million. The budget allocations for health were insufficient, and even less than those for the police and *gendarmerie*. There were ten times more prisons than hospitals. He considered it essential that the Council should recommend to the Administering Authority to take urgent measures for a decisive improvement in the health situation, by substantially increasing the budget allocations, and increasing the number of hospitals, clinics and doctors, with special attention to the training of doctors from among the indigenous inhabitants.

The delegation of France recalled that, according to the written answer to a written question put to the special representative by the representative of Iraq, the budget allocations for public health had increased as follows: 1947, 12,381,250 francs; 1948, 16,135,000 francs; 1949, 40,527,000 francs (T/252, page 19).

The representative of the United States noted the campaign to reduce infant mortality in the Territory. He commended the Administering Authority for this undertaking and invited it to give a report on its operation and effectiveness.

The representative of the United States stated that he was impressed by the constructive plan for medical collaboration devised by the French and British medical authorities. He commended the two Administering Authorities for the plan and invited them to submit a full report on its operation.

The President suggested that the Administering Authority should take account, in its next annual report, of the observations of the representative of the World Health Organization.

5. Educational advancement

General

The representative of the Philippines observed that the educational policy of the Administering Authority appeared to be characterized by three special features: the direct assumption of responsibility for education, the establishment of free education in government schools and the use of a common language. He proposed that the Council should commend the Administering Authority on these principles of policy, which he believed should be adopted in all Trust Territories.

The representative of the Union of Soviet Socialist Republics stated that the information supplied showed that the Administering Authority was not taking effective measures for the development of education and was holding back the development of the Territory towards self-government or independence. The Administering Authority should take urgent measures to bring about the improvement of primary, secondary and higher education.

Budget allocations

The representative of the Union of Soviet Socialist Republics expressed the view that the budgetary allocations for education were absolutely insufficient and should be increased.

The delegation of France pointed out that, according to the written answer to a written question put to the special representative by the representative of the Philippines, the total expenditure in the social field, i.e., on health and education, in comparison with that on industrial development and general administration, had been as follows: 1945, 20.3 per cent; 1946, 26.1 per cent; 1947, 25.7 per cent; 1948, 27.7 per cent; 1949 (estimated), 29.8 per cent. Eighty-four Togolanders had received scholarships for higher education in the metropolitan country (T/252, page 20).

Public and private schools

The representative of the Union of Soviet Socialist Republics proposed that the Council should recommend to the Administering Authority to have basic education carried out in government and not in private schools.

The representative of Costa Rica stated that too many teachers in private schools had not adequate training and technical background. The Administering Authority should do all it could to increase the number and scope of the public schools, since the teachers there were better trained and had higher standards than in the private schools.

Number of schools and teachers

The representative of the Union of Soviet Socialist Republics pointed out that primary schools were attended by only 24,600 children, an insignificant total in a population of about one million. He proposed that the Council should recommend to the Administering Authority to increase the number of schools and teachers, and to take all school-age children into school. He expressed the view that special attention should be paid to the training of teachers for the indigenous population.

Secondary and higher education

The representative of Iraq stated that there seemed to be room for improvement of higher education, and that the Administering Authority was aware of its responsibility in this matter.

The representative of the United States noted with considerable anxiety the absence of facilities for secondary education in the Territory. He urged the Administering Authority to carry out its plan for the development of secondary education with the utmost vigour.

The representative of the Philippines proposed that, in view of the fact that there were, as yet, only a very few Africans in responsible administrative positions, and that there was a shortage of such trained persons as doctors, the Council should recommend the Administering Authority to take energetic educational measures to produce Africans with the proper qualifications. The Council should, further, express the hope that the next ten or fifteen years would show a much greater advance in the economic, political and social progress of the Territory and a much greater increase in the responsible participation of the Africans in this field, all of which would require the most vigorous implementation of secondary and higher education.

Education of Moslems

The representative of Iraq expressed the opinion that the Administering Authority must make an earnest effort to disseminate education among the groups of the population belonging to the Moslem faith, by establishing schools and educational centres to suit their own particular culture and background.

Curricula; agricultural instruction

The representative of Costa Rica stated that in the curricula for indigenous pupils greater emphasis should be placed on agricultural instruction, since the economy of the Territory was agricultural and the population should be taught to cultivate the soil by increasingly efficient scientific methods.

Use of local languages

The representative of the United States noted that the authorities of the Togoland Territories under British and French administration were studying the problem of whether the vernacular or the metropolitan language should be used in the first years of instruction, and that the Department of Education of the Cameroons under French administration was planning an experiment in vernacular education. He invited the Administering Authorities to put their best co-operative efforts into a further study of this question.

The representative of the Philippines welcomed the use and teaching of the French language in public schools maintained by the Government. None of the numerous dialects had ever reached a national level, but the development of French as a national language would bring about the sense of unity and nationalism which was desirable in the progress of a people towards self-government or independence.

The representative of Iraq expressed the view that there must exist a vernacular of some sort that could be encouraged, instead of enforcing a foreign language which, carrying foreign traditions, background and culture, and being conditional to the holding of office, would jeopardize the eventual self-determination of the inhabitants. Since the populations of even the most advanced nations could hardly be expected to know a second language, it seemed somewhat arbitrary that people under trusteeship were by law required to know a foreign language before they could exercise their rights as citizens. The knowledge of a secondary language must be second to the development of a local vernacular, which was essential to the respect required by Article 73 of the Charter for the indigenous culture of the Territory.

The representative of the Union of Soviet Socialist Republics stated that, in the use of the French language at all stages in all recognized private and government schools, the national characteristics of the population were not taken into account. The lack of a single *lingua franca* in the Territory had been advanced as one of the reasons for the lack of teaching in Native languages, but during the several years in which France had been the Administering Authority the various local languages could have been carefully studied and a common alphabet and one or more of the most popular local languages could have been developed. In Togoland there was, in fact, a rather widespread local language which could easily be adapted for teaching in the schools. He proposed that the Council should recommend to the Administering Authority to have education conducted in local languages.

The representative of France emphasized the existence of a great number of dialects which were not even of the same linguistic origin, and none of which was sufficiently developed to serve as a basis for education. Even if local dialects were used at the elementary stages, pupils would be at a disadvantage in going on to higher education—especially in such fields as medicine and technical training—for which the local dialects were simply not equipped. The Administering Authority was equally concerned that the local culture should not be destroyed by the teaching of a foreign language, and considerable studies were being carried out for the purpose of preserving the African culture.

Literacy rate

The representative of the Union of Soviet Socialist Republics drew attention, in emphasizing the urgent need for educational improvement, to the fact that according to official data the high proportion of more than 84 per cent of the population was illiterate.

Library services

The representative of the Union of Soviet Socialist Republics proposed that the Council

should recommend to the Administering Authority to increase substantially the number of libraries and the number of books in local languages.

b. Miscellaneous

Form of the annual report

The representative of the United States welcomed the intention of the Administering Authority to append to the next annual report an index giving the exact chapter and page reference of the reply to each question in the Provisional Questionnaire.

The representative of the Union of Soviet Socialist Republics stated that the information contained in the report was insufficient and inexact, and did not give a true picture of the situation in respect of the fulfilment of the basic objectives set forth in Article 76 of the Charter. Instead of concrete data on any given question, the report was limited to general statements, and although the questioning of the special representative and the representative of France made it possible to clarify some points, in many cases the special representative had said that he had not the necessary information. More or less exhaustive information was lacking on more than seventy questions of the Provisional Questionnaire.

5. Western Samoa

The report of the Government of New Zealand on the administration of Western Samoa for the year ended 31 March 1948 was received by the Secretary-General on 6 October 1948 and, having been transmitted²⁶ to members of the Council on 12 November 1948, was placed on the agenda for the fourth session of the Council.

During the 14th meeting of that session Mr. F. J. H. Grattan, Secretary of Native Affairs for Western Samoa, who had been appointed as special representative of the Administering Authority, made an opening statement on conditions in the Territory. Mr. Grattan subsequently submitted written answers²⁷ to written questions²⁸ addressed to him by members of the Council on the report and on the administration of the Territory. During the 24th and 25th meetings, the representative and the special representative of the Administering Authority answered oral questions of members of the Council.

During the 26th meeting, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and requested the Drafting Committee on Annual Reports to draft a report, in accordance with Rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft²⁹ prepared by the Drafting Committee was considered by the Council at the 43rd, 46th and 47th meetings. A number of amendments to part II were adopted, and at the suggestion of the President, parts II and III were transposed. The report, as amended was adopted at the 47th meeting.

²⁶ T/220.

²⁷ T/260.

²⁸ T/256.

²⁹ T/275.

PART I

OUTLINE OF GENERAL CONDITIONS AS STATED IN
THE REPORT OF THE ADMINISTERING AUTHORITY
AND BY THE SPECIAL REPRESENTATIVE

1. General

Area, topography and climate

Western Samoa is situated between 13° and 15° south of the Equator and between 171° and 173° west longitude. It consists of two large islands, Upolu and Savai'i, and seven small islands and islets, with a total area of 1,133 square miles. The capital and chief port of the Territory is Apia (population 10,000).

The islands have a tropical climate, heavy rainfall and occasional severe storms. They are of volcanic formation and possess a rugged and mountainous terrain which rises in one peak to a height of 6,094 feet. Though heavily forested, soils are generally thin and rocky, and some sections are covered with lava flows from volcanic eruptions.

Population

On 31 March 1948 the population consisted of 67,149 Samoans, 5,109 part-Europeans, 316 Europeans, 285 Chinese labourers, five other Chinese and seventy-two Melanesians.

2. Political advancement

Introductory

Feeling that their ultimate aim of self-government would not be furthered by accepting the Trusteeship Agreement which was approved by the General Assembly of the United Nations on 13 December 1946, the representatives of the Samoan people petitioned that Samoa be granted immediate self-government, but that New Zealand should remain in the role of adviser and protector. The petition was transmitted by the New Zealand Government to the Secretary-General of the United Nations in January 1947. In July 1947 the Trusteeship Council sent a mission to Samoa to study local conditions and make recommendations regarding the Samoan petition.

On 26 August 1947 the New Zealand Government, in a statement in Parliament, outlined its immediate plans for the political development of Western Samoa. This revised constitution provided for a Council of State comprising the three *Fautua*, or highest chiefs, and the High Commissioner, and for a Legislative Assembly composed of the members of the Council of State, eleven Samoan members elected by the *Fono of Faipule*, five elected members of the European and part-European community, and six official members. The proposed constitution was found to be very closely in line with the recommendations contained in the report to the Trusteeship Council of the United Nations Mission to Western Samoa.³⁰

Implementation of the New Zealand's Government's proposals was effected by the passage of the Samoa Amendment Act, 1947, by the New Zealand Parliament on 25 November 1947. This Act came into force on 10 March 1948.

General administration

The Samoa Amendment Act of 1947 deleted the words "in the same manner as if the Territory were part of His Majesty's dominions" contained in the Samoa Act of 1921, and changed the title of "Administrator" to that of "High Commissioner". Under the Samoa Act the New Zealand Parliament retains the power to pass Acts affecting the Territory, and the Governor-General in Council is empowered to make in New Zealand "all such regulations as he thinks necessary for the peace, order and good government of the Territory".

The Legislative Assembly in Western Samoa is given the power by the Amendment Act to make laws (known as Ordinances) for the peace, order and good government of the Territory. Such Ordinances may not be repugnant to certain New Zealand legislation as described in the Amendment Act. No Ordinance can become law until it has been passed by the Assembly in the form of a Bill and has been assented to by the High Commissioner.

With the coming into force of the Amendment Act, the Legislative Assembly has replaced the former Legislative Council; it meets at such times as the High Commissioner may appoint.

Advisory committees of the Assembly have been set up on finance, education, health, and public works. Each Committee consists of three Samoan members, one European and one departmental head, with members of the Council of State sitting *ex officio* on all Committees.

The heads of the executive departments of the Administration and departmental officers are appointed by the New Zealand Public Service Commission, and the Chief Judge is appointed by the Minister of Island Territories.

Samoan authorities

At present only two *Fautua* are serving in the Legislative Assembly; the third died in March 1948. Samoan leaders have since proposed that no appointment of a successor be made, but that the number of *Fautua* remain at two. The *Fautua* advise the High Commissioner in matters relating to the Samoan people. Prior to their appointment to the Council of State in March 1948, they had no statutory powers.

In addition to the Legislative Assembly, the Samoan people are represented by the *Fono of Faipule*, which consists of forty-one members from constituencies based on traditional Samoan districts and sub-districts. The *Fono* ordinarily meets twice a year, and its members have the statutory right to "consider such matters relative to the welfare of the Samoan people as of their own initiative they think proper or as may be submitted to them by the High Commissioner and to express their opinions, and to make their recommendations to the High Commissioner". In practice, proposed Ordinances affecting the Samoan people are submitted, among other matters, to the *Fono* for its views.

This "right of consultation" runs through the entire fabric of Samoan society in both its social and political aspects. The *Fono of Faipule*, in an advisory capacity, acts as a sounding-board for Samoan opinion on any matter. Each *Faipule* and,

³⁰ T/46.

through him, any person in each of the forty-one *Faipule* constituencies, may refer to the High Commissioner of the Administration and ultimately the Administering Authority, any matter which is deemed to be in the interests of the inhabitants.

The Samoan *matai*, or heads of families, elect or choose the representative of their district in the *Fono* of *Faipule*. His name is submitted to the High Commissioner for confirmation of his appointment as *Faipule*. The *Fono* of *Faipule* elects the Samoan members of the Legislative Assembly. The Samoan members elected in 1948 were chosen from the eleven major political districts, although this is not a requirement of the law. In the majority of instances they are not *Faipule*, but other persons who do not belong to the *Fono*. When the choice of a particular political district falls upon a *Faipule* and he is appointed to the Legislative Assembly, that political district is then free to elect a new *Faipule* to replace the one appointed to the Legislative Assembly.

Judicial organization

There are a Chief Judge, four Commissioners of the High Court, three Samoan Associate Judges, and fourteen Samoan Judges in charge of the District Courts.

The Samoan Associate Judges sit on the bench at Apia in an associate capacity with one of the Commissioners or the Chief Judge. In cases where the defendant is a Samoan they take an active part in examining witnesses and helping to frame a just verdict. If the defendant is a European they may be present, but they take no part in the decision.

Offences against Samoan custom which are not offences against written law are handled in village councils presided over by village title holders. This divergence of custom from official written law is, in general, allowed to continue without official interference. Since increasing numbers of Samoans are tending to resist *matai* authority, appeals frequently are made by dissatisfied parties to the Department of Samoan Affairs and to the Courts, including the Land and Titles Court.

The Native Land and Titles Court is a special judicial body composed of the Chief Judge assisted by two European assessors and at least two of the Samoan Associate Judges. In the settling of disputes over the control of Native land and the right to hold traditional Samoan titles, Samoan usage has its fullest expression and sanction by law.

The right of rehearing is allowed from decisions of the Samoan Judges to the Commissioners and on to the Chief Judge, and, under certain conditions, to the Supreme Court of New Zealand.

The official language of the courts is English, but Samoan is used where necessary.

3. *Economic advancement*

General

Due to the high prices of both copra and cocoa, the export value for these two products in the past year was more than twice as high as the previous year, reaching an all-time high of £1,171,066.³¹

³¹ £ = New Zealand pounds.

This increased financial return from staple products prevalent for the past few years has resulted in an artificially high standard of living for the Samoan people, who display a tendency to neglect their own food plantations and to purchase European foodstuffs to a greater extent than formerly. A fall in overseas prices would inflict on them a hardship more apparent than real, as their own food resources are sufficient for their maintenance.

Agriculture

The main commercial products of the Territory are cocoa, bananas and copra. There is a local subsistence economy based on the growing of native foodstuffs.

Recent estimates indicate that about 400,000 acres, or 53 per cent of the total area, is wasteland comprising steep mountains, lava beds and other poor types of country. Cultivation is limited almost wholly to the coastal area and to the adjacent lower slopes.

Agricultural services consist of an inspection of all produce for export and of plantations for weed and insect pests. Plantation inspectors also inspect Samoan cultivations and encourage new plantings.

The development of copra production rests to some extent on the eradication of the coconut beetle. So far attempts to introduce insect enemies of this beetle have been unsuccessful.

Cocoa seedlings and rubber-seed are being imported to develop those branches of agriculture.

Livestock

The livestock industries are of local importance. Pigs and poultry are significant in Samoan economy, and horses and cattle are numerous. The New Zealand Reparation Estates have 9,000 head of cattle, of which 1,200 are killed annually for meat.

Land tenure

Approximately four-fifths of the land area is still held by the Samoans on titles based on their own customs and usages. All families possess enough land to supply them with their material wants. Under the Samoa Act, 1921, it is unlawful to alienate "Native land" other than to the Crown, although provision is made whereby the Administration may approve of leases up to forty years.

Forests, fisheries and mines

Limited but useful forest resources exist, and a small sawmill is operated on each of the two main islands.

Marine products form an important part of the Samoan subsistence economy, but commercial fishing is negligible.

No mineral resources of commercial value have been found.

Industry

There are no manufacturing industries. The development by the Reparation Estates of desiccated coconut and dried-banana industries oc-

curred in 1942 and 1946 respectively. Their export products in the past year reached a value of £98,100.

Native handicrafts are sold around Apia, but no overseas outlets have been organized.

Monopolies

No monopolies of any kind exist in the Territory.

Foreign trade

The total foreign trade of the Territory in 1947 amounted to £2,275,543, which was made up of imports valued at £923,773 and exports valued at £1,351,770. Copra and cocoa beans were the chief exports.

No international agreements with respect to trade applying to the Territory have been entered into by the New Zealand Government during the year under review. The Territory does not form a customs union with New Zealand or have any customs agreement with neighbouring territories.

Import, finance and price control

Import, finance and price controls instituted during the war still continue. Licences are required to import certain goods from New Zealand and for goods imported from other countries.

With no manufacturing industries, the Territory has no protective tariffs. Customs duties and other taxes are for revenue purposes only.

There is no special tariff relationship between the Territory and the New Zealand Government. Preferential treatment (instituted in 1920) is given to imports of British goods. Regarding export trade, no preferential treatment is given to any country.

Public finance

Revenue under various Treasury and Customs headings totalled £475,659, an increase of £210,732 over the previous year. Direct taxes payable in the Territory consisted of a graduated salary and store tax, a building tax, and water rates; these amounted to £50,232.

At the present time the Territory has no debts or outstanding loans, and reserves on 31 March amounted to £607,155.

Broadcasting

During the year under review, the establishment of a broadcasting service for the Territory was undertaken, and on 31 January 1948 the station was officially opened. One hundred and forty-seven villages are equipped to receive broadcasts from the local station.

The institution of a broadcasting system is possibly the most significant recent development in the social advancement of Western Samoa, for, in addition to disseminating educational matter, it provides for the first time a means whereby all the inhabitants can receive reliable information speedily and can hear the views of their leaders. Facilities are available to the *Fautua* and other Samoan leaders and to representatives of Euro-

pean organizations as well as to the High Commissioner and officers of the Administration.

Roads

There are 204½ miles of roads suitable for motor traffic. A shortage of transport and other equipment has handicapped the programme of road construction which calls for the completion of 145 miles of new roads. To protect existing roads from sea erosion, 5,000 linear feet of lava stone seawalls were constructed during the year.

4. Social advancement

Social conditions

The Samoan family is composed of a biological unit which may be living together in one village and also includes every other person in any other village who has blood relationship to that family group; and it may include people who are not related by blood. The *matai*, as the chosen head of the family, has the responsibility to direct its affairs in such a way that its best possible interests will be served. The family has its representation in the village council, through the head of the family. The *matai*, whether he be chief or orator, is entitled to sit in the village council and give the opinion of his family on village matters.

Human rights

Article 9 of the Trusteeship Agreement is fully observed—there is complete freedom of conscience.

Persons may be arrested without warrant only if suspected of serious offences against the person and crimes involving violence. All elements of the population are subject to the same laws as regards the safety of their persons and their property, and there have been no instances of the imposition of restrictions on the personal freedoms of the inhabitants. Neither have there been any restrictions on the writing, transmission or publication of information.

Population pressure

The population totals 72,936, an increase of 1,475 over the previous year. The only population pressure on land exists in Apia and a few of the larger villages, where population increases have led to a shortage of area for growing foodstuffs for the inhabitants and to some congestion of buildings. The New Zealand Reparation Estates, as a matter of policy, is prepared to relinquish, to the *Ali'i* and *Faipule* of such communities, sufficient areas of Estates land in their vicinities to meet their requirements.

Social welfare

The social system of the Samoans is such that poverty cannot exist. All the families are well endowed with land capable of supplying them with their material wants.

Labour

At present there are ample opportunities for all persons seeking employment. Samoans show no desire for regular employment for wages. Only 3 per cent of the population were so engaged according to the 1945 census. While no difficulty is

encountered in securing labour for short periods, the turnover in regular daily tasks is very large. Due to this, the previous German régime recruited indentured labour from China and the Solomons. The number of such labourers has been reduced through repatriation to 285 Chinese and seventy-two Melanesians. Of these, 126 Chinese are awaiting repatriation.

Labour conventions and legislation

A number of International Labour Organisation conventions have been extended to Western Samoa. Consideration is being given at the present time to the advisability of introducing industrial legislation to suit the needs of the Territory.

Medical services

The staff of the Medical Department consists of the Chief Medical Officer and two other European medical officers, twenty native medical practitioners, seven Native dental officers, one European dispenser, one qualified bacteriologist of part Samoan descent, and a nursing staff consisting of a matron, an assistant matron, nine European sisters, ninety-seven Native nurses, trainees and baby welfare assistants, and 82 others.

In addition to the Apia Hospital, there are thirteen medical out-stations, each with a Native medical practitioner in charge, and three additional out-stations under the control of Native nurses only.

Prisons and crimes

During the year, proceedings were instituted against 1,928 persons, of whom 1,676 were convicted.

Prisoners at the beginning of the year numbered 107. With 195 admitted and 184 discharged, those in custody at the end of the year numbered 118.

Juvenile delinquency

Juveniles are not imprisoned. There are no special laws or courts to deal with them. On conviction, a juvenile is sent to an approved family for care and discipline, and during his stay is treated as one of the family. Only fifteen such offenders appeared before the Courts during the year.

5. Educational advancement

Policy and administration

The long-range policy of education in Western Samoa is to bring the general population to a point where self-government by the Samoans is possible. The short-range policy of the administration schools aims at fulfilling the immediate need of the community for local people sufficiently well educated to hold executive positions of varying importance in commerce and administration. The mission schools supplement this to an appreciable extent, but are generally more concerned with providing their own particular organizations with trained personnel.

The Education Department is under the control of a Superintendent of Schools, who is responsible to the High Commissioner. Legislation relating to education in Western Samoa appears in the Samoa Act, 1921, section 43.

Government expenditures on education

An expenditure of £41,300 was authorized for education for the year 1947-48. This does not include the maintenance of school buildings, on which £944 were spent, or the cost of new buildings and sanitation, on which £6,333 were spent. Not all the money voted was spent, and the building programme was curtailed owing to lack of essential materials.

No major building-construction work has taken place during the year 1947-48 owing to lack or scarcity of materials. All schools are in general inadequately equipped, as during the war years school supplies of all descriptions were impossible to obtain.

The salaries of Samoan teachers, exclusive of cost-of-living allowance, range from £41 to £190 per annum. The salaries of European teachers with certificates, including various allowances, range from £435 per annum to £1,045 for the Superintendent of Schools. The salary scale of uncertificated teachers of European status commences at £55 per annum and rises to £440, exclusive of the cost-of-living allowance.

Number of schools

There are 105 administration schools, comprising ninety-eight primary schools, three middle schools, two schools for children who are European by birth or status, one post-primary school, and one teacher's training school. Denominational schools numbering 388 consist of 349 pastors' schools and thirty-nine other schools classed as preparatory schools and denominational colleges.

Under a scholarship scheme inaugurated in 1945, ten scholars were selected in 1948 for higher education in New Zealand, making a total of fifty-one such scholarship awards. The cost is borne by the New Zealand Government.

School children

There were 12,115 students in administration schools and 21,417 in mission schools. Since many children attend both types of schools there is considerable duplication in these figures.

Curriculum

Instruction in administration primary schools is in the vernacular, but English is taught. In middle schools all instruction is in English. In the pastors' schools instruction is in Samoan. In denominational schools on a higher level than pastors' schools English is taught and instruction proceeds in both Samoan and English.

Adult and community education

The incidence of illiteracy is not believed to be greater than 5 per cent. The few publications in Samoan, however, fill only a small percentage of the general need for such material among literate Samoans.

The introduction of a broadcasting system at the beginning of 1948 has augmented the direct instruction in the village schools. The interest in the daily educational broadcasts is not confined to children but spreads to village people, who listen in as well.

Libraries

Library facilities throughout Samoa are limited. A grant of £2,000 was made available for the purchase of books for the nucleus of a general school library. These are housed in the central education block at Apia. A travelling library to reach all village schools is at present impracticable.

6. Miscellaneous

Equality of treatment under law

By the Samoa Act, 1921, equal treatment in the administration of justice is accorded to all residents of the Territory, regardless of nationality.

Economic equality

There are no non-indigenous groups enjoying a special position in the economy of the Territory.

The policy of the New Zealand Government is to further the economic development of all sections of the population. There is only one indigenous group in the Territory—the Samoans—and existing legislation already protects their economic interests.

No economic concessions or privileges have been granted by the New Zealand Government either to Samoans or other residents of the Territory or to any outside organization.

PART II

CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. Political advancement

Samoa Amendment Act, 1947

The Council notes with satisfaction the reception given by the Samoan population to the constitutional changes introduced by the Samoa Amendment Act, 1947 and expresses the hope that a loyal and sincere collaboration will give the recent reforms an opportunity to produce their full effects.

Legislative Assembly

The Council recommends that consideration be given to the introduction of a system of universal suffrage applicable to all inhabitants of Western Samoa to the end that the basis of representation in the Legislative Council may be progressively broadened.

Civil service

The Council welcomes the policy of the Administering Authority of training the Samoans for the civil service so that they may gradually assume responsible administrative posts in the Territory.

2. Economic advancement

Economic development

The Council notes with satisfaction that the financial situation of the Territory is at present excellent. It is, however, aware that this prosperity is mainly due to abnormally high prices for copra and cocoa, and is concerned with the possible repercussions of a fall in these prices on the economy of the Territory. The Council therefore

recommends that the Administering Authority should continue to take all possible steps to protect the economy of the Territory against a fall in world prices by diversifying production, by introducing secondary industries into the Territory and by any other measures that may be found possible.

The Council recommends that the Administering Authority intensify its efforts towards the development and utilization of the resources of the Territory in order to raise the standard of living of the indigenous inhabitants, and requests the Administering Authority to elaborate an overall plan for the economic development of Western Samoa.

Preferential treatment

The Council takes note of the statement made by the representative of the Administering Authority that an inquiry regarding the existing preferential treatment of 11 per cent in favour of British goods is under way.

3. Social advancement

The Council urges the Administering Authority to intensify its efforts to improve the health and social services in the Territory.

The Council requests the Administering Authority to consider the possibility of making sample studies of the standard of living of the inhabitants.

4. Educational advancement

Secondary and higher education

The Council welcomes the proposed establishment in the Trust Territory of a new secondary school with full time educational facilities, and recommends to the Administering Authority that it intensify its efforts to increase existing opportunities of higher education for the people of the Trust Territory.

Compulsory education

The Council urges the Administering Authority to continue its efforts towards increasing the number of Samoan teachers so that compulsory primary education as well as more extensive education in middle schools, may become feasible as soon as possible.

Cultural development

The Council considers that the Administering Authority should further encourage the development of the national culture and the true national art of the indigenous population.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

1. General

General conditions

The representative of the Philippines said that he had been greatly impressed with the conditions in the Trust Territory.

The representative of the United Kingdom observed that New Zealand had approached the problems of Samoa in a realistic and practical manner, moving slowly and in step with local opinion.

The representative of Costa Rica stated that the general conditions prevailing in Western Samoa were of the most satisfactory kind and congratulated the New Zealand Government on the manner in which it had administered the Trust Territory during the period covered by the report.

2. Political advancement

Samoa Amendment Act, 1947

The representative of the United States of America felt that the New Zealand Government was to be commended for the passage of the Samoa Amendment Act of 1947, which put into effect the major political changes suggested by the Council's Visiting Mission to Western Samoa.

The representative of China considered the Samoa Amendment Act of 1947 a great step toward self-government and one of the happiest events in the history of the International Trusteeship System. In his opinion a great achievement of the new Act was its harmonious integration of traditional and modern institutions.

The representative of the Union of Soviet Socialist Republics was of the opinion that the Samoa Amendment Act of 1947 introduced very insignificant changes in the general situation which had existed in the Territory since 1921, that it did not sufficiently reflect the recommendations of the Visiting Mission, and that the greater part of the changes and modifications which it introduced were of a purely formal nature. He considered that the application of the legislative powers of the New Zealand Parliament to Western Samoa nullified the legislative rights and powers of the Trust Territory's Legislative Assembly, and that the High Commissioner enjoyed the same rights under the Act of 1947 as the Administrator had enjoyed earlier.

The representative of Belgium felt that the Council should be gratified by the recent constitutional changes and that the Council would be pleased if the New Zealand Government would fully carry out the experiment it was now making. However, time should be given for the new system to function.

Legislative assembly

The representative of the United States felt that the successful functioning of the four committees of the Legislative Assembly dealing with finance, health, education, and public works, and containing a majority of Samoans, would be of value through the training it would afford the Samoan people in modern government.

The representative of the Union of Soviet Socialist Republics regarded the powers of the Legislative Assembly as purely consultative in their nature and was unable fully to agree to the statement that the absolute majority in the Assembly was in the hands of the Samoans. Out of the thirteen Samoan members, two were representatives of the royal families, appointed by the High Commissioner, sat in the Assembly on the basis of their particular status and could not

therefore be considered as really reflecting the interests of the broad level of the indigenous population. The other eleven Samoan members could not be considered to have been chosen by the rest of the Samoans because they were chosen by the *Fono* of *Faipule* (the Council of Elders) who in turn were selected by the heads of families.

The special representative of the Administering Authority stated that the indigenous inhabitants constituted an absolute majority in the Legislative Assembly, there being eleven members representing the traditional political districts and two *Fautua*, making a total of thirteen representing the indigenous inhabitants. There were six official members and five members elected by the European community. Thus it was clear that the indigenous inhabitants had a majority in the Assembly.

The representative of Belgium considered that the Legislative Assembly differed from the former Legislative Council, especially in that it was acceptable to the Samoan people.

Self-government

The representative of the Philippines suggested that there might be a need now for granting further concessions in the political field.

The representative of the Union of Soviet Socialist Republics considered that the Administering Authority should adopt legislative and other measures which would provide for the participation of the indigenous population in the legislative, administrative and judicial organs of the Trust Territory. The Administering Authority should take steps to bring about a transition from the tribal system to a system of self-government based on democratic principles.

The representative of Mexico expressed the belief that in the near future it would be possible for the Administering Authority to transfer the administration to the indigenous population.

Suffrage

The representative of the Philippines proposed that the Council recommend to the Administering Authority that serious consideration be given to granting universal suffrage.

The representative of the Union of Soviet Socialist Republics drew attention to the fact that some 5,000 persons of European status had five representatives in the Legislative Assembly and the indigenous population, numbering 67,000 had only eleven representatives.

Judiciary

The representative of the United States noted that the Administering Authority had not yet found it wise to put into effect certain recommendations of the Visiting Mission concerning the constitutional recognition of Samoan customs and tradition, and the granting of judicial powers on such matters to district judges and village councils. However, the Council had received an assurance that these problems were being studied and that consultations would be held with the Samoans regarding them as soon as it was feasible to do so.

Civil service

The representative of China expressed the hope that more Samoans might be trained for the civil service, and that some indigenous inhabitants might gradually be trained to take over responsible administrative posts in the Territory.

3. Economic advancement

Economic development

The representative of the United States expressed satisfaction with the fact that Western Samoa, in comparison with many countries of the world, had an enviable financial position, but recalled the observation of the Visiting Mission that that prosperity was largely dependent on outside marketing of a few products. For this reason, he welcomed the efforts made by the Administering Authority to develop indigenous commercial enterprises and urged the Administering Authority to continue its constructive work in this field. The Administering Authority might find it appropriate to establish in the near future a Department of Agriculture.

The representative of the Philippines felt that the Administering Authority could intensify its efforts in the study of the possibilities of industrialization or the complete utilization of the resources of the Territory in order to raise the standard of living of the indigenous inhabitants.

The representative of the Union of Soviet Socialist Republics considered that no effective measures had been taken to draw the indigenous population into an active participation in the economic life of the Territory.

The representative of Belgium said that the export figures of Samoa could be favourably compared with the export figures of any country in the world. The extraordinary prosperity of the Territory rested, however, on a fragile basis as it depended on exports which were now seven or eight times higher than in 1934. Therefore, if the prices of export goods—which had risen to a much greater extent than the prices of import goods—were reduced, Samoa would be threatened with a difficult financial situation. This situation should inspire the Administering Authority to seek to widen the basis of the economy of the Territory.

The representative of Mexico, referring to the threats of a falling-off of prices in the world market, said that the necessary measures should be taken to meet such a difficult contingency and cushion the effects of a fall of prices.

Preferential treatment

The representative of the United States observed that some members of the Council might still have doubts as to the right of the Administering Authority to impose a preferential tariff in Western Samoa in the light of equality of treatment in commercial matters provided for under Article 76 d of the Charter. He noted the statement made by the representative of the Administering Authority that an enquiry regarding this problem was under way.

Budget surpluses

The representative of the Philippines observed that the sum of over half a million pounds now

invested in New Zealand might be more beneficially utilized in the Territory to raise the standard of life of the indigenous inhabitants.

Land

The representative of the Union of Soviet Socialist Republics pointed out that 143,360 acres of land were in the hands of the Administering Authority and of European landowners, and that the fact that there were almost twenty acres of land per European and only approximately five acres for each Samoan was evidence of racial discrimination in the distribution of land. He considered that there was no justification for not having returned to the indigenous population the 73,000 acres of land which had been taken away from them by the German colonizers, a greater part of that land constituting the best land in the Territory. The representative of the Union of Soviet Socialist Republics considered that the Administering Authority should return that land to the indigenous inhabitants.

The special representative of the Administering Authority pointed out that of the total of 75,360 acres representing the former German estates, only 9,836 acres were worked directly by the New Zealand Reparation Estates. He expressed the opinion that over 50,000 acres consisted of land which could not be cultivated. In many cases it consisted of rough volcanic lava country, mountain-side, river beds or sheer precipices, so that the amount of land actually available to be worked was only approximately one-third of the 75,360 acres at present held by the New Zealand Reparation Estates.

As to the intentions of the Administering Authority in relation to the ultimate return of these lands to the indigenous inhabitants, the special representative of New Zealand stated that the New Zealand Government was the legal owner of the lands as the legal successor of people or institutions which had given value for them in the last century. In 1891 and 1894 the three land commissioners nominated by the United States, Germany and Great Britain had worked on the claims submitted to them by those who claimed to be the owners of Samoan lands and as a result of the work of that commission, original European titles called court grants had been issued to those who were able to substantiate their claim. Those titles issued by the commission formed the basis of the present land registry records of Western Samoa.

For many years the New Zealand Reparation Estates had followed a policy of making land available, either by sale or lease, to villages requiring it. Some of the areas in question had been large, and prices or rates of rental had in many instances been little more than nominal. It was the practice to give adjoining villages or those to whom the land in question originally belonged the first option of purchase, and in any case land was now made available to villages rather than to individuals in order to secure a more equitable distribution.

The special representative stated that the duty of the New Zealand Government in this matter was to endeavour to strike a balance between two considerations:

(a) The material welfare of the whole Territory as represented by the contribution made by the Estates to the economy of the Territory; and

(b) The interests of a few villages that might become increasingly short of land.

Attention was drawn to the reply of a previous special representative to the effect that if the use of Estates land for commercial purposes conflicted with the requirements of the Samoans for settlement and the maintenance of their own livelihood, there was no question that the latter would be given preference.

4. *Social advancement*

Legal status of inhabitants

The representative of the United States observed that one of the exceedingly complex problems faced by Western Samoa was the legal distinctions between persons of European, Samoan and part Samoan status. He also observed that, like all problems of this nature, distinctions such as these were apt to arouse deep feeling and resentment. He considered that the Administering Authority's policy of permitting the newly formed Legislative Assembly to get its feet on the ground before dealing with such a complex problem was a wise one. He felt sure, however, that the Administering Authority would keep the Council currently informed as to the study which it was making of this problem.

Health services

The representative of the Union of Soviet Socialist Republics observed that the Administering Authority had not shown sufficient concern for the improvement of medical services for the indigenous population. There was an insufficient number of medical personnel, no facilities for secondary or higher medical training, and not a single maternity home in the Territory. The question of the water supply had not been satisfactorily solved, and even in the city of Apia there were dangerous sanitary conditions. The Administering Authority should make increased budgetary allocations for health and social services generally.

The representative of the Administering Authority stated that, although doctors were not trained within the Territory, the Administration subscribed to the upkeep of the Central Medical School in Suva, where at present ten Samoan students were in training as assistant medical officers. Samoan nurses, dressers, dispensers, laboratory assistants, dental officers and assistant health inspectors were trained locally at the hospital in Apia, midwifery was taught to nurses as part of their general training, and each district hospital and dispensary was in part an antenatal clinic. The main clinic at the Apia Hospital was in charge of a qualified New Zealand midwife and under the direction of a European medical officer. Much of the work of the district nurses with the women's committees in the villages was in that field.

Sanitation

The representative of Costa Rica observed that in the city of Apia there were septic tanks in a great number of European houses, whereas the

Native houses had cesspools and some other Native houses had not even that facility. There seemed to be a deficiency in this matter.

The special representative of New Zealand stated that the Chief Medical Officer had drawn up a scheme to improve sanitation and public health in general. The effectiveness of this scheme would depend upon the co-operation of the Samoans who must be educated to an awareness of its importance. Steps were in hand to train local sanitation inspectors whose duty it would be to endeavour to convince the people that there was a real need for such public health measures, and steps were being taken to procure and show films designed to enlist Samoan co-operation concerning them.

5. *Educational advancement*

Compulsory education

The representative of the United States observed that the Administering Authority had so far developed no plans to make primary education compulsory in the Territory. The Administering Authority had pointed out that a considerable increase in the number of Samoan teachers would be necessary before such a plan could be put into effect. He welcomed the plans which had been approved by the New Zealand Government to increase substantially the number of teachers being trained in the Teachers' Training College. He also urged the Administering Authority to continue to extend its efforts in this field so that compulsory primary education, as well as extended education in middle schools, would become feasible at as early a date as possible.

Secondary and higher education

The representative of China noted with satisfaction that illiteracy was practically wiped out and that 95 per cent of the children attended school. He expressed the hope that in due course—perhaps in the immediate future—a full secondary school might be established.

The representative of the Union of Soviet Socialist Republics observed that the Administering Authority did not provide facilities for secondary education. There was only one middle school in the Territory, which had twenty-seven pupils, most of them Europeans. He considered that the Administering Authority should undertake the necessary measures to improve the situation in regard to education, specifically in regard to secondary and higher education.

The representative of Mexico stated that the Administering Authority should give a greater impulse to education and that it should establish secondary schools. The population should be able to develop its own education.

The special representative of New Zealand stated that the plan for higher education approved by the New Zealand Government in 1947 provided for the appointment of additional New Zealand teachers to assist in the training of Samoan teachers and also to serve in certain middle schools which were to be expanded to permit a greater flow of competent pupils to the Teachers' Training College and the new secondary school which was to be established in Apia. This institution would be progressively enlarged as the flow of pupils from the middle school developed.

The results of the scholarship system established and supported by the New Zealand Government had exceeded expectations. Ten further scholars had been selected in 1948, bringing the total number of such scholarships awarded to fifty-one. After the school examinations in December 1948, twenty-seven scholars who had completed three or four years' instruction had been provided with passages to Samoa at the expense of the New Zealand Government for the purpose of visiting their homes. They would return to New Zealand in February 1949 for further schooling or to enter institutions for the commencement of technical training.

The special representative added that it was not intended to abolish the scholarship scheme when the secondary school in Samoa would be in full operation; pupils from that school would then be granted scholarships or bursaries to undertake university or special training in New Zealand.

Cultural development

The representative of the Union of Soviet Socialist Republics observed that the Administering Authority was not undertaking any measures for the development of the national culture and of true national art of the indigenous population. He considered that, with a view to the development of national cultural establishments and organizations, the Administering Authority should increase the budgetary allocations for cultural facilities for the Territory.

6. New Guinea

The report of the Government of Australia on the administration of New Guinea for the year ended 30 June 1948 was received by the Secretary-General on 9 February 1949 and, having been transmitted³² to members of the Council on 4 March 1949, was placed on the agenda for the fifth session of the Council.

During the 11th meeting of that session, Mr. J. R. Halligan, Secretary of the Department of External Territories, who had been appointed as special representative of the Administering Authority, submitted written answers to written questions³³ addressed to him by members of the Council on the report and on the administration of the Territory. During the 11th, 12th, 13th and 14th meetings, the Australian representative and the special representative of the Administering Authority answered oral questions of members of the Council.

During the fourteenth and fifteenth meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory.

During the 18th meeting, the Council appointed a Drafting Committee on New Guinea, consisting of China, Mexico, New Zealand and the United States of America to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft³⁴ prepared by the Drafting Committee was considered by the Council at the 26th meeting and adopted with one amendment to part II.

PART I

OUTLINE OF GENERAL CONDITIONS AS STATED IN THE REPORT OF THE ADMINISTERING AUTHORITY AND BY THE SPECIAL REPRESENTATIVE

1. Political advancement

General administration

The Territory continued to be provisionally administered during the year under the Papua New Guinea Provisional Administration Act 1945-1946 in which the power to make ordinances for the peace, order and good government of the Territory is vested in the Governor-General of the Commonwealth of Australia. The division of the Territory into eight districts for purposes of administration remained unaltered.

No fundamental changes were made in the composition of the administrative staff. In a total of 1,686 classified positions in the various departments of the Administration for both Papua and New Guinea, a staff of 1,022 Europeans was on duty at 30 June 1948, indicating an increase of forty-seven over the previous year. Approximately 600 officers of the Administration are stationed permanently in the Territory of New Guinea. In addition, the Administration employed 9,272 indigenous inhabitants and was represented in the villages of the Territory by 11,048 other indigenous inhabitants, consisting of *Luluais*, *Tultuls* and Medical *Tultuls*.

Approximately 8,000 square miles in the Central Highlands district were added to the area under administrative control during the year under review.

No legislation furthering the political advancement of the Territory toward self-government or independence was passed during the year.

Judiciary

Legislation for the establishment of Native courts which are to be composed exclusively of indigenous inhabitants was being prepared.

Native authorities

A number of experimental village councils was set up in the New Ireland district. In New Britain, advisory village councils were particularly active around Rabaul in bringing village affairs in closer contact with Administration officials.

2. Economic advancement

Agriculture

There were no significant changes in the acreage devoted to the principal agricultural products which are copra, cacao, and coffee. The Administration encouraged and assisted the indigenous inhabitants in the production of copra and the growing of coffee and other crops. Provision was made for the appointment of European project managers to organize and lead Native communities in the production of economic crops.

³² T/266.

³³ T/354.

³⁴ T/377.

Projects already in operation include copra, coffee and rice production. Native produce is to be marketed by the Administration for producers. For the purpose of improving the living standards of indigenous women, two European female agriculturists, university graduates in agriculture, have been selected to take up duties in the Territory.

In several instances indigenous communities undertook to produce copra from European-owned plantations on a share basis, and in the Sepik District co-operative societies under the leadership of indigenous inhabitants leased two copra plantations from the Administration.

Livestock

A chief was appointed to the Division of Animal Industry and sites were selected near administration centres for stock-breeding stations, quarantine areas and for the teaching of methods of husbandry. Breeding stock was introduced to stock stations near Lae and Rabaul and also to some agricultural stations.

Fisheries

A survey of territorial waters was in progress to ascertain and develop the fish and shell resources of the Territory. The training of indigenous divers was included in this project.

Forests

Ten sawmills were in operation and four more were being constructed. Approximately 9,000,000 superficial feet of logs were converted into sawn timbers for use in the Territory, and 400,000 superficial feet of logs were exported.

Minerals

Gold is the only mineral being exploited at the present time. Other mineral resources have not been found in sufficient quantities to warrant development.

Foreign trade

The total foreign trade, consisting of imports valued at £3,105,098³⁵ and exports valued at £1,927,075, amounted to £5,032,173, an increase of £3,465,207 over the previous year. Foodstuffs, non-alcoholic beverages, apparel, textiles and manufactured fibres, metals, metal manufactures and machinery were the principal imports in terms of value, being approximately two-thirds of the total. Approximately 75 per cent of the total exports consisted of gold and copra. The export of gold rose from 27,966 ounces valued at £179,548 in 1946-1947 to 126,092 ounces valued at £851,569 in the year under review. Copra exports totalled 18,887 tons valued at £625,662.

The Territory obtained approximately 67.9 per cent of its imports from Australia, 12.8 per cent from the United States of America, 4.8 per cent from the United Kingdom and 4.1 per cent from China. Australia received approximately 99 per cent of its exports.

Public finance

In the year under review internal receipts amounted to £589,709 and together with a grant

by the Australian Government of £1,109,494, totalled £1,699,203. Expenditures, including £227,664 paid to indigenous inhabitants for war damages and war injuries, amounted to £1,656,926. The closing surplus at the end of the year was £155,259. Information on the capital position of the Territory was not available.

Transportation and communications

Mails to all areas except Bougainville are now serviced by air as well as by surface transport. A bi-weekly service has been established from Australia and Papua to Rabaul.

Telephone services were extended at Lae, Madang and Rabaul and a small telephone exchange was constructed at Garoka in the Central Highlands.

Improvements in transport and communications include wharves and cargo storage facilities at Lae and Rabaul.

Public works

Arrangements were made for the Department of Works and Housing of the Commonwealth of Australia to take control of all public works in the Territory and the neighbouring Territory of Papua.

An additional 183 employees were added to the Department of Public Works for the two Territories, making a total of approximately 430 European employees, the majority of whom were employed in the Territory of New Guinea.

Electricity has been made available in the towns of Lae and Finschafen and at Rabaul.

In addition to the completion of eighty-nine cottages suitable for use as married quarters, the following projects have also been completed: single quarters for men and women; indigenous labour houses; European, Asiatic and indigenous schools; hospitals, nurses' quarters; X-ray block; public library; police station and constables' quarters; indigenous produce markets; supreme court buildings and judges' chambers; stores and workshops.

3. Social advancement

Social welfare

The only legislation directly affecting social welfare was the Native Labour Ordinance, 1946, which became effective on 15 September 1947.

A Social Development Planning Committee was set up to inquire into and make recommendations concerning social security.

Two senior female officers, with specialist, anthropological and social welfare qualifications, were conducting a survey during the last nine months of the year for the preparation of plans to improve the general social status of indigenous women and girls.

The introduction of adult evening and special classes for 150 selected indigenous and Chinese students was a special feature of social welfare work.

Prisons and crime

The number of persons charged and convicted in the courts was 2,360 and 2,229 respectively.

³⁵ £ = Australian pounds.

This was more than twice the number for the previous year, when 1,095 were charged and 1,052 were convicted. The number committed to prison was 1,905, an increase of 776 over the preceding year.

Penalties of corporal punishment in certain cases are provided by law, but no sentences of corporal punishment were imposed.

Labour

The chief problem regarding labour and working conditions is the inability of labour resources to meet the demand for skilled, semi-skilled and unskilled workers required for the rehabilitation and developmental plans which have been formulated. It is estimated that these require 24,000 more workers than are now employed.

The numbers of indigenous inhabitants employed increased from 16,016 on 1 July 1947 to 25,924 by the end of the year under review. An additional 1,170 were serving in the police force. Indigenous labourers were employed as follows:

Plantations	9,109
Mining	4,647
Administration	8,102
Domestics	1,506
Shipping, commerce and industry	1,784
Miscellaneous	776

TOTAL 25,924

On 30 June 1948, 8,102 labourers were employed by the Administration, and 9,048 indentured labourers and 8,774 non-indentured labourers were employed by private employers.

The trend in indigenous labour is from indentured toward non-indentured forms of employment. This is apparent if comparisons are made with the years preceding the Second World War, when nearly all workers were indentured.

Trade unions and labour disputes

No trade unions have been established, and there is no machinery for collective bargaining in the Territory. Industrial disputes during the year were of a minor nature; no claims remained unsettled.

Public health

The number of official medical centres increased from thirty-eight to forty-nine during the year. The number of official medical officers increased from six to nine and the total medical personnel serving in public health activities increased from 815 to 984. Government hospitals had eighty beds for Europeans and 6,947 beds for non-Europeans. During the year they treated 911 European in-patients, 52,592 non-European in-patients, 2,647 European out-patients and 45,219 non-European out-patients.

Instruction was given to 240 indigenous inhabitants in the medical training centres at Lae, Garoka and Mount Hagen. Additional schools were opened during the year at Wewak and Rabaul. Seven students were sent to Suva, Fiji to be trained at the Central Medical School for Native and Indian practitioners.

The amount expended on public health, including grants to missions, totalled £227,527, an increase of £38,109 over the previous year.

4. Educational advancement

Thirteen additional schools were established during the year. Instruction was given at five primary European schools, five primary Chinese schools, two primary part-Malayan schools, and twenty-six indigenous village, area and district schools, including one technical school. An incomplete survey of mission schools showed a total of 1,463 which are described as village, intermediate and higher schools.

The enrolment in government schools increased from 1,793 to 2,561 pupils, and included 108 Europeans, 431 Chinese, 123 part-Malay and 1,800 indigenous children. Mission schools were estimated to have a total of 60,000 students. The number of teachers in government schools increased from fifty-four to eighty-eight; of these, eighteen were European, ten were Chinese and sixty were indigenous teachers. Mission schools were estimated to have sixty European and 1,500 indigenous teachers.

Educational expenditures, including a £21,750 grant to mission schools, amounted to £52,256, an increase of £15,561 over the previous year.

PART II

CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. General

General advancement

The Council, in presenting to the General Assembly the conclusions and recommendations arising from its examination of the report on the administration of the Trust Territory of New Guinea for the period 1 July 1947 to 30 June 1948, draws attention to the fact that, in its examination of the annual report on New Guinea, it has taken into account the inability of the Administering Authority during the year under review to act upon the recommendations arising from its examination of the previous annual report, since those recommendations were not made until after the end of the year covered by the present report. The Council therefore suggests that the next annual report should indicate fully the progress made by the Administering Authority in implementing or acting upon the recommendations made by the Council in 1948.

The Council, considering the backward character of the Territory, and considering the efforts of the Administering Authority in carrying out the obligations which it has assumed under the Trusteeship Agreement, commends the Administering Authority for the good work which, on the whole, it has carried out on behalf of the inhabitants, and expresses the hope that the Administering Authority will make every effort to advance the inhabitants of the Territory, as rapidly as possible, towards the objectives of the International Trusteeship System.

The Council, noting the backward character of the Territory, noting the devastation caused by the war, and noting the intentions of the Ad-

Administering Authority to raise the political, economic, social and educational standards of the Territory, commends the Administering Authority for its achievements so far, especially in the field of rehabilitation, and considers that it must nevertheless exert more vigorous efforts if the objective which it has set itself as the Administering Authority for the inhabitants is to be attained in the near future.

Peaceful penetration

The Council, while approving, in principle, the method of peaceful penetration as a means of bringing uncontrolled areas under the control of the Administration, recommends that the Administering Authority should (a) review the actual application of this policy with a view to preventing the recurrence of such tragic incidents as the killing of five members of the Dika tribe; (b) recruit more mature and more adequately trained patrol officers, and instruct them in the principle and proper practice of the policy; and (c) take all possible steps to establish such conditions in the controlled areas that the inhabitants of the uncontrolled areas may realize the benefits that modern administration may give them.

2. Political advancement

Legislative Council

The Council, noting the allocation of only three seats to unofficial indigenous members in the joint legislature for the Trust Territory and Papua, recommends that the Administering Authority should (a) study the possibility of increasing the number of indigenous members of the joint legislature; (b) study the possibility of establishing a separate legislature for the Trust Territory; and (c) give increasingly greater participation in the Legislative Council to the indigenous inhabitants, leading to the eventual establishment of an indigenous majority.

Indigenous organs

The Council, considering that the tribal system does not offer sufficient opportunity for the progressive political development of the inhabitants toward self-government or independence, recommends that the Administering Authority take steps to provide for a gradual transfer from the tribal system to a modern system of self-government based on democratic principles.

The Council reiterates its previous recommendations on the subject of advisory village councils, and recommends that, in framing the proposed ordinance defining the powers and functions of the village councils, the Administering Authority specifically take into account the previous recommendations of the Trusteeship Council, and in particular recommends that provision be made in the ordinance for the training of village councils in the essentials of handling public finances and that these councils be entrusted with a certain amount of financial responsibility.

The Council recommends that the Administering Authority take suitable measures to give, whenever appropriate, legal status to traditional indigenous courts and practices and bring them into relationship with the existing court system.

Administrative service

The Council, noting with appreciation the great increase which has taken place in the number of administrative positions established, considers that the shortage of staff in the Trust Territory is a serious obstacle to its development and suggests that the Administering Authority consider whether the conditions of service are sufficiently good to attract the most suitable type of staff in adequate numbers, and that it considers the advisability of employing in the Department of District Services and Native Affairs a number of older men on five- or ten-year contracts until such time as a new generation of officials may be trained.

3. Economic advancement

General

The Council considers that in the economic and financial development of the Territory consideration should be given and measures taken to increase the participation by the indigenous population in the development of the abundant resources of the Territory.

Agriculture

The Council notes with appreciation the achievements of the Administering Authority with regard to agriculture, fisheries and animal husbandry, and in particular its work in agricultural experimental stations, and expresses the hope that this work will be continued and expanded.

Co-operative societies

The Council commends the Administering Authority for its initiative in the enactment and contemplated operation of the Co-operative Societies Ordinance of 1948 and expresses the hope that the Administering Authority will, in every way possible, foster the development of co-operative enterprises.

Taxation

The Council reiterates its previous recommendations on taxation and hopes that the Administering Authority will consider the possibility of increasing the royalty on gold production and of abolishing the law dealing with the Native head tax, which the Council is glad to note has been suspended since the resumption of civil administration.

4. Social advancement

Human rights and fundamental freedoms

The Council recommends that the Administering Authority revise the Police Offences Ordinance and other laws, regulations and practices relating to the powers of arrest and curfew.

The Trusteeship Council recommends that the Administering Authority review all the legislation and the administrative practices of the Territory with a view to the abolition of any laws and practices, especially in the laws on immigration, which may involve discrimination contrary to the Charter or to the Trusteeship Agreement.

Wages and labour conditions

The Council recommends that the Administering Authority conduct, as soon as possible, cost-

of-living surveys, at the beginning only in some typical rural, urban or mining communities, and transmit the results of those surveys to the Council.

The Council recommends that a special study should be conducted as to the possibility of increasing the minimum wage of 15 shillings per month paid to indigenous workers.

With regard to the principle of equal pay for equal work and with regard to the establishment of some form of collective bargaining, the Council reiterates its recommendations of last year and in this connexion recommends that the Administering Authority should (a) take all possible steps to readjust the existing salary and wage rates in order that there should be no differentiation except on the basis of skill, and (b) whenever possible, encourage the establishment of trade unions in the territory.

The Trusteeship Council, noting that a minimum period of five years has been fixed for the abolition by legislation of the system of indentured labour, recommends that the Administering Authority consider appropriate measures in order to hasten the abolition of this system.

Public health

The Council, in reiterating its recommendations of last year with regard to public health, recommends that the Administering Authority take all possible steps to expand and develop the public health services.

Penal organization

The Council, noting the unlimited power vested in the Administrator to prolong indefinitely the incarceration of a convicted person declared an habitual criminal, recommends that the Administering Authority review the legislation with a view to ensuring provision for judicial declaration of an habitual criminal and for the fixing of the minimum and maximum period of further punishment.

The Council, while noting the statement in the annual report that no sentences of corporal punishment have been imposed since the resumption of civil administration, recommends that the Administering Authority formally abolish corporal punishment.

5. Educational advancement

The Council, recognizing the serious efforts that have been made in the field of education and noting the relationship between the Administration and the religious missions in this field, commends the Administering Authority for the present arrangements giving it supervisory control over the whole programme.

The Council, noting the considerable increase in the expenditure for education from 1946-1947 to 1947-1948, but noting that the expenditure is still low, reiterates its recommendations of last year regarding educational advancement and higher education, and recommends that the Administering Authority undertake a further increase in expenditure in order to cope with the widespread illiteracy of the inhabitants and to provide for secondary and higher education and other cultural requirements.

6. Miscellaneous

The Council requests the Administering Authority to provide in the next annual report, in addition to detailed answers to the Provisional Questionnaire and information arising from the foregoing conclusions and recommendations, information with regard to the present system of preferential treatment extended to certain goods exported from the Territory.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

General advancement

The representative of Iraq stated that the Council should observe that in its examination of the present annual report it had taken into account that its recommendations arising from the previous annual report could not have been acted upon by the Administering Authority during the year under review, since the recommendations were not made until the end of that year.

The Council should further note that conditions in the Territory and the state of advancement of the inhabitants towards the objectives of the Charter remained generally unchanged during the year under review.

The Council should express the hope that, in these circumstances, the next annual report would indicate fully the progress made by the Administering Authority in implementing the Council's recommendations of 1948 and would reflect a more rapid advancement, in the letter and spirit of these recommendations, towards the goals of the International Trusteeship System.

The representative of France fully agreed with the observations made by the representative of Iraq concerning the recommendations made by the Council on the previous annual report on New Guinea. He expressed the opinion that it would be wise to reiterate these recommendations as a whole; to insist that the Administering Authority attach all the necessary importance to the implementation of the recommendations; and to obtain from the Administering Authority an assurance that the next annual report would include the results of the implementation of the recommendations.

The representative of the United States of America expressed the concern which his delegation felt over the failure of the Administering Authority to make available to members of the Council a sufficient number of copies of the report on New Guinea in time to make possible an adequate study of the report.

He suggested that the Administering Authority should exert every effort in the future to provide full information in the report, not only in reply to the questions in the Provisional Questionnaire, but also in compliance with the requests made during the present session of the Council by the various representatives. His delegation was particularly interested in receiving as much information as possible concerning the broad developments in matters of general interest, and believed that the experience gained by the Administering Authority in undertaking surveys, building pro-

grammas, agricultural experiments and health projects should be described in some detail in the report so that other Administering Authorities might have the information available as possible guides to them concerning improvements which they might undertake in the Trust Territories under their administration.

He considered that the Administering Authority was making every effort to carry out the obligations it had assumed under the Trusteeship Agreement and believed that the report itself, and the answers given by the special representative, revealed a situation which in general was worthy of the Council's approbation.

The representative of the United States expressed the view that the Council, in considering the report and in making its recommendations and observations thereon, should keep in mind several fundamental facts. First, the Territory was extremely backward and primitive; secondly, much of the Territory was undeveloped and there were great difficulties of geography and climate; and thirdly, the Territory was a battle area during the Second World War. The task of rehabilitation was a very complicated one and the Council should commend the Administering Authority in its stated aim of not only rehabilitating the inhabitants, but also of effecting as quickly as possible further improvements in their situation.

The representative of the Union of Soviet Socialist Republics noted that, both in the report itself and in the replies of the special representative, there was not sufficient factual data regarding a great number of important questions contained in the Questionnaire. In neither the report nor in the replies of the special representative was there information given regarding the conditions of life and the normal requirements for minimum subsistence for the indigenous population; there were insufficient data regarding the conditions of education and health. No information was furnished regarding the participation of the indigenous population in the political life of the Territory. He emphasized this insufficiency of information as evidence that on a number of questions there was no information given because the Administering Authority had not taken the necessary measures to carry out and to implement the objectives and principles of the International Trusteeship System.

The representative of the United Kingdom noted that obviously much remained to be done in New Guinea, a fact admitted by the Administering Authority and which indeed was the case in many countries which were not Trust Territories. New Guinea was still a backward territory and that was the reason why it was placed under trusteeship, a fact which was sometimes overlooked.

In his view the Administering Authority had, on the whole, done good work on behalf of the inhabitants and should be commended.

The representative of the Philippines agreed that a resolution of the Council should be formulated calling the attention of the Administering Authority to the recommendations of the previous year. However, that should not be all, as the answers of the special representative had shown certain facts upon which specific action might be taken by the Council, either as new recommendations or as amplification of previous ones.

He considered that much remained to be done in the Territory. He noted the intentions of the Administering Authority to raise the political, economic, social and educational standards of the Territory, but contended that good intentions were not enough. While the Administering Authority should be commended for its achievements, especially in the field of rehabilitation, it was apparent that it should exert more vigorous efforts if the goal which it had set itself as trustee for the peoples of New Guinea was to be attained in the near future.

He remarked that the report was inadequate and he was disappointed that the additional information previously requested by the Council for inclusion in the present report was not in fact included.

The representative of Australia considered that care should be taken by the Council, in formulating its recommendations, not to give undue repetition from year to year to recommendations which had a bearing over a long period of years. Recommendations adopted by the Council on the previous annual report were still the substantive recommendations of the Council. The Council had yet to learn the reactions of the Administering Authority, where they existed, on these recommendations and therefore it was proper for the Council, before embarking on a new series of recommendations, to await the action which would follow from the previous recommendations. The representative further pointed out that the Administering Authority had in some cases initiated action similar to that suggested in some recommendations, before the Council had itself adopted the recommendations.

The representative of Australia further recalled that the Council would despatch a visiting mission to the Territory in 1950. Many of the implied criticisms and observations apparent in the discussion might then be found subject to reversal or considerable modification.

He further emphasized that the Council should keep in mind that the Territory was at the most primitive stage of development. No startling or dramatic changes could be introduced suddenly and it was necessary to think not only in terms of years, but in terms of tens of years, in some of the developing processes in New Guinea, especially regarding political development. Before the inhabitants could exercise their eventual political rights they would have to learn the meaning of abstractions. In other words the basis of development was education, first on the primary level gradually leading to universal literacy, then secondary education, and finally higher education, until eventually these concepts and ideas began to be grasped by the great masses of the population.

Peaceful penetration

The representative of the Philippines approved fully the principles of peaceful penetration, but doubted whether the practice of this policy tallied with the principle.

The Trusteeship Council should, while approving the principle of peaceful penetration, recommend that the Administering Authority review the practice thereof with a view to preventing the recurrence of tragic incidents such as the killing of five Dika tribesmen, and should recruit more

mature and trained patrol officers and indoctrinate the Native police in the principle and proper practice of the policy of peaceful penetration.

The representative of the United States stated that, although certain regrettable incidents of violence had occurred as the various primitive tribes were brought under control, his delegation considered that the policy of peaceful penetration was a realistic one and, considering the magnitude and difficulties of the task, there seemed to be no reason to believe that the policy was unsound or not designed in the interests of the inhabitants.

The representative of Australia, referring to the remarks made by the representative of the Philippines on the incident of July 1947 when five Natives were killed, stated that if no other construction were put on the incident, the record might show that it was a more or less wilful act resulting from a deliberate application of the policy of peaceful penetration. But, in fact, this was primarily a fortuitous expedition into an uncontrolled area. It had not been undertaken in pursuance of the general policy of peaceful penetration as such, and strictly it should never have taken place at all if the orders given by the superior officer had been followed. The result of the incident was deplorable, but it should not be represented, nor should the consequences of the incident be represented, as necessarily the policy itself. The policy itself was intended precisely toward the avoidance of incidents of this kind and had in the main been a complete success in that respect.

2. Political advancement

General

The representative of the Union of Soviet Socialist Republics noted that there was no information regarding the participation of the indigenous inhabitants in the administration and government of their country. This was so because there existed no legislation or other measures by which they could participate in the legislative, executive or judicial organs of the Territory. The hundred and twelve indigenous inhabitants employed by the Administration had a very rudimentary education and were engaged only as chauffeurs, couriers and in similar tasks.

The representative of Australia stated that a perusal of the report and a study of the replies of the special representative would certainly seem to indicate that the Administration was undoubtedly trying to achieve, by the gradual acquirement of control over previously uncontrolled areas, the transformation of the tribal system into a public order. This was being done without unnecessary destruction of Native beliefs and usages which were not in themselves repugnant.

He further pointed out that, as far as the participation of the indigenous inhabitants in the administration of their own affairs was concerned, the present act regarding the Territories of Papua and New Guinea prescribed that the intended Legislative Council should include three Native members.

Administrative union of Papua and New Guinea

The representative of the Union of Soviet Socialist Republics noted that the Government of Australia had united, in 1949, the Trust Territory

of New Guinea with the adjacent Australian Colony of Papua in a system of so-called administrative union. This union interfered with and actually made impossible the further development of the Territory along independent lines and led to the complete administrative and economic engulfment of the Territory. It was in violation of the status of the Territory and would lead to its annexation.

The creation of this union was incompatible with the basic aims and principles of the International Trusteeship System. In this connexion the delegation of the Union of Soviet Socialist Republics considered that the Council should recommend to the Administering Authority that it establish, in the Trust Territory, legislative and administrative organs, not subordinated to any organs created on the basis of a union between the Trust Territory and the Colony of Papua. For this purpose the Administering Authority should introduce legislative and other measures which would provide for the participation of the indigenous inhabitants in the legislative, executive and judicial organs of the Trust Territory.

Legislative Council

The representative of the Philippines considered unsatisfactory the designation of only three unofficial Native members in the Legislative Council, which was composed of twenty-nine members, and in which membership was to be divided among the residents of Papua and the Trust Territory.

The representative of Australia remarked in reply to the representative of the Philippines that whether three Native members of the intended Legislative Council was sufficient or not was a matter of opinion. It was intended to start with three and the results would be carefully watched with a view to further development at the earliest possible time.

Advisory councils and village councils

The representative of the United States of America expressed interest in the advisory village councils which had been established in the Territory and he looked forward to receiving information on the further development of these councils as set forth in future reports. He believed that the Trusteeship Council should recognize that the significant development of these councils must be based on a solid foundation of understanding and education.

The representative of the United Kingdom suggested that the village councils should be entrusted with a certain amount of financial responsibility, however limited it might be, in order that the members of these councils might receive preliminary training in the handling of public finances, which was essential if they were ever to stand on their own as an independent people.

The representative of New Zealand was particularly interested to know whether the advisory councils would possess treasuries, because it was only when these people learned financial responsibility that they could take over fuller responsibilities.

The representative of the Philippines expressed the view that the last year's recommendation of

the Council concerning the review of the constitution and powers of the advisory councils should be made a continuing recommendation. The same held true for the Native village councils, although it was hoped that the ordinance defining the powers and functions of the village councils would take into account the recommendations of the Council. He expressed his delegation's disappointment that the special representative was unable to enlighten the Council on the contents of this ordinance.

The representative felt that the Trusteeship Council, as well as reiterating its recommendations of the previous year on the advisory and village councils, should recommend that the proposed ordinance specifically take into account the recommendations of the Trusteeship Council and that copies of the ordinance should be attached to the next annual report.

The representative of Australia stated that the advisory councils on Native affairs and the Native village councils which had been provided for by an Act of the Australian Parliament would be carefully watched with a view to further development at the earliest possible time. If it proved possible, the terms of the proposed ordinance for the establishment of the Native village councils would be made available to the Council before the time the report of 1950 was transmitted to the Council. It was not possible at the present time to give the Council all the details which the Council would normally expect, since many of these details remained to be settled.

Administrative personnel

The representative of the United States of America believed that the Council should note with appreciation the great increase in the number of classified positions which the Administering Authority had established. The special representative had explained that until 1942 the Administration considered about 600 positions to be adequate for both the Trust Territory and Papua; now the goal had been set at over 1,600. His delegation hoped that, as a result of putting the public service in the Territory on a permanent basis, the Administration would achieve marked success in filling more of these positions. The representative further noted the assurance of the special representative that future reports would indicate the classified positions which pertained to the Trust Territory alone.

The representative of the United Kingdom considered that the shortage of staff in the Trust Territory was a serious handicap to the development of New Guinea, and suggested that the Administering Authority should seriously consider whether the conditions of service in New Guinea were sufficiently good to attract to the service the right type of men in adequate numbers.

He felt that the employment of men of eighteen years of age was unwise. Although it was intended that these men should be trained for the first few years of their service, he feared that it would be impossible, in view of the the shortage of staff, to avoid placing these young men, from time to time, in positions of responsibility, and in dealing with such backward people as the inhabitants of New Guinea, he thought it essential that men of mature age and of ripe experience should be available; he suggested that the Administering Author-

ity should consider the advisability of employing a number of older men on five- or ten-year contracts to carry on until such time as a new generation of officials could be trained.

The representative of Australia stated that all young men were subject to a period of training before they were called upon to go into the field.

3. Economic advancement

General

The representative of the Union of Soviet Socialist Republics considered that the Trusteeship Council should draw the attention of the Administering Authority to the fact that it was not taking the necessary steps to provide for the economic progress of the indigenous inhabitants of the Territory. The indigenous population carried on a primitive economy and did not participate in the development of the economic resources of the Territory.

The representative of Australia commented that the remarks of the representative of the USSR concerning the living standards of the indigenous inhabitants were highly extreme and unwarranted and that an honest observer who saw conditions on the spot would revise these opinions considerably. The Administering Authority did not attempt to justify the continued maintenance of a very primitive level of living, but the level was rising and would continue to rise. It would be hard to find an echo in the minds of the peoples themselves of the kind of dissatisfaction implied by the representative of the USSR.

Wage rates

The representative of the Union of Soviet Socialist Republics stated that the wages paid to indigenous workers were insufficient not only for the maintenance of their families, but even for the maintenance of normal human conditions required for the life of the worker himself. The beggarly nature of the wages of the indigenous workers could be clearly seen if they were compared with the wages paid to European workers. He considered that the Council should recommend that the Administering Authority put an end to the discriminatory practice with regard to wage rates paid to indigenous workers.

Taxation

The representative of the Union of Soviet Socialist Republics noted that the Administering Authority had not carried out the previous recommendation of the Council concerning the introduction of a progressive system of taxation. The Council should recommend that the Administering Authority should introduce measures which would establish a progressive income tax or a simple income tax which would be based on property qualifications and the ability to pay, in substitution for the present capitation tax.

The representative of the Philippines considered that the head tax should be abolished, not only because it was a badge of serfdom, but also because it was not based upon the individual's ability to pay and was imposed solely upon the Native inhabitants and, moreover, non-payment thereof was subject to imprisonment with hard labour for a period not exceeding six months.

The representative of Belgium noted the very small proportion of revenues derived from export duties, especially from copra which by reason of high prices might well have been able to bear heavier taxes.

He was of the opinion that it would be interesting to the Council to know the profits of those taking part in the gold industry in order to be in a position to appreciate whether the present fiscal arrangements assure to the Territory an adequate participation in the exploitation of its mineral resources.

Preferential treatment

The representative of China expressed his doubt as to whether the preferential treatment given to certain products of New Guinea on their importation to Australia was compatible with Article 76 d of the Charter and the Havana Charter for the International Trade Organization, which formed the basis of the general agreement of tariffs and trade.

He requested the Council to recommend that the Administering Authority review the present system of preferential treatment being given to certain goods exported from the Territory.

The representative of the United States had noted with appreciation the statement of the special representative that all Members of the United Nations receive equal treatment in economic matters and that the provisions of Article 76 d of the Charter are fully adhered to in the Trust Territory.

The representative of France considered the question raised by the representative of China concerning the entry of goods coming from a Trust Territory into the metropolitan country as not within the scope of the discussions of the Trusteeship Council. Other international organizations might have to deal with such matters, but the Trusteeship Council would have no decision to make in the matter since nothing in the Charter or the Trusteeship Agreement dealt with the question which had been raised.

The representative of New Zealand felt that the system of preferential treatment for certain New Guinea products was clearly in the interests of the Territory and its inhabitants. He was unable to see anything in the Charter or the Trusteeship Agreement which forbade such preferences. On the contrary, they appeared to be thoroughly in conformity with the letter and spirit of Article 76 of the Charter and with the provisions of the Trusteeship Agreement.

His delegation felt that anything designed to promote the welfare of the inhabitants of the Territory manifestly did not and could not contravene the provisions of the Charter.

The representative of Australia, referring to the remarks of the representative of China regarding the preferences given by the metropolitan country to certain products of New Guinea, stated that this was a matter solely for the metropolitan country. They were intended to produce material advantages to the economy of the Trust Territory. In their international significance they had nothing to do with trusteeship, though they might be concerned with the charter of the International Trade Organization. However, the obligations assumed by signatories of that charter were obligations

inter se and could not, therefore, be properly discussed in the Council. If any question was to be raised as to the validity of these special tariff measures on the part of the metropolitan territory, it should be raised under and in connexion with the charter of the International Trade Organization.

Commerce and trade

The representative of the Philippines recommended that the Trusteeship Council should request the Administering Authority to give fuller details on the operations of the Australian-New Guinea Production Control Board, which purchased and marketed all the copra produced in the Territory. This information should include the purchase prices of copra fixed by the Board, its profits, or losses if any, and the disposition of its funds.

The representative of the Philippines noted that practically the whole retail trade of the Territory was controlled by non-indigenous inhabitants. The Administering Authority should be urged to give further impetus to the organization of Native co-operative societies. In this respect, the Administering Authority deserved commendation for its initiative in the enactment and contemplated operation of the Co-operative Societies Ordinance of 1948.

Agriculture, fisheries and animal husbandry

The representative of the United States considered that the sections in the report concerning agriculture, fisheries and animal husbandry were worthy of the favourable mention of the Council. Particularly praiseworthy was the experimental work which had been done in the agricultural stations. This work gave great promise of improving the general agricultural situation in the Territory.

4. Social advancement

Discriminatory practices

The representative of China considered that emphasis should be laid by the Council on the existence of racial discrimination in the legislation and administration of New Guinea. An instance of discriminatory legislation was the law relating to the 9 p.m. curfew. Another concerned the restrictions on immigration. Various examples had been given to show that the discriminatory provisions in such laws were designed for the protection of local inhabitants. While none of the examples given were found to be applicable in the particular instance which was under discussion, this argument, if carried to its logical conclusion, would nullify all the provisions in the Charter and in the Trusteeship Agreements in relation to the respect for and observation of human rights and fundamental freedoms.

If the Council accepted as valid the sweeping plea for the protection of the local inhabitants, even making the most liberal allowance for the most specious arguments that had been advanced, the representative of China found it difficult to see what bearing it had on the immigration restrictions. These restrictions were based mainly on those applicable in the metropolitan country, which based its immigration legislation on the so-called "White Australia" policy. The restrictions in question gave evidence of racial discrimination

in that they made distinctions as to race and language.

The representative of China was of the opinion that there should be a distinction between the immigration laws of New Guinea and those of the metropolitan country because Article 76 d of the Charter imposed on the Administering Authorities the specific obligation of ensuring "equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals".

The representative of China requested the Council to recommend that the Administering Authority eliminate racial discrimination in the laws of the Territory, especially in the laws on immigration.

The representative of the Union of Soviet Socialist Republics felt that the regulation which prohibited the movement of the indigenous inhabitants from 9 p.m. to 6 a.m. and the regulation which gave the right arbitrarily to arrest indigenous inhabitants, and other discriminatory regulations, should be revoked. The existence of these discriminatory regulations was evidence of the violation of the provisions of Article 76 c of the Charter of the United Nations.

The representative of the Philippines felt that the information before the Council demonstrated beyond doubt that the 9 p.m. curfew, applicable only to indigenous inhabitants and not to non-indigenous inhabitants, could not be justified on the alleged grounds that it was in the interests of the indigenous inhabitants. Racial segregation in prisons and the special privileges accorded to European prisoners and not granted to indigenous prisoners were also to be noted as being discriminatory practices.

He held the view, concerning the statement by the Administering Authority, that the immigration policy of the Trust Territory followed that of the metropolitan country and that, whatever the reasons for the application of this policy in the metropolitan territory were, its application to the Trust Territory could not and should not be justified.

The representative of the Philippines urged the Trusteeship Council to recommend that the Administering Authority review all the discriminatory laws and practices in the Territory with a view to the abolition of racial discrimination in accordance with the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights.

The representative of Australia, replying to statements concerning alleged discrimination in the Territory, pointed out that there were no discriminatory provisions in the immigration regulations of New Guinea. As far as certain ordinances governing the conduct of the Native inhabitants were concerned, these measures were either directly, or indirectly, in the interests of the inhabitants themselves and formed part of the responsibility of the Administering Authority towards them under the terms of the Trusteeship Agreement.

Labour

The representative of the Philippines appreciated the assurance of the special representative that the questions of labour and labour conditions

were under review and that certain amendments to the ordinances and regulations concerning labour were in the course of examination and preparation for promulgation. He expressed the hope that these amendments would cover an increase in the minimum wage of 15 shillings a month and that the Administering Authority would conduct cost-of-living studies from time to time and furnish the Council with the results of such studies.

The representative of the Philippines was gratified to note that imprisonment had been abolished as a penalty for breach of labour contracts, but thought it too severe that an indentured labourer could be fined two months' wages for absence without leave for, say, one day.

He could not agree that simple breach of contract should be made a criminal offence, but rather that it should give rise only to a civil obligation.

The representative of China regretted that there were no trade unions in the Territory and that no industry had established machinery for collective bargaining. Owing to the paramount importance of trade unions for the protection of labour, he considered it imperative that the Council should recommend that the Administering Authority should encourage their establishment as soon as possible.

Public health

The representative of the United States noted with interest the section of the report dealing with public health, which included a frank appraisal of the deficiencies in the present programme. His delegation was confident that this frank and honest approach augured well for the improvement of the situation, and had noted the statement of the Administering Authority that health facilities would be increased as rapidly as personnel and equipment became available. His delegation also looked forward with interest to further information concerning the results of both the nutrition survey and the malaria survey which had been conducted in the Territory.

Penal organisation

The representative of the Philippines, commenting on the unlimited power vested in the Administrator to prolong, indefinitely, the incarceration of a convicted person declared a habitual criminal after the expiration of the period of his definite sentence, considered that there should first be a judicial declaration that a convicted person was a habitual criminal in accordance with the law and, second, the period of further incarceration, that is, the minimum and maximum range of further imprisonment, should also be laid down by law. He urged the Trusteeship Council to recommend that the Administering Authority review the legislation in this respect.

The representative of China noted that corporal punishment was still in existence in the Territory, although the report stated that "no sentences of whipping have been imposed since the resumption of civil administration". He felt that the Council should recommend that the Administering Authority formally abolish corporal punishment. The representative of the Philippines associated his delegation with the statement of the representative of China.

5. Educational advancement

The representative of the United States expressed his delegation's special interest in the emphasis given by the special representative to education and the building programme for schools which had been drawn up for the next three to five years.

He further noted with interest the statements concerning the relationship between the Administration and the religious missions in the field of education. His delegation felt that the Administering Authority should be commended for the present arrangements which gave the Administration supervisory control over the whole programme. These arrangements, it should be noted, were in complete accord with the recommendations which the Council had made in the previous year.

The representative hoped that the Administering Authority would continue to inform the Council of the implementation of the programme of adult education as well as the progress of the Fundamental Education Pilot Project.

He was gratified to receive the information that the expenditure for education of over £52,000 for 1947-1948 referred to the Trust Territory alone. This figure represented a considerable increase over the expenditure for 1946-1947. According to information from the Administering Authority the estimated expenditure for the coming year was £70,000, another considerable increase. It was to be hoped that the Administering Authority would be able to continue to increase this item from year to year.

The representative of the Philippines expressed the view that although the Administering Authority should be commended for the increase in the percentage of the budget devoted to education, from 1.59 per cent in 1946 to 3.2 per cent in 1948, there was still room for a further increase in order to cope with the widespread illiteracy in the Trust Territory and to provide for secondary and higher education, which was sadly deficient.

The representative of the Union of Soviet Socialist Republics observed that not a single indigenous inhabitant in the Trust Territory had received secondary or higher education.

He observed further that, at the third session of the Trusteeship Council and during the present session, it had been noted repeatedly that the Administering Authority should increase its budgetary allocations for education, and should encourage the general over-all improvement of educational facilities. The Administering Authority should make education available to the indigenous inhabitants of the Trust Territory, and for this purpose it should organize a network of secondary and higher educational institutions in the Territory. The Trusteeship Council should recommend to the Administering Authority that it increase the budgetary allocation for educational needs, particularly for the development of secondary and higher education as well as for other cultural requirements.

7. Nauru

The annual report of the Australian Government on the administration of Nauru for the year ended 30 June 1948 was received by the Secretary-

General on 26 January 1949, and, having been transmitted³⁶ to members of the Council on 27 January 1949, was placed on the agenda for the fifth session of the Council.

Mr. J. R. Halligan, Secretary of the Department of External Territories, who had been appointed as special representative of the Administering Authority, submitted written answers to written questions³⁷ addressed to him by members of the Council on the report and on the administration of the Territory. During the 7th, 8th and 9th meetings he answered questions.

During the 9th and 10th meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and appointed a Drafting Committee consisting of the representatives of Belgium, France, Philippines and the Union of Soviet Socialist Republics to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft³⁸ prepared by the Drafting Committee was considered by the Council at its 27th and 28th meetings and was approved after a number of amendments to part II had been adopted.

PART I

OUTLINE OF GENERAL CONDITIONS AS STATED IN THE REPORT OF THE ADMINISTERING AUTHORITY AND BY THE SPECIAL REPRESENTATIVE

Introduction

The chief problems of the administration of the Trust Territory of Nauru during the period covered by the report have been the restoration of institutions, industry, and property destroyed by the Japanese during their occupation of the island in the Second World War.

The phosphate industry, the sole economic means of the island population, has been largely restored.

Full employment has been maintained for the indigenous people who are being trained to adapt themselves to a changing environment.

1. General

Area, topography and climate

Nauru Island is a small, isolated submarine peak of coral close to the Equator in longitude 166°55' east of Greenwich. The island, oval-shaped, comprises 5,263 acres, and is twelve miles in circumference. It is surrounded by a coral reef which is exposed at low tide. On the landward side of the reef there is a narrow strip of sandy beach from which the ground rises slightly, forming a fertile belt of coconut land. This strip which completely encircles the island ranges in width from 150 yards in some places to 300 yards in others.

On the inner side of the fertile belt, a coral formation rises 40 to 100 feet above sea level, merging into an undulating plateau. The lowest

³⁶ T/233.

³⁷ T/347.

³⁸ T/381.

part of the plateau is a saucer-shaped depression known as Buada Lagoon; its higher portions are about 200 feet above sea level. The plateau contains the phosphate deposits which give the island its importance.

The uplands are covered with a tangled but not luxurious vegetation in which the rugged trunks and dark leaves of the tonano tree (a variety of *calophyllum inophyllum*) are most striking.

This mere speck of land in a vast ocean is favoured by sea breezes which make the climate sub-tropical. The daily range of temperature is from 76° to 94°. Rainfall, which varies considerably from year to year, has an annual average of 80.5 inches.

Natural resources

Apart from phosphate, Nauru has almost no natural resources. The island is unsuited for agriculture because of its porous soil, uncertain rainfall and absence of rivers. Coconut palms and pandanus trees, which grow well on the narrow fertile strip surrounding the plateau, were important sources of food for the indigenous population before the advent of Europeans. Fish abound around the island.

Population

The total population of the island on 30 June 1948 was 3,162 of whom 1,448 was Nauruans, 97 Gilbertese, 247 Europeans and 1,370 Chinese. The Nauruans live in separated districts, mainly on the fertile belt of land between the beach and the rough coral which borders the plateau. The village of Buada is the only settlement on the plateau. Nauruans represent ethnologically a mixture of Micronesian, Melanesian and Polynesian types.

2. Political advancement

General administration

Full powers of legislation, administration and jurisdiction are vested in the Administrator of the Territory who acts for the Administering Authority in providing for peace, order, good government and defence. The staff assisting the Administrator consists of eight Europeans, each in charge of his respective department.

The island is divided for administration into fourteen districts in charge of eleven chiefs, two of whom are representatives of more than one district. All of them are under a head chief who is also an official on the staff of the Administration.

The Nauruan Council of Chiefs, under the chairmanship of the head chief, has direct contact with the Administrator and advises him on Nauruan affairs. The chiefs, who have a life appointment in their office, are elected by popular representation and under suffrage rights applicable to both sexes.

Judiciary

The judicial system provides for a Court of Appeal, a Central Court and a District Court, each of which possesses civil and criminal jurisdiction. The power of appointment and removal of magistrates rests with the Administrator. There is no differentiation on the basis of race as to eligibility

for appointment to magisterial positions. Europeans fill higher judiciary positions. There are both Europeans and Nauruans in the lower appointments. There is no differentiation on the basis of race or sex in the administration of justice in the Territory.

Status of Nauruans

The indigenous inhabitants have no special national status. They are regarded as Nauruan nationals and as "British Protected Persons".

Police force

Internal order is maintained by a police force consisting of a European officer as Director of Police and forty-four Native policemen recruited from the indigenous population.

Indigenous tribunals

One of the two District Court magistrates on the island is a member of the indigenous population. He deals with offences committed by his own people.

District chiefs have power in their own districts to deal with Nauruans charged with minor misdemeanours, mostly breaches of local written regulations. They may not impose punishment exceeding a fine of twenty shillings.

Nature of penalties

The following punishments, apart from fines and imprisonment with or without hard labour, may be imposed by a Court at Nauru: death; detention in a reformatory prison; detention in an industrial or reformatory school; solitary confinement; whipping; bound over to keep the peace and be of good behaviour.

In actual fact, in the disposition of criminal cases in the Territory, no penalties other than the infliction of fines and imprisonment have been imposed.

Employment of indigenous population

Out of a total of 411 male Nauruans over sixteen years old, 209 are employed by the Administration. The British Phosphate Commission employs 116, the Nauru Co-operative Society thirty-nine, and nine are private traders and workers. The total comprises 95 per cent of the employable male population.

Maintenance of law and order

On 7 June 1948, the riotous behaviour of a number of Chinese resulted in a declaration by the Administrator of a state of emergency. The riot resulted in the death of two Chinese and the wounding of sixteen rioters. It indirectly caused the death of two more Chinese.

3. Economic advancement

General

Almost all expenses of the Administration are defrayed from the proceeds of the sales of phosphate which provide the only means of economic progress of the indigenous population. During the year under review, their economic position has shown marked improvement due to increased ex-

ports of phosphate. Copra production and fishing are capable of further development.

Special trust funds have been created which will mature with later generations of Nauruans, providing them with economic means established in the days of abundance.

Royalty fund

The British Phosphate Commissioners pay a royalty of 1s. 1d. (13 pence) per ton of phosphate exported of which 6d. (sixpence) per ton is paid to Nauruan landowners concerned; 3d. (three-pence) per ton is paid to the Administrator to be used solely for the benefit of the Nauruan people; 2d. (twopence) per ton is paid to the Administrator to be held in trust for the landowners and 2d. (twopence) per ton is paid to the Administrator to be held in trust for the Nauruan community. During the year under review 263,507 tons of phosphate, valued at £527,014,³⁰ were exported.

General expenditure

The general expenditure of the Administration for the twelve months ended 30 June 1948 was £96,347 including a special advance of £2,300 from administration funds to the Nauru Royalty Trust Fund. The sum expended from general revenue applied directly for the benefit of Nauruans amounted to £15,363. The expenditure from the Nauru Royalty Trust Fund for the benefit of Nauruans was £5,622 including the advance referred to above. Of this amount £3,445 was spent on Native education and £2,176 on miscellaneous items including the erection of welfare clinics and the salaries of chiefs.

Revenue

The Administration general revenue collected (£23,744) included £7,077 as royalties on phosphate and £2,020 in capitation tax of which £165, coming from Nauruans, was transferred to the Royalty Trust Fund. The gap between revenue and expenditure was bridged by a loan of £50,000 from the Phosphate Commissioners, repayable with interest.

Estimated duration of phosphate deposits

The phosphate deposits will be exhausted in an estimated period of seventy years, at the end of which time all but the coastal strip of Nauru will be worthless. The Australian Government is alive to the possibilities that the island may not then provide a satisfactory home for the indigenous population, and that it may be necessary to give the Natives an opportunity to transfer to some other island.

Planning for economic development

The special long-term trust funds created for the Nauruans—one for the landowners and the other for the community as a whole—will together contain an estimated three million pounds by the year 2,000.

Social consequences of recent economic developments

One of the consequences of economic expansion has been the attainment of full employment for

the indigenous inhabitants who, because they are otherwise engaged, do not now entirely produce their own food requirements, but place greater reliance on purchasable commodities. New tastes and needs have developed which are more costly to satisfy. There is also much more expenditure than formerly on clothing and luxuries.

Taxation

The only direct taxation applicable in the Territory is a capitation tax. Every male person between the ages of sixteen and sixty who has resided on the island continuously for two months is required to pay an annual capitation tax in accordance with the following schedule:

Each adult male Nauruan, 15 shillings per annum; each adult male Chinese, 20 shillings per annum; all other adult males, 40 shillings per annum.

Ministers of religion are exempt from taxation, also persons in the permanent employ of the Administration, and any person or class of persons exempted by the Administrator, by notice in the *Government Gazette*.

The capitation tax paid by Nauruans is credited to the Nauruan Royalty Trust Fund which is used solely for the benefit of the indigenous inhabitants.

Chiefs are not authorized to exact tribute or other levies.

The only indirect taxation in force in the Territory is through import duties and an export levy on phosphate shipments.

Tariff

The Territory has its own customs tariff and there is no tariff relationship between it and the metropolitan or any other country.

Land tenure among indigenous inhabitants

Land tenure is governed by Native custom. The whole island is owned by individuals with the exception of small allotments held by the Administration and by missions. The owners enjoy full rights of disposal of land, its alienation being governed by local custom.

The British Phosphate Commissioners have the right to lease any phosphate-bearing land on the island, to mine the phosphate thereon to any depth desired and to use or export such phosphate.

Deficiencies of food and sources of supply for various materials

The people of the Territory are almost entirely dependent upon outside sources for their food. The indigenous people at one time did exist on the products of the island, their diet in those days consisting mainly of coconuts, pandanus fruit and fish. They now subsist on a compromise diet of European and local foods, the major portion of which is imported from Australia and New Zealand.

Stores, fresh and dry, machinery, building materials and equipment connected with the raising and export of phosphate, are all imported from or via Australia, New Zealand or Hong Kong.

³⁰ £ = Australian pounds.

Public work projects

Nauru, in common with other countries, is suffering from the effects of the world-wide shortage of building materials. A rehabilitation programme for public works involves the rebuilding of all government structures and of Native houses. The Territory is completely dependent on outside sources for the necessary materials.

4. Social advancement

Housing

The Nauruans live in the fourteen administrative districts in temporary houses built of salvaged timber and galvanized iron used elsewhere by the Japanese during their occupation. These structures are being replaced by European-type dwellings. A scheme has been devised in which the new houses—250 of them—will be grouped in the fourteen districts of the island on land designated by the Nauruans.

Cost-of-living surveys

Cost-of-living indices are prepared periodically by the Administration to determine the family living costs of the indigenous inhabitants, in order that wages and dependants' allowances payable to the indigenous inhabitants may be adjusted accordingly. There has been no malnutrition in the Territory since the end of the war.

Status of women

Among the indigenous inhabitants, women enjoy the same status as men and are entitled to the same rights. There are no laws debarring women from any occupation.

Agencies for expression of public opinion

The indigenous inhabitants are given every opportunity for the expression of public opinion through their *Domanab* (meeting place of the people).

Resolutions passed at meetings are collected and recorded by the Council of Chiefs for submission to the Administrator.

Until recently, when its publication was suspended because of paper shortage, a weekly news sheet, prepared and distributed by the Administration, was available as an agency for the expression of public opinion.

Free access to the Administrator is available to any member of the public.

Labour legislation

Every contract for service or work in the Territory by Chinese, Nauruans and other Pacific Islanders must be made in the presence of and subject to the approval of the Administrator of the Island.

Contracts, voluntarily agreed to, are generally for a period of two years.

Recruitment of labour from outside the Territory

The supply of indigenous labour is insufficient to meet the demands of the economy of the Territory. The bulk of semi-skilled and unskilled

labour for mining and shipping phosphate is Chinese, recruited in Hong Kong.

There are fifty unskilled workers from the Gilbert and Ellice Islands Colony.

Co-operative organization

There is one co-operative organization on Nauru, the Nauru Co-operative Society, formed by the indigenous inhabitants. They own and operate a co-operative trading store.

Public health

The Administration maintains a small general hospital, one out-patient clinic, one leper settlement, one tuberculosis sanatorium, a quarantine station and an ambulance service.

The Department of Health employs thirty-seven Nauruans under the immediate control of a Director of Public Health, a qualified European medical practitioner. Three of his assistants are graduates of the Central Medical School in Suva, Fiji. They act as "district medical officers". Medical and dental benefits are provided free.

During the year under review, a Native nursing service was organized by the recruitment of seven probationary Nauruan nurses.

Leper settlements

The incidence of leprosy on the island is relatively small. The Administration maintains a leper station for the segregation of infected persons where the latest treatment for the disease is administered.

Sanitation

Nauruans, Europeans and Chinese respectively are provided with separate latrine accommodations. In Nauruan villages, properly constructed and sited "deep-pit" latrines are in use.

5. Educational advancement

Main objectives of educational policy

The main objectives of the educational policy of the Administration are to provide free secular education for all children in the Territory; to encourage older people to continue with study in an effort to better themselves; to raise the general standard of living; and ultimately to train people for administrative positions in their own Territory.

Education systems and programmes

Compulsory attendance at school is required of Nauruan children between the ages of six and sixteen and of European children between the ages of six and fifteen. At present education is restricted to primary studies, supplemented by secondary apprentice training. Higher education is provided for outstanding Nauruans at selected overseas institutions. It is proposed, when facilities are available, to reinstitute secondary technical education. Schools are staffed by Nauruan teachers who are able to speak and read both English and Nauruan.

School building programmes

During the year one new school was erected in Buada District with accommodations for ap-

proximately sixty pupils. A new school is being erected in Boe District designed to accommodate approximately 120 pupils. Plans are in hand for the construction of a secondary school.

Technical training and apprentices

Boys between the ages of sixteen and eighteen years are eligible for apprenticeship to any trade, provided they possess the required basic education. The apprenticeship term covers five years at the expiration of which, classification as qualified tradesman is assured. At present there are thirty-one apprentices in training.

Training of skilled and professional workers

At the beginning of 1948 overseas secondary education for Nauruan students was re-introduced, two students being sent to Australia for higher education. It is anticipated that students will be sent to Australia at the commencement of each academic year.

In the case of pupils selected by the Administration to continue their studies abroad in certain defined courses, the cost of their education is borne by the Nauru Administration, as a charge against the Nauru Royalty Trust Fund, with financial assistance from the parents towards outfitting costs and incidental expenses.

Medical training

Arrangements are being made for two Nauruan students to attend the Central Medical School, Suva, in 1949, where they will be trained as Native medical practitioners for ultimate employment on the medical staff of the Administration.

The practicability of sending one Nauruan, already engaged in laboratory work, to Australia for further training in laboratory procedures, is being explored; also the possibility of arranging training in dentistry for a selected Nauruan.

Professional training and teachers

There are twenty Native teachers in the Territory, but none possesses professional qualifications.

Adult education

Weekly classes for Nauruan youths at present in employment are conducted by the Supervisor of Native Education. The majority of these students were forced to discontinue their studies during the Japanese occupation period. Instruction in these classes allows them to reach the standard of education normally obtainable by the indigenous inhabitants.

Weekly meetings of the adult population at the *Domaneab* have been stimulated by debates, lectures and discussion groups formed by the more educated of the Nauruan community.

Libraries

Arrangements have been made for books from the National Library, Canberra, Australia, to be circulated on loan to the Territory.

Indigenous art and culture

Attempts have been made to stimulate this phase of Native life, but the Nauruans are little

interested. The younger generation show more desire to assimilate European customs. However, with the encouragement of the Administration, they get up concerts, give plays and hold community singing all in their Native language.

Research

It is proposed to establish in the near future, a fully equipped meteorological observation station as part of a meteorological reporting network necessary for the collection of weather information vital to the safe navigation of aircraft in the South Pacific area.

PART II

CONCLUSIONS AND RECOMMENDATIONS OF THE COUNCIL

1. General

General advancement

The Council expresses the opinion that given the small size of the Territory, the wealth of its natural resources and the small number of its inhabitants, the Administering Authority should be able to develop at much greater speed than circumstances may make possible in certain other territories the educational facilities, the training of the people towards self-government, and adequate health and welfare services, and that it possesses all possible material, human and otherwise, with which to bring about the model establishment of institutions based on the Charter and the Trusteeship Agreement.

The Council recommends the Administering Authority to seek to advance at a much more rapid rate than in the past the political, economic, social and educational development of the inhabitants, and calls upon the Administering Authority to ensure that, if any conflict arises between the needs of the inhabitants and the expansion requirements of the phosphate industry in such matters as materials, equipment and labour, the needs of the inhabitants must take precedence.

The Council, recalling that although in accordance with article 4 of the Trusteeship Agreement the Government of Australia is entrusted with the administration of the Trust Territory, the Governments of the United Kingdom and New Zealand are also accountable to the United Nations under the terms of the Trusteeship Agreement, recommends that these Governments take such steps as may be appropriate to assist the Government of Australia in carrying out the recommendations of the Council.

The Council, noting the incidents of June 1948, which led to the killing of certain Chinese workers in the phosphate industry, recommends that the Administering Authority should continue the investigation of the conditions under which the killing of the Chinese workers took place, and requests that a full report on the findings of the investigation and the action taken as a result thereof be transmitted to the Council, and that in this report information be included regarding the possibility of compensating the families of the deceased.

The Council has kept in mind as a basic consideration the devastation of the island and the mistreatment of the Nauruans by the Japanese, and considers as worthy of commendation the

efforts of the Administering Authority to rehabilitate the Territory and its inhabitants.

2. Political advancement

Participation in government

The Council, noting that although the indigenous inhabitants are prepared to take a larger measure of participation in government than at present enjoyed, political development has so far been slow, and noting in particular that all key positions in the Administration are held by Europeans and that the Nauruans have not been given the necessary training to occupy such positions and that the inhabitants have little or no voice in the administration of financial policies, recommends therefore that the Administering Authority take legislative and other measures to afford the inhabitants a larger degree of self-government through participation in the legislative, executive and judicial processes and organs of the Territory. It recommends further that the Administering Authority provide wider facilities for the training of Nauruans in administrative positions as well as opportunities for experience in public office.

3. Economic advancement

Future economy

The Council, concerned with the economic future of the Territory after the phosphate deposits have been exhausted and noting that the inhabitants at present depend entirely on the phosphate industry and have neglected other occupations, recommends that the Administering Authority formulate plans laying down a sound future economic foundation for the indigenous inhabitants.

Phosphate industry

The Council recommends that the Administering Authority prepare the indigenous inhabitants for participation in all government activities affecting the phosphate industry.

The Council requests the Administering Authority to furnish in the next annual report full information on all operations of the British Phosphate Commissioners, including the financial accounts, in order to enable the Council to study all aspects of the question of the phosphate industry.

The Council recommends that the long-term royalty investment funds should not necessarily be restricted to Australian Government securities, but should be invested freely in the best interests of the Nauruans.

The Council, concerned with the unequal distribution of the phosphate royalty payments, welcomes the assurance of the Administering Authority that efforts are being made with a view to a wider distribution thereof and requests that it be kept informed of the resulting action taken.

Public finance

The Council notes that certain normal public expenditures such as education and the salaries of a number of Nauruan officials are charged against the Nauruan Royalty Trust Fund, and

recommends that such expenditure be paid for out of the budget proper and not from the Trust Fund.

The Council recommends that the Administering Authority seriously study the question of replacing the present capitation tax by an income tax.

4. Social advancement

Human rights

The Council, noting that certain laws and ordinances, especially the Chinese and Native Movement and Labour Ordinances and the Chinese labour contract agreements, contain discriminatory provisions, recommends that the Administering Authority review existing legislation in order to remove all discriminatory provisions inconsistent with the Charter and the Trusteeship Agreement and inform the Council of the steps taken.

Wages and labour conditions

The Council, noting the disparities between wages paid to the indigenous, Chinese and European workers, recommends that the Administering Authority review the matter to the end that wages may be based on the principle of equal pay for equal work, that workers may participate in the determination of wage matters, and that they may be given a chance to improve their living standards through higher wage levels.

The Council, noting that the Chinese and Native Labour Ordinance contains provisions for penal sanctions for breaches of labour contracts, recommends that the Administering Authority abolish all practices inconsistent with the provisions of the International Labour Organisation's Penal Sanctions (Indigenous Workers) Convention of 1939.

The Council, noting that Chinese workers are brought to Nauru without their families and considering that this practice may lead to serious consequences, recommends that the Administering Authority endeavour to find some humane solution to this problem.

Housing

The Council commends the Administering Authority for its housing programme and suggests that in fixing the rental for the houses the Administering Authority should ensure that the rental established is not out of proportion to the ability of the tenant to pay.

5. Educational advancement

The Council, noting that no facilities for secondary education have yet been re-established in the Territory, and that the indigenous inhabitants do not possess the means to send their children to schools outside the Territory, recommends that the Administering Authority take urgent measures to increase the funds available for educational and cultural requirements; to concentrate greater efforts on the school building programme; and to extend facilities for education, particularly in the higher grades in order to qualify the inhabitants to manage their own affairs.

PART III

OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

1. *General**Form of report, etc.*

The representative of the Union of Soviet Socialist Republics commented that one of the main failings of the report was that it did not contain complete information on a number of very important questions. It did not cover sufficiently the question as to how the Administering Authority was carrying out the basic aims of the Trusteeship System, which were "the political, economic, social and educational advancement of the inhabitants of the Trust Territory and their progressive development towards self-government or independence", nor did it indicate how "respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion" was being encouraged. Because of this lack of sufficient information, the members of the Council had been compelled to ask a great number of supplementary questions; however, in his replies the special representative was unable to give clarification. It was difficult therefore, to obtain a full picture of the political and economic situation of the indigenous inhabitants in the Territory, and it was also necessary for members of the Council to limit themselves to only partial comments on conditions in the Territory.

The representative of the United States of America emphasized the difficulties which he thought all the members of the Council had encountered in studying the report, because of the failure to receive sufficient copies on time. This meant that the report could not be given the study it deserved. In this connexion the representative called to the attention of the Council and particularly of the representatives of the Administering Authorities, rule 73 of the Council's rules of procedure stating that the Administering Authority should furnish to the Secretary-General four hundred copies of each report. Members of the Council would also recall rule 72 which provided for the distribution of annual reports six weeks before the regular session at which the reports were to be considered. Unless the Administering Authorities fulfilled their obligations as clearly set out in these rules, the work of the Council could not proceed satisfactorily. The representative further commented that the report showed that a great deal of care had been taken in its compilation, and he considered that it was commendable in both form and substance.

The representative of Mexico stated that the report presented by the Administering Authority was to be commended in many respects. However, it could be improved in many other respects, and more complete information should be included in the future annual reports.

The representative of Australia explained that the report was, in a sense, an incomplete report, because it was the first report of the resumed administration following a period of enemy occupation during which considerable damage had been done to the permanent installations of the island and the living facilities of its people. The report could not have been expected to have provided, for the year with which it dealt, a story of completed accomplishment in that respect. But it did indi-

cate that the Administration was fully aware of the questions which still had to be faced and of the necessity for providing as rapidly as possible all the means which would enable the Native population to sustain their standard of living and to achieve the developing processes to which they were entitled under the Trusteeship Agreement. The representative of the Union of Soviet Socialist Republics had complained that on many important points the report did not provide the information which would enable the proper judgment to be given. The representative of Australia rejected that suggestion and did not think it was one that would be shared by other members of the Council. Not only was the report itself a full and frank reply to the Provisional Questionnaire, but it had been supplemented by a very exhaustive series of questions, both written and oral. The representative apologized to the Council for the delay in the submission of sufficient copies of the report to the members of the Council. This matter would be rectified in future.

General advancement of the Territory

The representative of France stated that in discussing the report, a sense of proportion should be kept. The island consisted of about 5,000 acres and had a population of about 3,162 of whom 1,448 were indigenous inhabitants. It should also be kept in mind that Nauru was recovering from the tremendous damage inflicted during the war, and that due to the war the number of inhabitants had decreased considerably. In assessing the present situation, the question should be asked whether the inhabitants of Nauru were being provided with the means to which they had a right after the stress of war. The answer to this was that the Australian Government had made every effort to ensure to the population the means required in this period of post-war recovery. The representative stated further that, with certain reservations, the Australian Government deserved to be encouraged by the Trusteeship Council.

The representative of the United States of America considered that the Administering Authority had conscientiously endeavoured to direct the affairs of the Territory in the best interests of the Nauruans.

The representative was particularly impressed with the rehabilitation of the island since the end of the war in 1945. The island and its inhabitants had suffered severely during the period of the Japanese occupation, and the Australian Government had been under the pressure of great difficulties and problems in resuming its administration. This fact should be kept in mind as a basic consideration during the discussion on the administration during the year under review. He wished to associate himself with the representative of France in commending the Administering Authority for its efforts in rehabilitating Nauru.

He emphasized that the Australian Government was doing an earnest work; that the problems in Nauru were different from those of any other Trust Territory; and that the population was so small and the income so handsome that the most interesting results might be achieved. He expressed the opinion that in the coming years the Council could look to the Island of Nauru as one of the most rapidly advancing of the Trust Territories.

The representative of China noted that a certain amount of progress had been achieved by the Administering Authority in the administration of Nauru. His delegation was aware of the difficulties that had been faced, especially those arising out of the last war. However, thirty years had passed since the Administering Authority had been entrusted with the administration; and it was impossible to escape the conclusion that the work done, admirable as it was, left not a little to be desired.

The representative of the Philippines considered that the Council should take note of the fact that, until the inhabitants had brought their grievances to a head by petitioning the United Nations, the Administering Authority had allowed their housing and school building needs to take second place to those of the phosphate industry and its immigrant employees.

In such circumstances, the Council should recommend to the Administering Authority to extend the highest priority to all measures to advance at a much more rapid rate than in the past the political, economic, social and educational development of the inhabitants, and insist that if there were any conflict between the needs of the inhabitants and the expansion requirements of the phosphate industry in such matters as material, equipment and labour, the needs of the inhabitants must take precedence.

The Administering Authority which had never, in the past, made any financial grant to the Territory, should be prepared to make such grants now to the extent that the needs of the inhabitants required such financial aid.

The Council should not forget that, although by purely internal arrangement the Government of Australia was entrusted with the Administration of the Trust Territory, the Governments of the United Kingdom and New Zealand are also accountable to the United Nations under the terms of the Trusteeship Agreement. The Council should therefore call upon these Governments actively to assist the Government of Australia in carrying out the recommendations of the Council.

The representative of Mexico remarked that the Administering Authority had in Nauru a greater opportunity to show what could be done in helping the population to attain the objectives of the Charter and the Trusteeship Agreement than in other territories. The Administration should be able in Nauru to develop at much greater speed the educational facilities, the training of the people towards self-government, and adequate health and welfare services. The Administration had every possible material, human and otherwise, to bring about a model establishment of the institutions that were provided for in the Charter and in the Trusteeship Agreement.

The representative of Australia thanked the Council on behalf of the Administering Authority for the careful consideration which had been given to the first report on the Territory of Nauru. He expressed appreciation for the moderation and sense of proportion shown in the great majority of the comments on the report in general and on particular aspects of the report.

He observed that the record which the report set out in the document before the Council stood unimpaired. He added that this was the first re-

port on the Territory to come before the Council and it was important to note that the main constituents of the Administration had not drawn from the Council any general adverse opinions.

Incident involving Chinese workers

The representative of the Union of Soviet Socialist Republics observed that the Administrator enjoyed unlimited powers and did not, in any manner, take into consideration the wishes and desires of the indigenous inhabitants. The armed attack by the police on the Chinese workers on 7 June 1948 was evidence of this fact. The Chinese workers, because of impossible conditions of work, had barricaded themselves in their settlement. Instead of taking the necessary measures for the peaceful settlement of the dispute and satisfying the requirements of the workers, the Administrator had ordered out armed police forces, who, under his orders, had fired on the strikers.

Those guilty of shooting the Chinese workers were not punished; instead, the Australian Government gave orders for the arrest and expulsion of a number of the striking Chinese workers. Up to the present, although a year had passed since the incident, the Australian Government had not initiated an investigation of the situation under which the shooting took place, nor had the necessary measures for the most severe disciplining and punishment of those guilty of the shooting been taken.

The Trusteeship Council should demand from the Administering Authority an immediate investigation of the conditions under which the shooting of the striking Chinese workers took place, and should ask for the severe punishment of those individuals who were guilty.

The representative of China considered that the incident was certainly a blot on the record of the Administration. If the Administering Authority did not take such action as would remove all the causes of discontent and disharmony, it was to be seriously doubted that similar incidents would not recur. The Chinese Government naturally had a keen interest in the matter, and for the sake of justice and of the peace and harmony of the Territory his delegation requested the Council to recommend to the Administering Authority that the enquiry which was now being conducted into the circumstances of the incident should be continued with all earnestness, and that the Council should insist that the result of the investigation should be transmitted to it as soon as possible and that it should be studied carefully by the Council with a view to seeing whether justice had been done and whether all those responsible for the incident had been duly dealt with. Those who were responsible for the excessive use of force should receive disciplinary punishment.

The representative of Australia, referring to the observations made by the representative of the Union of Soviet Socialist Republics, stated that he had thought that the facts, as far as his Government was in possession of them—and they were reasonably exhaustive—had all been put before the Council, and that the Council was enabled to have a clear picture of exactly what happened.

It was therefore regrettable that at this stage any attempt should have been made to distort in a serious fashion what actually had happened. The

representative of the USSR had spoken of a rising by the Chinese against impossible conditions of work. One might have thought that no attention had been paid by the representative of the USSR to the explanations, which were very carefully given by the special representative, of the facts in the background of that incident of June last year.

Furthermore, the action taken by the Administration at that time was one which was rendered necessary by the existence of a state of emergency and riot, and was an action such as would have been taken in similar circumstances in any territory, anywhere in the world, which was subject to provisions of good order and proper government.

It was entirely wrong, therefore, to suggest that the actions of the Administration had anything to do with race or other grounds of distinction. It was action taken in accordance with the necessities of the proper government and good order of the Territory.

Furthermore, it was most carefully outlined to the Council that following this incident the Administering Authority had established both a judicial process and a process of special investigation by a representative of the Administering Government. The representative himself had heard nothing from the representative of the USSR which indicated that either of those two statements had made any impression on his opinion. That was a point on which the Administering Authority was entitled to have the record of the Council quite clear.

2. Political advancement

General

The representative of the Union of Soviet Socialist Republics stated that, up to the present time, the population of the Territory had not participated actively in the administration of their country. There existed no legislative, executive or judicial bodies in which the indigenous population could participate, nor had the Government of Australia carried out any legislative or other measures to provide such participation.

The Administering Authority had for almost thirty years limited itself to general statements regarding this question. It was stated in the annual report for 1923 that, given the best possibilities for education, there was nothing to prevent all the important posts in the administration being filled in due course by the local population.

In the annual report for 1927 a similar statement was made, namely:

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

And it was further stated that:

"Nauru has advantages over many countries. No national debt hinders its progress and a unique opportunity is available for modeling its development on lines consistent with the highest ideals of moral, social and material advancement."

Twenty-two years had passed since those words were written, and they remained nothing more than a promise on the part of the Administering Authority. From the political point of view the indigenous inhabitants remained without rights up to the present time. On the basis of the facts available it was in order to note that the Administering Authority had done nothing to promote their progressive development towards self-government or independence.

The representative of the United States of America believed that, in view of the almost complete literacy of the Nauruans as well as the small size of the island and population, the Council could look forward with confidence to a rapid increase in the participation by the Nauruans in their own administration. The statement of the special representative that "Consideration is at present being given to proposals for the Nauruans to be given a greater share in administrative responsibility" was a matter of keen interest to the Council.

The representative of the Philippines referred to the view expressed by the Administering Authority as long ago as 1927 that the Nauruans had a singular capacity for acquiring knowledge and that within a short time it should be possible for them to occupy almost all the posts in the Administration; to the high degree of literacy of the inhabitants as a result of compulsory education; and to the statement in the present annual report that it would be difficult to find another race which had developed so quickly. In the limited number of administration posts made available to them, Nauruans had fully demonstrated their capacity. In the financial field, the Council of Chiefs had intervened in negotiations with the British Phosphate Commissioners and the Administration in the revision of royalties, and their grasp of financial matters was further demonstrated by their successful operation of a co-operative store.

The representative noted that, in all these circumstances, the Administering Authority nevertheless had stated that the stage had not yet been reached where the Native might be regarded as capable of participating in a full legislative organ for the Territory, and that it had not so far been deemed appropriate that their Council should be vested with legislative or budgetary control. He expressed the view that, unless the indigenous population was actually given participation in such matters, it could not be expected to gain the necessary experience in self-government. The question whether or not they were capable of self-government would therefore remain purely theoretical until they were given a share in the administration, particularly in legislative and budgetary matters.

The representative considered that the Council should note that all the powers of government were vested exclusively in the Administrator; that all key positions in the Administration continued to be held by Europeans; that the Nauruans had no voice in administrative or financial policy; and that their Council of Chiefs enjoyed no real power. The Council should recommend that urgent and immediate measures should be taken to afford the inhabitants a large measure of self-government consistent with their acknowledged high degree of literacy, their knowledge and use of electoral processes, their experience in budgetary matters through phosphate negotiations and the operation

of a successful co-operative society, and the absence in a small community of any complex administrative problems.

The representative of Iraq suggested that the Council might express some concern at the slowness of political advancement in a Territory where there were no great administrative or budgetary problems, where almost everybody was literate in English, and where the inhabitants had obviously proved themselves intelligent and capable of discussing serious matters.

Organic law

The representative of the Philippines considered that the Council should note that the organic law of the Territory was an agreement made in 1919 and supplemented in 1923 between the three Governments concerned. It was based exclusively on the Mandate and was dominated by considerations of the organization of the phosphate industry, merely vesting full powers of government in an administrator. The Council should note that this instrument contained no reference to the new status of Nauru as a Trust Territory, and provided no specific means for the political advancement of the inhabitants and no safeguards for their civil and other rights.

He believed that the Council should recommend that the 1919-1923 agreement be replaced by an adequate organic act which should define the constitution and powers of the Nauruan organ of government, set forth the fundamental human and other rights of the inhabitants, and incorporate such changes in the economic provisions as might be recommended by the Council.

Organs of government

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority should carry out the necessary legislative and other measures which would provide for the participation of the indigenous inhabitants in the legislative, executive and judicial organs of the Territory.

The representative of the Philippines considered that the Council should recommend, as the first of a number of urgent and immediate measures, that the Council of Chiefs should be reconstituted as an organ of self-government with progressively increasing legislative and budgetary powers, elected at specific intervals on the basis of universal suffrage.

The Council should recommend, further, that the present administrative structure should be reorganized so that certain administrative functions might be transferred immediately, and others progressively, to the direct control of the new Nauruan organ.

The Council should also recommend that the administration of the territorial budget, the Nauruan Royalty Trust Fund, the Landowners Investment Fund and the long-term Community Investment Fund, together with all future royalty negotiations, should be made subject to the approval of, or amendment by, this new organ of government.

The representative of Mexico stated that the Trusteeship Council should express its concern over the fact that no substantial changes had been introduced in the functions and powers of the

Council of Chiefs since the Council was established many years ago.

He observed that the present structure of the Administration of Nauru and the relationship of the Council of Chiefs to the Administrator were not satisfactory and did not help the indigenous inhabitants in their development towards self-government or independence, as provided in the Charter and in the Trusteeship Agreement.

The representative considered that the Trusteeship Council should recommend that the Administering Authority take immediate steps to give the Council of Chiefs full participation in the framing of decisions regarding general administrative matters, including the budget, the expenditure of administration funds and the use of the Nauruan Royalty Trust Fund.

Training in administration

The representative of the Philippines considered that the Council should recommend that adequate measures be taken to improve educational methods and provide accelerated experience in order to make possible the appointment of Nauruans to all posts in the administration.

The representative of Mexico observed that the Nauruans had not been given an opportunity for higher training so as to have access to key positions in the Administration. He believed that the Trusteeship Council should recommend to the Administering Authority the immediate establishment of training facilities in which the Nauruans could acquire the necessary qualifications to fill key administrative and supervisory positions in the Government of Nauru.

Judicial organization

The representative of Mexico noted that the present organization of the judicial system in the Territory of Nauru did not provide for the existence of judicial authorities independent from the Administration and did not assure to the indigenous inhabitants the exercise of judicial functions by magistrates outside the control of the Administrator. He felt that the Trusteeship Council should recommend that the Administering Authority should review the present judicial organization in order that a separate judicial authority might be established as soon as possible.

He further observed that the Head Chief was at the same time an official of the Administration and a judge of the District Court. In those positions, the Chief was subject to removal by the Administrator, a situation which did not ensure a completely impartial attitude on the part of the Chief as magistrate in court. Finally, he expressed the hope that in the next annual report the Administering Authority would provide the Trusteeship Council with full information on the measures taken to change the present structure of the judicial system.

3. Economic advancement

General

The representative of France thought that the outstanding problem to be faced in the island was what was to occur when the phosphate deposits were eventually exhausted. To solve this question satisfactorily, there was only one method to fol-

low, and that was immediately to start providing the inhabitants with the economic and educational means by which they would be in a position, not only to survive after the phosphates were exhausted, but also be able to continue to improve their situation either on the island or elsewhere. In other words, the diminishing resources of the island should be constantly kept in mind when formulating the administrative, economic and financial policies. If the Australian Government started from this basis, and there was every indication that it was in fact doing so, there was no doubt that within a given time the inhabitants of Nauru would be able to play their personal and individual parts in the world.

The representative of the United States of America stated that it was quite clear that the complex problem of the ultimate fate of the people of Nauru when all the phosphates had been mined was a matter of very great concern, not only to the Administering Authority, but also to the Trusteeship Council. Although it was a problem which would not require final solution for some seventy years, it could not be ignored in the meantime, and he was confident that the Australian Government would want to give it serious study, and hoped that it would keep the Trusteeship Council informed, as time went on, of the results of that study.

The representative of the Philippines also referred to the need for an immediate study to be made for laying down a sound economic foundation for the inhabitants when the phosphate resources were exhausted.

The representative of Iraq remarked that he had felt an appreciable concern in the Council about the economic future of the Territory. At present, the inhabitants depended entirely on the phosphate industry. They have even neglected, with the tacit consent of the Administering Authority, other occupations such as copra production and commercial fishing, in which they once took part. However, the phosphate deposits were estimated to last only seventy years. After that, it appeared at present that there would be nothing left for the inhabitants except their royalty investment funds. The Council should take the view even though this situation might not occur for another seventy years, there was an urgent need to take some concrete measures now to decide what the fate of the Nauruans was going to be, and to start training them and preparing them for some new economy which their children might inherit, so that all they had gained in the past might not be lost.

The representative of Mexico noted that Nauruan indigenous labour was being absorbed to an increasing extent in the phosphate industry. He observed that such a trend, together with the disappearance of the Nauruans' former skill as fishermen, would increase the difficulties which the Administration would have to confront when the phosphate deposits now being mined were exhausted.

The representative of Australia noted with appreciation the statements by the representatives of France and the United States concerning the ultimate destiny of the indigenous population of Nauru. The Administering Authority had thought it provident to have mentioned this problem in the first report and would follow the suggestion of the representative of the United States and keep

the Council informed of the development of the planning on this question. Reciprocally, the Administering Authority would be happy at any time to receive suggestions from members of the Council on this difficult matter.

Economic equality

The representative of the Philippines believed that the Council should note that the three Governments jointly administering the Territory enjoyed a monopoly of the production and consumption of the only large-scale natural resources of the Territory, and that therefore the Council should express a reservation as to the compatibility of this arrangement with the economic equality provisions of the Charter, in the event that any other Member of the United Nations might in the future claim equal access to these resources.

The representative of New Zealand stated that the three Governments regarded themselves as having completely unassailable legal and moral rights to whatever they had done. Their legal rights were protected by Article 80 of the Charter; the phosphates agreement was an "existing international instrument" and the three Governments had existing rights in the terms of that Article. Furthermore, the final phrase in Article 76 of itself served as a reminder that Article 80 was an over-riding provision.

As far as moral rights were concerned, the three Governments were not utilizing the phosphates at the expense of the Nauruans, nor as administrators *qua* administrators. They operated the phosphates for the simple reason that they had bought them. They had bought the property from the Pacific Phosphate Company which in turn bought it from a German company. He did not know what terms the German company had made with the Nauruans, but he was prepared to hazard a guess that the Germans had not been particularly generous. However, the property had been bought from the Germans by the British Phosphate Company, and in turn by the three Governments for three and a half million pounds. On the whole, it had been greatly to the advantage of the Nauruans that they had done so. It might well be that the Nauruans were not getting a fair proportion of the proceeds; but he was convinced that the three Governments were both morally and legally entitled completely to do what they had done, and that if in decency, in justice and in generosity to the Nauruans they should do more, they would do it.

The representative of the United Kingdom wished to associate himself with the statement of the representative of New Zealand.

The representative of the Philippines pointed out that he had not proposed that the Council should take any particular stand on the monopoly question, either for or against it. He had simply suggested that the Council should reserve its position, and not at this stage express any final opinion either one way or the other. Nevertheless, he felt it desirable to refer to some of the statements of the representative of New Zealand in a factual way. In the first place, although the latter representative had stated, on behalf of the three Governments that the phosphates "are our property", the annual report made it quite clear that the British Phosphate Commissioners did not own

the phosphate lands. They had no absolute right to these lands. The Nauruans were the owners of the land, and the British Phosphate Commissioners had to lease every acre they worked, by individual agreement with the owners, and on payment of rental and royalty. Secondly, the representative stated that he found it difficult to believe that it was the intention of the Charter to provide, through Article 80, a way of escape, in the most complete sense which confronted the Council in this case, from the fundamentally important economic equality provisions of Article 76 d of the Charter. It was difficult to believe that a monopoly arrangement that was completely within the orbit of the three Governments constituting the Administering Authority, and involved no obligations towards any other State, could be said to override a fundamental Charter principle which was in direct conflict with it. He referred further to Article 103, which provided that in the event of a conflict, the obligations under the Charter should prevail.

As far as the moral right claimed by the three Governments was concerned, the representative stated that he could only leave it to the Council, in the observations and recommendations which it would make, to indicate whether, under the present form of exploitation, the inhabitants had made all the progress to be desired in their political, economic, social and educational development. He drew attention also to the origin of the monopoly, and suggested that the purchase by the German company of the exclusive concession to work the phosphates might have been just another name for confiscation. From the moral standpoint, when the three Governments acquired the phosphate concessions they merely stepped into the shoes of the German company, and their title suffered from all the original defects to which the title of the German company was subject. It might be considered some sort of moral atonement on their part that they now paid a very much higher royalty than the German company ever obligated itself to pay to the indigenous owners of the phosphate lands.

The representative of Mexico noted that the leases for exploitation of the phosphate deposits held by the British Phosphate Commissioners and the Governments of the United Kingdom, Australia and New Zealand did not give them title to the full property of the land containing the phosphates deposits of Nauru. The conditions of lease were fixed periodically through negotiations between the British Phosphate Commissioners and the Nauruans. Further, he observed that there was a contradiction between the provisions of the 1919 Agreement concerning the mining of phosphate deposits and the provisions of Article 76 of the Charter. He had grave doubts about the interpretation given to Article 80 of the Charter by the Administering Authority and as to whether it would be proper to invoke Article 80 in this particular case. He also had doubts about the source of the rights claimed by the Administering Authority; after all, this was merely a concession to exploit the phosphates of the island, which in no way gave ownership over the land. Moreover, the concession should be exercised only in such a way as to take into consideration the rights of the original owners of the land, the Nauruans.

He also stated that it was doubtful whether the purchase made by the British Phosphate Commissioners could be considered a "international

agreement" within the meaning of Article 80. In fact, the agreement between the three States concerned, regardless of the time when it was made, appeared now to be in fact an agreement of the Administering Authority with itself.

Recalling the discussions at the San Francisco Conference when Article 80 was drafted, the representative stated that the very text of that Article raised doubts as to its application to the present case. He mentioned the clauses "... until such agreements have been concluded ..." and "... except as may be agreed upon in individual Trusteeship Agreements", and he said that after the Trusteeship Agreement had been concluded its terms ought to prevail. He observed that the Trusteeship Agreement for Nauru contained no provision for the non-operation of certain parts of Article 76 d and concluded that the Administering Authority was morally and legally bound to comply with every one of the objectives and clauses of Article 76.

The representative of Australia reiterated that the Administering Authority was of the opinion that the 1919 Agreement was not incompatible with the provisions of the Charter or the Trusteeship Agreement, because Article 76 d was to be read in conjunction with Article 80, and the existence of the 1919 Agreement—apart from being a fact for more than twenty years—was known and recognized at the time of the formulation and approval of the Trusteeship Agreement. The representative further observed that the question was a matter for theoretical argument and of no practical moment. There was no claim, potential or otherwise, on the part of any Member State of the United Nations, to participate in the operation of the phosphate deposits of Nauru. If there were, then it would be a matter for conclusions and recommendations by the Trusteeship Council, in accordance with the Council's view of the provisions of the relevant Articles of the Charter. Until such a contingency arose, he thought the proper attitude for the Council to take was that it should not attempt to pronounce on the question.

In connexion with the argument that neither the Pacific Phosphate Company nor the British Phosphate Commissioners had any title to the phosphate land, the representative observed that article 6 of the 1919 Agreement referred quite clearly to the title to the phosphate deposits. It was a somewhat academic point, perhaps, to attempt to distinguish between the phosphate deposits and at least part of the land area of the island, because when the deposits were worked out, the land, "except for a large hole in the ground", disappeared.

Economic aspects of the phosphate industry

The representative of the Union of Soviet Socialist Republics expressed the opinion that the economic life of the island was completely subordinated to the interests of the exploitation of the phosphate deposits by the monopolistic British Phosphate Commission. From information in the report and from the statements of the special representative it was evident that the monopoly received big profits from the exploitation of the phosphate deposits. The indigenous inhabitants themselves had no influence over the affairs of the company and had no power to carry out negotiations with any other company which would give more advantageous commercial conditions.

As evidence of this, according to a statement by the special representative, during the negotiations for the conclusion of the present royalty agreement, the Council of Chiefs asked, as a minimum demand, that twenty-two pence be paid for every ton of phosphate mined. Utilizing its monopolistic position, however, the Commission decided to pay only thirteen pence per ton. Moreover, the Commission did not pay any taxes on its profits to the Treasury of the island. The Administering Authority also promoted, in every manner, the exploitation of the natural resources of the island by means of legislative ordinances which placed the indigenous inhabitants in an extremely difficult position. The representative expressed the opinion that the indigenous inhabitants should be allowed to participate in all phases of the development and mining of the phosphate deposits.

The representative of the Philippines proposed that, on the question whether the Territory and its inhabitants were receiving an adequate share of the proceeds from the phosphate exploitation, the Council might state that, pending examination of the accounts of the British Phosphate Commissioners and other statistics not at present available to it, it was not at present in a position to express a final opinion. Nevertheless, the Council would be entitled at this stage to make the following observations and conclusions in this report:

(1) The Council should note that the repayment of interest and capital on the original purchase price of the phosphate industry had constituted a large drain on the revenues of the industry. The Council should request the Administering Authority to consider, in view of the incalculable benefits which Australia and New Zealand had derived through the use of phosphates in agricultural production, whether the debt which was still outstanding should now be written off and the annual payment set aside instead for the future economic development of the Territory.

(2) The Council should note that certain parts of the royalty payment were being set aside for long-term investment on behalf of the landowners in one case, and the community in the other case, and that these funds were being invested in Australian Government bonds. The Council should ask whether these funds should not be invested, either wholly or in part, in the phosphate industry itself or in the development of a diversified economy for the Territory.

(3) The Council should note that, from the information available, it appeared that the largest portion of the phosphate royalty, the payment to the actual landowners, was by no means evenly distributed among the inhabitants. It should note that the special representative had stated that the Nauruans themselves preferred that the landowners should receive the largest payment, but that this statement was not borne out by the royalty proposals of the Chiefs who, in 1947 had asked for a total of 11½ pence per ton for the community and 11 pence for the landowners. The Council should take the view that, because of the unique importance of the phosphates in the Territory, it would be desirable that the deposits might be considered for royalty purposes as belonging to the community as a whole, and that the payments should be distributed evenly among all the inhabitants.

(4) The Council should note that, although the value of the phosphates exported from Nauru had increased by some 200 per cent since 1940, the royalty payment had increased by only slightly more than 50 per cent. The Council should express the view that until fuller information could be obtained from the accounts of the British Phosphate Commissioners it was not satisfied that the inhabitants had received an increase commensurate with the changes in the economic situation.

The representative of Mexico noted that the present share of the indigenous inhabitants in the profits of the exploitation of the phosphates was not proportionate to the immense damage caused to the economy by the progressive exhaustion of the phosphate deposits. He noted that, in spite of recent increases in the royalty rates, they bore, today, a lower ratio to the total cost, namely one to thirty-seven, than they did in the years immediately before the last war, when the ratio was about one to twenty-one. This meant that the British Phosphate Commissioners, with the agreement of the Administering Authority, were giving proportionately less to the indigenous inhabitants of Nauru than they were giving before the war.

The representative noted also that the income from phosphate royalties was not equally shared by all elements of the population, since a very small group received a very large part of the royalties paid on account of the Landowners Trust Fund. He noted further that the Council of Chiefs had suggested during the last negotiations regarding the rates of royalties that more than half of the total royalties paid should be reserved for the general benefit of the Nauruans, while the final agreement approved by the Administrator embodied exactly the opposite principle, by reserving more than 60 per cent of the total royalties for the landowners.

He also considered that the Nauruan population as a whole, and not merely a few chiefs, who were probably also landowners, should be consulted on the existing arrangements in order to ensure that the total amount of royalties paid should be distributed on a fair basis among the whole population.

Public finances

The representative of Mexico observed that, during 1939, about one-third of the general expenditure had been estimated to have been used directly for the benefit of the Nauruans. In 1941, the last "normal" year before the war, that proportion had been more than one-fourth of the general expenditure. However, during the year 1947-1948, less than one-sixth had been used for the benefit of the Nauruans. He further observed that while it had been found possible to reduce the proportion of the general funds devoted to services of direct benefit to the Nauruans, at the same time it had been found necessary to increase the expenditures from the Nauruan Royalty Fund for similar purposes. In pointing out this apparent contradiction, he suggested that the Trusteeship Council should ask the Administering Authority to give a full explanation in the next annual report.

The representative of the Philippines proposed that the Council should take note of the fact that

the cost of the administration of the Territory was financed out of the phosphate industry, for which purpose a sum of 6 pence per ton was allocated, and that no grants had ever been made by the Administering Authority. The Council should question whether this arrangement was an adequate one, and should note with concern that the cost of Nauruan education and the salaries of Nauruan officials were charged not against the territorial budget, but against the Nauruan Royalty Trust Fund.

The Council should request the Administering Authority to devote this fund, as it appeared to have been intended, to benefits for the Nauruans over and above the normal public services of the Territory, and to ensure that these services were paid for out of the budget proper. The Council might propose that the budget be increased for this purpose by a higher payment from the phosphate industry or by means of grants by the Administering Authority.

The representative of Mexico noted that the salaries of the Head Chief, district chiefs and constables were charged to the Nauruan Royalty Trust Fund and that all the expenses in respect of Native education and various welfare services for the benefit of the Nauruans were paid out of the same Fund. He suggested that the Trusteeship Council should recommend to the Administering Authority that those expenses should be charged to the general funds of the Administration, as they were definitely a part of the normal responsibilities of the Administering Authority.

He suggested further that the Council should recommend to the Administering Authority that the Nauruan Royalty Trust Fund should be used only for services over and above the normal public services which the Administering Authority was bound to provide according to the Trusteeship Agreement.

Taxation

The representative of the Union of Soviet Socialist Republics stated that the Trusteeship Council should recommend that the Administering Authority should replace the capitation tax by a progressive income tax or at least an income tax which would take into account property qualifications and ability to pay.

The representative of Iraq suggested that the Council might consider that the present system of flat taxation, which hit hardest the Nauruans themselves, was completely anachronistic and not in the interests of the inhabitants. It would not appear difficult to introduce a more modern system of taxation graduated according to individual earnings.

The representative of Mexico noted that the tax system did not provide for different rates of taxation for indigenous inhabitants who owned phosphate lands and those who did not. He suggested that a new system of taxation should be established which would be based on the ability of individuals to pay.

Co-operative movement

The representative of the United States of America stated that the Nauru Co-operative Society appeared to be a promising organization through which the Nauruans were participating

in their own economic life. He hoped that the Administering Authority would provide next year more detailed information about the membership of the society and its general influence on the community, and how it was developing and progressing.

4. Social advancement

General; discriminatory practices

The representative of China considered that in order to bring about peace and harmony in the Territory, certain improvements should be made in the treatment both of the indigenous population and of the Chinese workers. The indigenous population had contributed its land and its phosphate deposits for the support of the Administration, and the Chinese workers were there to help the Administration work out the deposits which were essential for its support. Therefore, humane treatment should be meted out to all those concerned, and such matters as conditions of work, including hours of work, rest periods and wages, should be adjusted so that all the people on the island, irrespective of colour or race, might be treated on the same basis.

He stated that it was essential that certain ordinances and laws which contained discriminatory provisions should be rapidly revised in order to bring them into accord with the provisions of the Charter and the terms of the Trusteeship Agreement concerning human rights and fundamental freedoms. He referred especially, and with emphasis, to the discriminatory provisions contained in the Native Movement Ordinance, and also to the Chinese and Native Labour Ordinance. He had in mind particularly the agreements which Chinese workers had had to sign with the British Phosphate Commissioners, and in which provisions of a discriminatory nature had been found. He requested the Council to recommend to the Administering Authority the speedy revision of all laws and ordinances which contained provisions of a discriminatory nature inconsistent with the spirit and letter of the Charter and with the terms of the Trusteeship Agreement, and also that all anachronisms and inconsistencies such as were found in the labour agreements should be done away with.

The representative of the Philippines requested the Council to recommend to the Administering Authority the review of existing discriminatory legislation and practices with a view to the abolition of racial discrimination in the Territory.

The representative of Mexico noted various cases of racial discrimination. He believed that the Council should recommend to the Administering Authority the repeal of all regulations and practices of a discriminatory character.

The representative of Australia recalled that while the native Nauruans lived in Nauru and contemplated spending their lives there, the Chinese employees of the British Phosphate Commissioners would have an average period of residence in Nauru of not more than two years. Therefore, it was incumbent upon the Administering Authority to make certain differentiations, in practice, in the day-to-day conduct of the administration, between the two sections of the population, without derogation in any sense from the acknowledged responsibility of the Administering

Authority towards all the inhabitants of Nauru, whether they were temporary or otherwise.

Freedom of movement

The representative of the Union of Soviet Socialist Republics recommended that the Trusteeship Council should call for the immediate revocation of the ordinance prohibiting the indigenous inhabitants and the Chinese workers from moving about freely at night.

The representative of Iraq stated that he felt somewhat unhappy about the limitation on movements of the indigenous inhabitants. The Council had been told that prudence dictated the measure, but the crux of the problem was: when would the Nauruans learn the requirements of an ordered society, and that for the privilege of moving freely in the evenings they must accept the responsibility of orderly conduct in a civilized society? The time must come when they would have to learn, and the Administering Authority ought to find ways and means of implementing this education.

The representative of Australia said that the members of the Trusteeship Council who would visit the Pacific next year would see for themselves the conditions in the islands which, in the opinion of the Administering Authority, necessitated measures of that kind. He pointed out that two large groups of population existed on Nauru, and that the Administering Authority had an overall responsibility towards both groups. Fortunately, the contingency of a serious conflict in that responsibility was not a likely one. The reasons why such difficulties had not arisen might be due to the fact that certain precautions had been practised by the Administering Authority and the local administration over a period of years, with the result that the discharge of the double responsibility in respect to the people of the island had been, in the main, successfully accomplished.

Wage rates

The representative of the Union of Soviet Socialist Republics observed that according to the report the indigenous inhabitants received only £60 to £70 per year for their labour. A family of five persons, after the deduction of the capitation tax, was left with about 8 pence or 9 pence per individual per day. This amount, on the basis of information contained in the report, would buy one pound of carrots, or half a pound of tomatoes, or two eggs. No explanations could possibly justify a situation in which the indigenous inhabitants lived in conditions of near-famine. Moreover, these conditions applied not only to unskilled but to skilled labour as well.

In contrast, the European workers received six times more than the indigenous or Chinese workers. The difference in wage rates paid to the indigenous inhabitants and the Chinese workers on the one hand and to the Europeans on the other indicated that the Administering Authority was carrying out a policy of discrimination against the former. The Administering Authority should immediately change its policy on wage rates for European, indigenous and Chinese workers. The indigenous inhabitants should also be given participation in the determination of all wage questions.

The representative of Mexico noted the fact that Nauruan and Chinese labourers were paid

wages much lower than those paid to European workers. He noted the observation made by the special representative that, in fixing these wages, attention had been given to the general standard of needs of these workers. He did not feel, however, that this should be a criterion for the fixing of wages, especially when this criterion was not the same in respect to the European and indigenous workers. He considered that workers who had always been subjected to a very low standard of living should be encouraged to improve that standard, to acquire new kinds of indispensable needs, and also the means to satisfy those needs. If the present situation of the indigenous inhabitants was taken as a measure for their wages, they could never emerge from that difficult situation.

The representative of Australia stated that it was a matter of opinion, whether £60, £80 or £40 a year was enough for the proper requirements of one element of the population of Nauru. Nonetheless, no evidence of any kind had been produced which suggested that the Nauruan population was in receipt of wages, or of payments in the nature of wages, which were not adequate for its needs or which were such as to lead to any reasonable complaint on its part. No such complaint was known to the Administering Authority and no evidence of any such complaint was offered to the Council. The outstanding fact was not so much that any given figure was the prevailing average wage payment for the individual Nauruan, as that in this particular Territory the entire employable indigenous population were in receipt of money wages.

Labour conditions

The representative of Mexico observed that the Chinese and Native Labour Ordinance contained many provisions for penal sanctions for breaches of labour contracts, and considered that these were in contradiction with the provisions of the International Labour Organisation Convention known as the Penal Sanctions (Indigenous Workers) Convention of 1939. He suggested that the Trusteeship Council should recommend to the Administering Authority the abolition of all practices which were inconsistent with the recommendations of the International Labour Organisation.

The representative of France commented that the fact that the Chinese workers were brought to the island without their families might lead to serious and painful consequences. It would be advisable to seek some solution to this situation, which was a regrettable one.

The representative of Mexico expressed the hope that the next annual report would give the number of Chinese workers who had been repatriated in accordance with their contracts.

The representative of Mexico asked the Administering Authority to include in the next annual report statistics about the number of major disabilities, injuries and deaths occurring among the Chinese workers in the course of their work.

Medical, housing and social services

The representative of the Union of Soviet Socialist Republics stated that the Trusteeship Council should recommend that the Administering Authority should increase the funds available for medical facilities.

The representative of Iraq stated that it was difficult to believe that the Council would be satisfied with the explanation that had been given as to the delay in providing proper housing and new schools for the Nauruans while, on the other hand, employees of the phosphate industry had been quickly and permanently housed. The Council should be concerned at any indication that unreasonable economic interests of Europeans should influence the availability of building materials which would otherwise go to help the Nauruans who had given all to the war effort and sacrificed much. The Administering Authority should be called upon to give precedence to the building of an adequate number of houses, schools, hospitals and so forth for the Nauruans. The Council might note that the present rate of housing was still rather slow—two houses a week. At this rate it would take more than two years to construct the proposed 250 houses. It should recommend that the programme be accelerated. He considered further that the Council should be concerned to note that instead of providing the houses free, as a means of compensating the Nauruans for their losses in the war, it was proposed to charge a rental of £12 a year. The Council should recommend that the Administering Authority consider making these houses available free of charge to the Nauruans if possible.

The representative of the Philippines also noted that the housing and school-building needs of the inhabitants had been allowed to take a second place to those of the phosphate industry and its immigrant employees.

The representative of Australia observed that unless the numbers of such institutions as schools and hospitals considered necessary were specified, demands for an "adequate number" of these institutions could not carry practical weight with the Administration. He stated that no member of the Council had a remark of a critical nature to make regarding the health services of the island. He did not think it would be reasonable to say that the number of hospitals should be adequate without specifying in what way it was at present inadequate.

5. Educational advancement

The representative of the United States stated that he was particularly interested in the educational programme in Nauru, and had been gratified to note that the percentage of illiteracy was very small. Nauru had six district primary schools, and education was compulsory for all children between the ages of six and sixteen. He considered that the statement of the special representative that "a review of the education system is now in progress and it is expected that schools for sec-

ondary technical education will be restored within the coming year" opened up a field of great possibilities.

The representative of the Union of Soviet Socialist Republics considered that the Council should recommend that the Administering Authority take measures to increase the funds available for educational and cultural requirements. In this connexion, he pointed out that there were no facilities for secondary education in the Territory, while at the same time the indigenous inhabitants did not possess the means to send their children to schools outside the Territory.

The representative of Iraq considered that the Administering Authority should be asked to concentrate greater efforts on the school building programme. He noted that, furthermore, no secondary schools at all had yet been re-established. Nothing should be allowed to delay the restoration of these schools, and it was to be hoped that higher education in general would be extended in order to qualify the Nauruans to manage their own affairs.

He pointed out, in this connexion, that the Council would not have to be asked to consider shortage of money as an excuse for delay in providing educational facilities. Up to the present, the Nauruans had paid for their education out of their own money—namely, the funds accruing to them from phosphate royalties. The Council might propose that in future the Administering Authority provide educational funds out of the Territorial budget proper, if necessary by making grants.

The representative of Australia contended that the number of primary schools was adequate, as there was a primary school in approximately every district, at least in all the main districts. He explained that secondary education had not yet been resumed after the interruption caused by the war, but it was the intention of the Administering Authority to secure such restoration at the earliest practicable time.

8. Trust Territory of the Pacific Islands

In connexion with its functions in respect of strategic areas under Trusteeship, the Council, at its fifth session, examined the report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period ended 30 June 1948. At the twenty-sixth meeting, the Council adopted a separate report⁴⁰ on this examination as part of its report to the Security Council on the exercise of its functions in respect of strategic areas under Trusteeship.

⁴⁰ S/1358.

Chapter III

PETITIONS

I. Petitions concerning Tanganyika

(a) *Petitions examined at the fourth session*

At its fourth session, the Council examined thirteen petitions concerning Tanganyika, and a fourteenth from the Territory (from the Tanganyika Bahaya Union) concerning both Tanganyika and Ruanda-Urundi. Many of these petitions had been received through and investigated by the United Nations Visiting Mission to East Africa.⁴¹ Five of them were petitions from Europeans concerning the immigration and repatriation policies of the Administering Authority and related subjects; one was a petition of a personal character from a deposed chief; four raised specific questions, while the remaining four raised questions of a general nature, which the Council noted had been dealt with in the report of the Visiting Mission. The subject matter of the petitions and the action taken on them by the Council are indicated in greater detail below.

(i) *Petitions concerning the immigration and deportation policies of the Administering Authority and related subjects*

Mr. B. O'Donovan, petitioning the Council on behalf of Mrs. K. Maier, the British-born wife of a repatriated German national, charged that the Tanganyika Government had not fulfilled its promise to reinvest her with her husband's property.⁴² At the 11th meeting, the Council, having been informed by the representative of the Administering Authority that the Tanganyika Government had offered her the right to occupy the property rent-free, decided that no action by it was called for.⁴³

Mr. Holmboe, a Norwegian residing in Tanganyika, submitted a petition in which he complained of unfairness in the allocation of ex-enemy property in Tanganyika. At the 8th meeting, the Council, having considered a statement by the representative of the Administering Authority explaining the policy of the Administering Authority in allocating such property, and having been informed that Mr. Holmboe had been offered and had accepted a farm, decided that no action by it was called for.⁴⁴

The Council decided, at the 8th meeting, to take no action on a petition from Mr. A. Vadasz, a stateless person, who requested to be allowed to enter Tanganyika.⁴⁵

Mrs. Halina Garas petitioned the Council to intervene on behalf of her parents, who had entered Tanganyika during the war under a refugee scheme, and whom she feared the Tanganyika Government was about to deport. The Council, having been informed at the 38th meeting by the United Kingdom representative that the petitioner's father was not considered a suitable person to

remain in Tanganyika, decided that no action by it was called for.⁴⁶

Mr. Emil Ruppel, an ex-enemy national residing in Tanganyika, complained of an expulsion order issued against him and requested the United Nations to help him and his wife to join their son in Argentina. At the 38th meeting, the Council, having been informed that the Tanganyika Government was prepared to pay the passages of Mr. Ruppel and his wife to Argentina, decided that no action by it was called for.⁴⁷

(ii) *Petition from a Native chief*

The Council received a further petition from Mr. Paul Wamba Kudililwa, a former Tanganyika chief, who had been dismissed, requesting a pension. The Council, at the 38th meeting, decided that no action by it was called for.⁴⁸

(iii) *Petitions raising specific questions*

The Council had before it two petitions from Mr. D. M. Anjaria, the first complaining that Asians recruited abroad as sub-assistant surgeons were not subsequently allowed to enter private medical practice, and the second complaining of the failure of the Tanganyika Government to protect land titles granted to Arabs and Asians when the coastal portions of the Territory were under the rule of the Sultan of Zanzibar. At the 42nd meeting, the Council, having been informed by the representative of the Administering Authority that the granting or refusal of registration as a medical practitioner was based entirely on professional qualifications, decided that no action by it was called for on the first petition.⁴⁹ At the same meeting the Council decided to postpone further consideration of Mr. Anjaria's second petition until the Administering Authority could submit further information on the question of freehold titles to land in the Territory.⁵⁰

The Shariff Is-Hak Community submitted a petition protesting against the action of the Tanganyika Government in classifying them, for official purposes, as Somalis or Africans, instead of Asians. The Council, at the 11th meeting, decided to postpone further consideration of the petition until it received further information promised by the Administering Authority.⁵¹

Mr. A. J. Siggins, a former resident of Tanganyika, protested against the alleged fortification of the Territory and against alleged forced recruiting of Natives as part of a huge army in Africa; he also criticized the groundnut scheme. The petition was examined at the 36th and 37th meetings. The Council refused a request from Mr. Siggins for an oral hearing and, having been assured by the representative of the Administering Authority that there was no forced enlistment in Tanganyika and that there were no plans to raise a large force there, decided that no action by it was called for.⁵²

⁴¹ See T/218/Add.1.

⁴² For the action taken on earlier petitions from Mrs. Maier, see resolution 16 (II) of 11 December 1947.

⁴³ Resolution 73 (IV) of 25 March 1949.

⁴⁴ Resolution 53 (IV) of 25 March 1949.

⁴⁵ Resolution 67 (IV) of 25 March 1949.

⁴⁶ Resolution 55 (IV) of 25 March 1949.

⁴⁷ Resolution 79 (IV) of 25 March 1949.

⁴⁸ Resolution 78 (IV) of 25 March 1949.

⁴⁹ Resolution 69 (IV) of 25 March 1949.

⁵⁰ Resolution 70 (IV) of 25 March 1949.

⁵¹ Resolution 71 (IV) of 25 March 1949.

⁵² Resolution 54 (IV) of 25 March 1949.

(iv) *Petitions raising questions of a general nature*

The Council noted that four of the petitions from Tanganyika raised a number of questions of a general nature, which were also dealt with in the report of the United Nations Visiting Mission to East Africa on Tanganyika.⁵³ These were the petitions from twenty-two Shinyanga Township Africans, from the Tanganyika Bahaya Union, from the Chagga Council and from the Tanganyika African Association.

The petition from twenty-two Shinyanga Township Africans contained a series of requests for improved conditions in the Territory as a whole. The petitioners asked for an improved education system, for increased powers for Native Authorities and for increased consultation of Africans in the administration of the Territory; they wished for a rise in the standard of living of Africans and increased participation by them in the economy of the Territory; and sought for guarantees for free speech and abolition of instances of racial discrimination.

The Tanganyika Bahaya Union, in their petition, requested the unification of the Trust Territories of Tanganyika and Ruanda-Urundi, alleging that the frontier between the Territories created serious difficulties for the people of their tribe. More generally, they complained of the allegedly contemptuous attitude of Indians towards Africans, and asked for the establishment of a unified system of Native administration.

The petition of the Chagga Council drew attention to the acute shortage of land experienced by the Chagga tribe. The petitioners asked for the return of all alienated land in their tribal area, which is situated on the slopes of Mt. Kilimanjaro, and for the reclamation and development of new lands. In the political field, the petition requested the establishment of district, provincial and territorial councils of purely African composition and made a number of suggestions in the field of education.

The Tanganyika African Association covered a wide range of public issues in their petition, referring, *inter alia*, to the anxiety felt by some Africans about the Inter-Territorial Organization, to the desirability of an electoral system, to the possibility of a land shortage among Africans, to the allegedly poor conditions of recruited labour and to the low standard of education. They asked for remedial action by the Administering Authority in these and other fields.

At the 41st and 42nd meetings, the Council, after a brief examination, adopted almost identical resolutions⁵⁴ on each of these petitions. By these resolutions it decided to postpone further consideration of the questions raised in the petitions until the fifth session, at which time it would consider them in connexion with its final examination of the report of the Visiting Mission.

Some of the petitions from Tanganyika, examined at the fourth session, contained allegations that racial discrimination still existed in the Territory. By a resolution⁵⁵ adopted at the 44th meeting, the Council, noting that it was the policy of

the Administering Authority to take every practicable step to end racial discrimination, urged it further to intensify its efforts in that direction.

(b) *Petitions examined at the fifth session*

At its fifth session the Council examined six petitions from Tanganyika. The subject matter of these petitions and the action taken on them by the Council are set out below.

(i) *Petitions concerning the immigration and deportation policy of the Administering Authority and related subjects*

Mrs. Kate Salzmann, a German national who had been returned to Germany under the repatriation policy of the Administering Authority, petitioned the Council to obtain assistance for her and her family to enable them to return to Tanganyika and obtain restitution of their property. As an alternative she asked for compensation to enable them to go to Portuguese East Africa or to an American state.

Messrs. Ermanno and Everardo Burg, Italian nationals and former residents of Tanganyika who were interned and later sent to Italy, petitioned the Council to obtain permission from the Administering Authority for them to return to Tanganyika.

Mr. August Feyer, a former German resident of Tanganyika, petitioned the Council to obtain for him the release of a portion of his confiscated assets in the Moshi and Arusha Districts.

The Council, having considered the observations of the Administering Authority in which it stated that its action on the cases of these petitioners was in accordance with its repatriation policy, which had been previously approved by the Council, decided at the 5th meeting that no action by it was called for.⁵⁶

Mr. Hans Schneider, a German national who had been allowed to return to Tanganyika after release from internment in Southern Rhodesia, petitioned the Council to direct the Government of Tanganyika to restore to him his estates and properties. At the 23rd meeting, the Council, having been informed by the Administering Authority that the petitioner had already been reinvested with his property, decided that no action by it was called for.⁵⁷

(ii) *Petitions raising specific questions*

The Council continued its examination of the petition of the Shariif Is-Hak Community⁵⁸ and, having been informed that the Tanganyika Government had conferred, by legislation, the status of Non-Africans on members of the community, decided, at the 23rd meeting, that no action by it was called for.⁵⁹

The Council continued its examination of the petition from Mr. D. M. Anjar'a⁶⁰ and decided, at the 23rd meeting, that since the subject matter of the petition was *sub judice*, the petition, according to rule 81 of the rules of procedure, was inadmissible; further consideration would, however, be

⁵³ Resolution 86 (V), 88 (V) and 89 (V) of 22 July 1949.

⁵⁴ Resolution 87 (V) of 22 July 1949.

⁵⁵ For the previous examination, see page 88 above.

⁵⁶ Resolution 85 (V) of 22 July 1949.

⁵⁷ For the previous examination, see page 88 above.

⁵³ T/218.

⁵⁴ Resolutions 66 (IV), 68 (IV), 72 (IV) and 74 (IV) of 25 March 1949.

⁵⁵ Resolution 50 (IV) of 23 March 1949.

given to the general subject of land legislation when the annual reports on Tanganyika were examined.⁶¹

Mr. A. J. Siggins, a former resident of Tanganyika, urged that it would be wrong to use deposits of uranium, which he claimed had been or might be found in that Territory or in Ruanda-Urundi, for the purpose of making atom bombs and appealed to the Council to hold such deposits in trust for the inhabitants of those two Territories. The Council was informed by the Government of Belgium that no such deposits had so far been found in Ruanda-Urundi and decided, at the 5th meeting, that no action by it was called for.⁶²

(iii) *Petitions raising questions of a general nature*

At the 24th meeting, the Council gave further consideration to the petitions from twenty-two Shinyanga Township Africans, from the Tanganyika Bahaya Union, from the Chagga Council and from the Tanganyika African Association, all of which raised questions of a general nature to which it had given preliminary consideration at its fourth session.⁶³ In each case the Council decided to inform the petitioners that the questions raised by them had been and would continue to be examined each year in connexion with the examination of the annual reports. In addition, it decided to send the petitioners a copy of the Council's resolution on the reports of the Visiting Mission to East Africa, a copy of the report of the Mission on Tanganyika, together with a copy of the observations of the Administering Authority thereon, and a copy of the recommendations adopted by the Council on the most recent examination by it of the annual report of the Administering Authority on Tanganyika.⁶⁴

In regard to the specific questions raised by the Tanganyika Bahaya Union and the Chagga Council respectively, the Council decided to inform the former that the question of the unification of Tanganyika with Ruanda-Urundi was not a matter which fell within its competence,⁶⁵ and to inform the latter that it would postpone consideration of the question of shortage of land until it had received further information from the Administering Authority as to the reaction of the petitioners to the action taken by the Administering Authority subsequent to the receipt of the petition.⁶⁶

2. Petitions concerning Ruanda-Urundi

(a) *Petitions examined at the fourth session*

The Council, at its fourth session, examined thirteen petitions concerning Ruanda-Urundi. Many of these petitions had been received through and investigated by the United Nations Visiting Mission to East Africa.⁶⁷ Five of these were from Asians, protesting against expulsion orders or action directed against them by the local adminis-

tration, and a sixth was a similar complaint from an African. A petition from the Mwami (or King) of Urundi raised the question of a frontier rectification between Ruanda-Urundi and Tanganyika; the remaining six petitions raised questions of a general nature, which the Council noted had been dealt with in the report of the Visiting Mission. The subject matter of these petitions and the action taken on them by the Council are indicated in greater detail below.

(i) *Petitions protesting against expulsion orders or other action of the local administration*

Mr. Nanji Jamal Kalla, who stated that he had been a resident of Ruanda-Urundi for twenty-nine years, submitted a petition protesting against an expulsion order issued against him as a result of what he described as "commercial faults".

The Council had before it a similar petition from Mr. Mulla Atta Muhammad, an Asian, who stated that he had been a resident of the Territory for sixteen years, and complained that he was being expelled although he was "without fault".

A third Asian, Mr. Ahmed Ishak, also a resident of Ruanda-Urundi of long standing, protested against his imprisonment on a charge of "gold trouble," which he alleged was on suspicion without any information, and stated that during his imprisonment he suffered heavy financial loss. Mr. Ahmed Ishak had also received an expulsion order from the local administration.

These petitions had been investigated by the Visiting Mission, which received comments from the local administration on each of them, and heard oral statements by Mr. Nanji Jamal Kalla and Mr. Ahmed Ishak. The Mission submitted its observations to the Council as an annex to its report on Ruanda-Urundi. Subsequently, the Belgian Government submitted its own observations on measures taken for the expulsion of foreigners in connexion with which petitions had been received from Ruanda-Urundi, and gave further details of the record of each petitioner.

The Council examined these petitions at the 9th, 10th and 11th meetings. In the case of Mr. Nanji Jamal Kalla, it noted the observation of the Visiting Mission that the Administering Authority had shown great patience, and decided that no action was called for;⁶⁸ in Mr. Ahmed Ishak's case, it noted that the Visiting Mission was not inclined to recommend a fresh inquiry, and made the same decision;⁶⁹ finally, the Council, following an observation by the Visiting Mission, recommended that the case of Mr. Mulla Attu Muhammad should be re-examined by the Administering Authority in a spirit of leniency.⁷⁰

A fourth Asian, Shariff Gulam Ali Shah, who had been expelled from the Territory several years previously, submitted a petition in which he requested the United Nations to obtain for him permission to return to the Territory to manage his important business interests there. The Belgian Government gave details of his record in its observations on measures of expulsion taken against foreigners referred to above. The Council, after an examination of the petition at the 11th meeting, decided that no action by it was called for.⁷¹

⁶¹ Resolution 98 (V) of 22 July 1949.

⁶² Resolution 90 (V) of 22 July 1949.

⁶³ For the previous examination, see page 89 above.

⁶⁴ Resolutions 99 (V), 100 (V), 101 (V) and 102 (V) of 22 July 1949.

⁶⁵ Resolution 100 (V) of 22 July 1949.

⁶⁶ Resolution 101 (V) of 22 July 1949.

⁶⁷ See T/217/Add.1.

⁶⁸ Resolution 57 (IV) of 25 March 1949.

⁶⁹ Resolution 59 (IV) of 25 March 1949.

⁷⁰ Resolution 58 (IV) of 25 March 1949.

⁷¹ Resolution 51 (IV) of 25 March 1949.

Mr. Moladad Pirandita, another Asian, complained that several years previously his house had been illegally searched and he himself arrested and imprisoned before being released as innocent. He also complained of excessive taxes he was forced to pay. The petition was investigated by the Visiting Mission which made the observation that the information obtained during its inquiry did not reveal anything that justified the submission of recommendations to the local authority. The Council, at the 11th meeting, decided that no action by it was called for.⁷²

In addition to their personal complaints, Mr. Nanji Jamal Kalla, Mr. Mulla Atta Muhammad and Mr. Ahmed Ishak raised the question of discrimination by the local administration against Asians, giving many instances of such alleged discrimination. The action taken by the Council on this matter is referred in sub-section (iii) below.

A further petition relating to deportation was received from Mr. Mussa Kackesset bin Kalimba, a Native of the Belgian Congo, who complained that, although he had been a resident of Ruanda-Urundi for eight years and had married a Native of the Territory, he had been summarily deported on an unfounded charge of forgery. The Belgian Government submitted observations on the petition in which it stated that Mr. Kackesset had been expelled for composing and presenting, as a public letter writer, a letter purporting to come from eighteen persons, sixteen of whom had no knowledge of it, and giving other details of the record of the petitioner. The Trusteeship Council examined the petition at the 11th meeting, and decided to recommend to the Administering Authority that it should re-examine the case with a view to determining whether the petitioner might be allowed to return to the Trust Territory.⁷³

(ii) *Petition from the Mwami of Urundi*

Mwambutsa, Mwami (or King) of Urundi, petitioned the Council, asking that it should examine the question of the possible return of the Bugufi area to his kingdom of Urundi. He claimed that the area, which had been included in Tanganyika when the boundary between Tanganyika and Ruanda-Urundi had been delimited in 1923, properly formed part of Urundi. The petition was investigated by the Visiting Mission, which suggested that the Council might recommend to the Governments of Belgium and the United Kingdom that they should hold consultations on the question. At the 11th meeting, the Council, having been informed by the representatives of Belgium and the United Kingdom that their Governments were holding consultations, decided that no action by it was called for at that time.⁷⁴

(iii) *Petitions raising questions of a general nature*

The Council noted that a number of petitions from Ruanda-Urundi raised questions of a general nature, which were also dealt with in the report of the United Nations Visiting Mission to East Africa. These included two anonymous petitions, and petitions from Mr. Gassamunyiga Matthieu, Mr. Francis Rukeba, and Mr. G. Clement Ntilempaka.

The Council decided to take no action on the anonymous petitions.

Mr. Gassamunyiga Matthieu gave a favourable review of the development of the Territory under the present Administering Authority, but requested that the Council of the Vice-Governor-General should be so constituted as to include progressive elements of the indigenous population.

A petition from Mr. Francis Rukeba contained complaints against the regulations for admission to the school group at Astrida, in particular against the preference given to the eldest sons of chiefs. The petitioner further alleged that difficulties were put in the way of Natives of Ruanda who wished to engage in commerce, and that there was alienation of lands to Europeans for mining and other purposes. Finally, he expressed the opinion that the Mwami should not possess judicial powers. The Visiting Mission, in the course of its investigations, obtained detailed comments by the local administration on the complaints of the petitioner and on the background to his petition.

Mr. G. Clement Ntilempaka, a Native of Urundi, writing from Tanganyika, complained of the inadequacy of educational facilities in Ruanda-Urundi, and of excessive taxation there, and described the administration as "rather oppressive".

The Council, after a brief examination at the 38th meeting, adopted almost identical resolutions on each of these three petitions. By these resolutions⁷⁵ it was decided to postpone further consideration of the questions raised in the petitions until the fifth session, at which time it could consider them in connexion with its final examination of the report of the Visiting Mission.

The Council had before it another petition, from Dr. R. van Saceghem, which raised a question of a general nature. The petitioner, a resident of Ruanda-Urundi for twenty-eight years, pointed out that the education of the Territory was in missionary hands and that there were no non-missionary teacher-training schools. He requested that a scholarship should be given to a young man of mixed race to proceed to a teacher-training school in Belgium. The Council, at the 11th meeting, decided to take no action on the request for a scholarship, but, at the 38th meeting, decided to consider the more general question of education raised by the petitioner in connexion with its final examination of the report of the Visiting Mission.⁷⁶

Several of the petitions from Ruanda-Urundi examined at the fourth session called attention to laws and regulations involving racial discrimination. The Council took up this question at its 37th and 38th meetings. The representative of Belgium pointed out in this connexion that some of the laws and regulations to which reference had been made had been adopted to protect the Native inhabitants of the Territory and that some of them were in implementation of the Convention of St-Germain-en-Laye. The Council adopted a resolution⁷⁷ by which it took note of the observations of the Visiting Mission, and recommended that the Administering Authority should review all legislation involving racial discrimination, particularly

⁷⁵ Resolutions 62 (IV), 63 (IV) and 65 (IV) of 25 March 1949.

⁷⁶ Resolution 52 (IV) of 25 March 1949.

⁷⁷ Resolution 49 (IV) of 14 March 1949.

⁷² Resolution 60 (IV) of 25 March 1949.

⁷³ Resolution 64 (IV) of 25 March 1949.

⁷⁴ Resolution 61 (IV) of 25 March 1949.

the laws on residence, land tenure, alcoholic beverages, firearms and the penitentiary system.

(b) *Petitions examined at the fifth session*

(i) *Petitions relating to the Bugufi area*

At the 5th meeting, the Council examined three petitions from inhabitants of Bugufi who supported the claim of the Mwami of Urundi for the return of the area to Urundi. This claim had been considered by the Council during its fourth session⁷⁸ when, in view of the fact that the Governments of Belgium and the United Kingdom had informed it that they were holding consultations on the matter, it had decided that no action was called for at that time. In view of that decision, the Council decided, at the 5th meeting, to postpone action on these petitions since they were subsidiary to and connected with the main petition, concerning which the two Governments were still consulting.

(ii) *Petitions raising questions of a general nature*

At the 24th meeting, the Council gave further consideration to the petitions from Dr. R. Van Saceghem, Mr. Gassamunyiga Matthieu, Mr. Francis Rukeba and Mr. G. Clement Ntilempaka which raised questions of a general nature, to which it had given preliminary consideration at its fourth session.⁷⁹ In each case the Council decided to inform the petitioners that the questions raised by them had been and would continue to be examined each year in connexion with the examination of the annual reports. In addition, it decided to send the petitioners a copy of the Council's resolution on the reports of the Visiting Mission to East Africa, a copy of the report of the Mission on Ruanda-Urundi, together with a copy of the observations of the Administering Authority thereon, and a copy of the observations adopted by the Council on the most recent examination by it of the annual report on Ruanda-Urundi.⁸⁰

3. Petitions concerning the Cameroons under British administration

No new petitions from the Cameroons under British administration were examined by the Council during the period under review.

A further communication was, however, received from the Bakweri Land Committee, whose petition in connexion with land alienation in their tribal area under the German administration had been considered during the third session.⁸¹ The Council, at the 7th, 9th and 44th meetings of its fourth session, discussed the procedure to be followed in examining the petition. At the last-mentioned meeting, it adopted a resolution⁸² by which it instructed the forthcoming visiting mission to the Trust Territories in West Africa to make a

special study of the problem and to report back to the Council at its sixth session.

4. Petitions concerning the Cameroons under French administration

At the 12th meeting of its fourth session, the Council decided that no action by it was called for on the petition of Mr Ernst C. F. Köhne, a German national, who requested permission to return to his former properties in the Cameroons under French administration.⁸³

At the fifth session, the Council had before it one petition concerning the Cameroons under French administration. This was from Mr. Jean Mouen, who complained that when he returned to his country at the end of the last war he found that the affections of his wife had been alienated from him by a French colonist. He alleged that the public prosecutor had shelved his case because of his poverty. At the 5th meeting, the Council, having been informed by the representative of the Administering Authority that the petitioner's case was now before a court of law, decided that rule 81 of its rules of procedure applied and that no action by it was called for.⁸⁴

5. Petitions concerning Togoland under British administration

(a) *Petitions examined at the fourth session*

The Council examined one petition from this Territory. The petitioners, the Natural Rulers of the Southern Section of Togoland, complained that there had been irregularities in the election of the representatives of Togoland under British administration on the standing Anglo-French Committee for Togoland, and asked that new elections should be held. They proposed that the number of Native members of the Committee should be increased and that the Northern Section of the Territory should be represented.

At the 8th meeting, Mr. D. A. Sutherland, who was designated special representative of the Administering Authority, stated that the petitioners had taken full part in the elections, in which their candidates had been defeated, and explained that the Northern Section of the Territory was not represented on the Committee because it was designed to meet the problems of the Ewe people who were to be found in the Southern Section only.

At the 38th meeting, the Council decided to postpone further consideration of the petition until it had been reported on by the forthcoming Visiting Mission to the Trust Territories in West Africa.⁸⁵

(b) *Petitions examined at the fifth session*

The Council examined four petitions from this Territory. The first petition from Mr. W. K.

⁷⁸ For the previous examination, see page 91 above.

⁷⁹ For the previous examination, see page 91 above.

⁸⁰ Resolutions 103 (V), 104 (V), 105 (V) and 106 (V) of 22 July 1949.

⁸¹ See report of the Trusteeship Council covering its second and third sessions, pages 37 and 38.

⁸² Resolution 80 (IV) of 23 March 1949.

⁸³ Resolution 77 (IV) of 25 March 1949.

⁸⁴ Resolution 91 (V) of 22 July 1949.

⁸⁵ Resolution 56 (IV) of 25 March 1949.

Amegbe, one of the Native rulers of Gbi Hohoe, asked the Council to help him regain possession of an area of land which covers approximately one-third of his native town of Hohoe and which he asserted had been alienated for missionary work. Its present use as a town was not in conformity with that arrangement.

The Council decided, at the 6th meeting, to inform the petitioner that, under rule 81 of its rules of procedure, his request was inadmissible, since it concerned a dispute which was within the competence of the courts of the Territory, and to suggest to the Administering Authority that it inform the petitioner of such facilities as may be available to him if he decides to seek redress in the courts.⁸⁶

The second petition came from the State Council of the Krachi Native Authority which transmitted a resolution adopted by it in March 1949. By this resolution the petitioners requested that Krachi and Southern Togoland be unified as one entity, that all laws and ordinances restricting the importation and sale of spirituous liquor in Krachi be repealed and that missions with government subsidy be allowed to open schools in the State of Krachi. The resolution also contained requests for the building of new feeder roads, for the opening of well-equipped hospitals and for the encouragement of scientific farming.

At the 23rd meeting, the Council decided to instruct the forthcoming Visiting Mission to West Africa to investigate this petition on the spot.⁸⁷

The third petition was from the Conference of Farmers of Togoland under United Kingdom Trusteeship, who expressed themselves as dissatisfied with conditions in the Territory and requested the Council to take steps to secure, among other things, the immediate return to farmers of their appropriate shares of the accumulated cocoa profits now in the hands of the Cocoa Marketing Board, the removal of all artificial boundaries which had been set up by the Administering Powers, the removal of all import restrictions in order to eliminate black marketing, free marketing by farmers of their raw products, and establishment of hospitals, dispensaries, improvement of health and sanitary conditions.

At the 23rd meeting, the Council decided to instruct the Visiting Mission to West Africa to investigate this petition on the spot.⁸⁸

The fourth petition considered was from the External Teachers' Union, which expressed dissatisfaction that the present emoluments of external teachers were lower than those paid to government teachers of the same category, and requested that the statement made by the special representative at the fourth session of the Council to the effect that non-government teachers must be paid the same wages as government teachers, be implemented.

At the 23rd meeting, the Council, after noting the observations of the Administering Authority

in which it stated that a local committee whose membership was predominantly African had recently reported that there was no justification for paying untrained teachers the same wages as trained teachers, decided that the petitioners should be informed that it was not prepared to recommend the Administering Authority to reconsider its policy on this matter.⁸⁹

6. Petitions concerning Togoland under French administration

At its fifth session, the Council had before it one petition concerning Togoland under French administration. This was from Mr. Augustino de Souza who transmitted a copy of a resolution adopted at a meeting of the traditional chiefs and notables of the Trust Territory of Togoland, which resolution contained a request that the Administering Authority should free the chiefdom of all obstacles to the Territory's development. The resolution further called for the unification of the Ewe ancestral lands under one administration, for the inclusion of the Ewe language in the school curriculum and for the granting of legislative powers to the Representative Assembly. The Council decided, at the 6th meeting, to instruct the Visiting Mission to West Africa to examine the points raised in the petition.⁹⁰

7. Petitions concerning New Guinea

At the fifth session, the Council examined a petition submitted by Mrs. Jane T. Wallace which was a summary of a previously submitted lengthy manuscript. The petitioner complained of the alleged conditions governing contract labour, corporal punishment, unlawful killings, manslaughter and cruelties to enslaved children which she alleged she and her son had observed during their stay in the Territory from 1927 to 1941. At the 23rd meeting, the Council decided that no action was called for by it on the petition, which related to conditions in New Guinea at a previous period, but requested the Secretary-General to transmit to the petitioner a copy of the conclusions and recommendations adopted by the Council during its examination of the last report of the Australian Government on the administration of the Territory.⁹¹

8. Petitions concerning Nauru

The Council, at its fourth session, had before it a petition from the Nauruan Council of Chiefs stating that, despite the high degree of literacy which the population of Nauru had achieved in the last twenty-five years, the Native inhabitants still had no voice in the formulation of general administrative policies or in the control of the finances of the island. The petitioners requested that a representative of the United Nations should

⁸⁶ Resolution 92 (V) of 22 July 1949.

⁸⁷ Resolution 93 (V) of 22 July 1949.

⁸⁸ Resolution 94 (V) of 22 July 1949.

⁸⁹ Resolution 95 (V) of 22 July 1949.

⁹⁰ Resolution 96 (V) of 22 July 1949.

⁹¹ Resolution 97 (V) of 22 July 1949.

be sent to Nauru to inquire fully into the whole matter. At the 12th meeting, the Council decided to postpone further consideration of this petition until the fifth session.⁹²

The written observations of the Australian Government on the petition were received at a later date.⁹³ Subsequently, a further communication was received from the Nauruan Council of Chiefs, withdrawing the petition as a result of assurances given to them by the Australian Acting Minister of External Territories during a visit to the Trust Territory.

9. Petitions concerning the operation of the International Trusteeship System

The Council, at its fourth session, had before it a petition from the St. Joan's Social and Political Alliance, which requested that the study of the questions of child marriage and compulsory marriage should be included in the terms of reference of each visiting mission. The Council, at the 12th meeting, decided to reply to the petitioners that these questions received the regular attention of the Council in connexion with the examination of the annual reports.⁹⁴

⁹² Resolution 75 (IV) of 25 March 1949.

⁹³ T/330.

⁹⁴ Resolution 76 (IV) of 25 March 1949.

VISITS TO TRUST TERRITORIES

1. The United Nations Visiting Mission to East Africa⁹⁵

Itinerary of the Mission

The United Nations Visiting Mission to East Africa, established during the third session of the Council and composed of four members, Mr. H. Laurentie (France) (Chairman), Mr. E. W. P. Chinnery (Australia), Mr. Lin Mousheng (China) and Mr. R. E. Woodbridge (Costa Rica), left the interim headquarters on 15 July 1948. The Mission was accompanied by six members of the Secretariat, one of whom, Mr. J. de la Roche, was Principal Secretary.

The Mission arrived in Leopoldville on 17 July 1948, where, in view of the administrative union between Ruanda-Urundi and the Belgian Congo, preliminary conversations were held with the Governor-General of the Belgian Congo.

The Mission proceeded on 20 July to Ruanda-Urundi which it visited until 11 August 1948. Meetings and conversations were held with the Governor, the Residents of Ruanda and Urundi and the *Bani* of those two Territories, as well as with representatives of the African, Asian and European communities.

On 11 August the Mission left Ruanda-Urundi for Tanganyika arriving at Kigoma in that Territory on 12 August.

From 12 to 27 August the Mission visited the Western, Lake and Central Provinces.

On 25 August, Mr. Chinnery left the main party to visit the Southern Highlands Province and re-joined the Mission in Dar-es-Salaam on 31 August 1948.

The Mission arrived in Dar-es-Salaam on 27 August where, until 2 September, meetings were held with the Acting Governor and other officials of the central administration.

From 3 to 15 September the Mission visited the Eastern, Tanga and Northern Provinces.

The Mission held further meetings with the Acting Governor and heads of Departments and with representatives of the African and Asian communities on its return to Dar-es-Salaam on 21 September 1948.

As it was not possible to obtain all the required information in the Territories themselves, the Mission proceeded to London on 27 September and attended conferences with the Secretary of State for the Colonies, the Assistant Under-Secretary of State and other officials of the Colonial Office and the Ministry of Food. On 29 September, conversations were held with the Minister for Colonies and other officials of the Colonial Ministry in Brussels.

⁹⁵ An account of the establishment of the Mission and its terms of reference is to be found in the *Report of the Trusteeship Council covering its second and third sessions*, page 40; for the full terms of reference of the Mission see resolution 37 (III) of 13 July 1948.

The Mission then went to Paris to write the reports on the two Territories.

The Visiting Mission's reports on Ruanda-Urundi and Tanganyika,⁹⁶ which were adopted unanimously, were transmitted to the members of the Trusteeship Council on 31 October and 6 November 1948 respectively.

In these reports, in accordance with its terms of reference the Mission reported on the developing political, economic, social and educational conditions, the progress of the Territories towards self-government or independence and the efforts of the Administering Authority to achieve these and other basic objectives of the International Trusteeship System. Included as appendices to the reports were the petitions received by the Mission and the records of the oral presentations made by petitioners.⁹⁷

Report on Ruanda-Urundi

In its observations and conclusions on the political development of Ruanda-Urundi the Mission suggested that the Administering Authority envisage the modification of the system of administrative union between Ruanda-Urundi and the Belgian Congo on the basis of partnership rather than subordination. It welcomed the establishment of the Council of the Vice-Government General, but regretted that there were no African members of the Council. It suggested therefore that the two *Bani* and three or four African notables or leaders, each from Ruanda and Urundi, should be appointed as members of the Council and that the Council, at present an advisory organ, should be developed into a legislative Council.

In the opinion of the Mission, these two measures would constitute major steps in the direction of political advancement.

The Mission was also of the opinion that the *Bani* and the chiefs should be given greater authority and greater responsibility in Native affairs and that the Administering Authority should assist the Native Authorities in establishing or re-organizing councils of representatives chosen by the people and recognized by ordinance or statute as having certain powers and functions with regard to local matters.

The Mission noted that the people of Ruanda-Urundi were enjoying a régime of peace and security, but in an atmosphere not as free as it might be. The Mission hoped therefore, that now that peace and security had been established the ideal of liberty would be progressively fostered.

Finally, the Mission noted that the International Trusteeship System was not yet sufficiently known to the people and officials of Ruanda-Urundi and hoped that the Administering Authority would overcome this defect.

Among its conclusions on the economic development of the Territory, the Mission noted,

⁹⁶ T/217, T/217/Corr.1, T/217/Corr.2, T/217/Add.1, T/217/Add.1/Corr.1 and T/218, T/218/Add.1, T/218/Corr.1.

⁹⁷ See sections 1 and 2 of chapter III above.

with appreciation, the efforts made by the Administering Authority particularly in the spheres of agriculture and reforestation, and was convinced that the Administering Authority would continue to give the fullest attention to all aspects of food production and the prevention of famine. It hoped that the Administering Authority would introduce as soon as possible co-operative principles in agriculture, industry and trade, particularly in cotton and coffee production.

The Mission was of the opinion that new efforts should be made to study the problem of cattle, especially its social implications and suggested, should the Administering Authority desire, that international experts or scientific organs should be called into consultation in the solution of this problem.

In order that the Trusteeship Council might appraise more precisely the situation as regards the return to the Territory of adequate compensation for the impoverishment of its subsoil due to mining activities, the Mission suggested that the Administering Authority should be requested to provide full statistics on the revenue accruing to the Territory from mining activities, the value of mining production and an over-all estimate of the mining companies' expenditure and profits.

The Mission hoped that the Administering Authority would make a study of the ways and means of encouraging the Africans to participate in the commerce and industry of the Territory.

The Mission considered it desirable that road construction should be mechanized to the fullest possible extent; that regular labour should be employed on the roads; and that the labour should be adequately compensated.

The Mission concurred with the view of the Administering Authority that European colonization should be discouraged.

The Mission hoped that the Administering Authority would review the poll-tax question with a view to adapting the tax more fully to individual and group incomes and to abolishing imprisonment for non-payment of taxes.

The Mission suggested that, if an economic development plan were to be prepared, the Administering Authority should establish a separate plan for Ruanda-Urundi so as to avoid presenting the plan as an integral part of a joint plan for the Territory and the Belgian Congo.

In the social field, the Mission considered that the standards of living of the African population should be studied and the results contained in future annual reports.

The Mission was of the opinion that the abolition of penal sanctions for breach of labour contracts by African workers should be considered; that an early examination of the problem of wages paid to African workmen should be made with a view to increasing these wages; and that the Administration of Ruanda-Urundi should maintain close and regular contacts with the neighbouring territories so that there might be more effective protection and more regular inspection of African seasonal workers emigrating to these territories.

The Mission deplored the practice of illegal and arbitrary whipping to compel people to obey orders and recommended that the Administering

Authority take strong and effective measures to prevent this. It further recommended the abolition of all legally permitted forms of whipping, except in prisons.⁹⁸

The Mission recommended the separation of first offenders from hardened criminals in prisons and the consideration of the provision of vocational training for long-term prisoners.

The Mission was of the opinion that the discriminatory legislation regarding Asians should be reviewed.

In its observations on educational advancement, the Mission recommended that the Administering Authority should participate more directly in the field of education and establish under its control a certain number of secular schools. It hoped that in future years the Administering Authority would be able to devote increasing budgetary allocations towards these ends.

The Mission recommended that the granting of subsidies by the Government to private schools should be subject to the condition that religious instruction in these schools should be optional.

The Mission noted the plans of the Administering Authority for the development of educational facilities, and was of the opinion that the contemplated new primary schools should be official and secular. It hoped that it would be possible to establish in Ruanda-Urundi three more official secular secondary schools and a secondary Latin school where pupils might qualify for entrance into Belgian universities.

The Mission was of the opinion that the Administering Authority should provide higher and university education for the indigenous inhabitants in Belgium, the Belgian Congo and in the Territory itself and hoped that the plan to develop the higher sections of the Astrida school into an African university would be implemented as soon as possible. The Mission also recommended that the number of teacher-training establishments should be increased and that a number of official secular teacher-training schools should be established.

Finally, the Mission recommended that all schools should devote a part of their curriculum to the teaching of the basic objectives of the International Trusteeship System, Ruanda-Urundi's special status as a Trust Territory, and the general facts concerning the United Nations.

Observations of the Government of Belgium on the report of the Visiting Mission

The general observations of the Belgium Government, as the Administering Authority of the Trust Territory of Ruanda-Urundi, were included, as part of a short foreword, in its annual report on the administration of Ruanda-Urundi,⁹⁹ which was received by the Secretary-General on 1 July 1949.

The foreword, after giving the observations of the Belgium Government on the main recommendations made by the Council at its third ses-

⁹⁸ Mr. Laurentie and Mr. Chinnery thought the prison disciplinary system might be reviewed and modified and if possible whipping replaced by a more suitable method. Mr. Lin Mousheng and Mr. Woodbridge thought that whipping should be entirely abolished.

⁹⁹ T/361, T/361/Add.1.

sion, deals with some of the points raised by the Mission.

The Administering Authority stated that the *Bami* had been appointed as additional members to the Council of the Vice-Government-General. A reform of great significance to the indigenous political structure, including the establishment of partially elected Councils at all levels of administration, was under consideration. Arrangements had been made for delegations of notables of both Ruanda and Urundi to visit Belgium during 1949.

In the economic field, the Administering Authority gave an account of its anti-famine measures, including the erection in 1949 of large food storage sheds, and of its agricultural research. Figures were given, which showed a marked increase in the imported goods purchased by the indigenous inhabitants. Road construction would in future be mechanized to a large extent and regular labour employed; it would, however, be necessary to levy a tax of seven francs on each taxpayer to pay for this. The Administering Authority restated its views on European colonization.

In the social field, the Administering Authority reported on the housing programme. It pointed out that penal sanctions for breach of labour contracts applied both to employers and employees; while it was studying amendments to the law as the first phase of a reform, it considered that their immediate abolition would provoke social disorder. The Administering Authority referred to the four-fold increase in wage rates since 1939 and considered that further sharp increases were not justified by the law of supply and demand.

The Administering Authority stated that the infliction of illegal whipping was a cause for criminal prosecution. In the present state of affairs a further reduction in the cases for which whipping was a punishment did not seem possible, but the matter would be under constant review. Measures for the social rehabilitation of prisoners were also being studied.

In the educational field, the Administering Authority gave an account of its plans for expansion, as a result of which its expenditures on education would rise from 17 million francs in 1947 to 48,500,000 francs in 1949.

Report on Tanganyika

The Mission, in its report on Tanganyika, paid major attention to the question of the Territory's development towards self-government or independence, to the question of Inter-Territorial Organization, to the groundnut scheme and its implications and to the problems of land, mines, labour and ex-enemy properties. Education, medicine and public health were also examined.

The Mission considered that the overwhelming majority of the Africans in Tanganyika were not yet capable, and under existing conditions would not be capable for a considerable time to come, of assuming full political responsibility. The Mission was of the opinion therefore, that the Administering Authority should give urgent consideration to the formulation of appropriate measures for accelerating the development of the inhabitants of Tanganyika towards self-government or independence and made specific suggestions in this regard.

The Mission found it impossible to study all the workings of the Inter-Territorial Organization. From the considerable data examined, however, the Mission, among other observations, concluded that the organization was more than a mere administrative organization but fell short of a complete political union. It would be a purely administrative union if it possessed only powers of administration over certain common services, and would be a political union if it possessed full powers of legislation over any or all of the common services.

The Mission considered the groundnut scheme as a bold economic undertaking, but since the scheme had been in operation only a short time, found it impossible to study the technical operations, the economic and financial consequences and the social implications of the entire scheme. Among other conclusions, the Mission observed that in its opinion the scheme would be beneficial to the Territory, if it were eventually transferred, as contemplated, to the people of Tanganyika on a co-operative basis; if the revenue of the Territory were greatly increased by the profits and income taxes and customs duties paid by the Overseas Food Corporation; and if the model communities in groundnut areas were really to become examples for existing and future industrial or mining communities in the Territory.

In its observations and conclusions on the economic development of the Territory, the Mission noted the generally poor and primitive nature of the peasant agriculture and the attempts of the Administering Authority to promote agricultural development. The Mission considered, however, that the Administering Authority might broaden and intensify agricultural development to a greater degree with the aid of more technicians and facilities.

In its conclusions on the land question, the Mission made certain recommendations concerning the return to the Africans of surplus mission lands and the curtailment of European colonization. Furthermore, it suggested that the Administering Authority might consider a general policy of handing over to the Africans on a co-operative basis all ex-German estates, or in those cases where the Africans were not immediately capable of operating such estates, consider schemes whereby the estates might temporarily continue under non-African management until such time as the Africans were trained to assume full management.

Noting the rich and extensive nature of the known mineral deposits of the Territory, the Mission suggested that the Administering Authority be requested to transmit to the Trusteeship Council exact details and statistics on the revenue accruing to the Territory's budget from mining operations, together with a statement of the value of mining production and an over-all estimate of the mining companies' expenditure and profits, so that the Council might ascertain whether the Territory was receiving adequate compensation for the exploitation of its mineral resources.

Suggestions were made by the Mission, in its observations on finance and trade, concerning the lowering of the present duty on cotton goods; the establishment of a textile factory; the development of secondary industries; the improvement of the Native taxation system; the presentation of financial information in future annual reports; and the training of Africans in industry and commerce.

In its observations and conclusions on the social development of the Territory, the Mission noted that a stable, efficient and skilled labour force was necessary for the future economic development of the Territory and that labour in Tanganyika, for a number of reasons, had a low standard of efficiency. Commenting on this situation, the Mission observed that an increase in educational, medical and public health facilities would undoubtedly help to raise the standard of efficiency and that better conditions of labour, including adequate facilities for families of workers, would serve to attract and to a certain extent stabilize labour. Also, in the Mission's opinion, an increase in wage rates would undoubtedly help to raise the standard of efficiency.

In other social observations and conclusions, the Mission expressed the hope that increased appropriations would be found to enable the medical services to be expanded; that further facilities would be provided for the training of African medical personnel; and that scientific studies would be made on the standards of living of Africans.

In its observations and conclusions on educational development the Mission, while recognizing the difficulties facing the Administering Authority in the expansion of educational facilities to meet the needs of the Territory and while appreciating the efforts already made within the existing educational framework and the provision of the Ten Year Plan for African education, expressed the hope that the Administering Authority would find it possible to increase educational appropriations so that Africans might be provided with the educational facilities to enable them to acquire the qualifications necessary to achieve the objectives laid down in Article 76 b of the United Nations Charter. To this end the Mission suggested that the Administering Authority might consider the possibility of providing more vocational and trade schools, teacher training schools, senior secondary schools and more opportunities for higher education both in East Africa and abroad.

Observations of the United Kingdom Government on the report of the Visiting Mission

The United Kingdom Government, as the Administering Authority of the Trust Territory of Tanganyika, transmitted under cover of a note dated 10 May 1949, detailed observations¹⁰⁰ on the report on Tanganyika to the Secretary-General for submission to the Trusteeship Council.

The United Kingdom prefaced its observations by a brief reference to the problems confronting the Administration in Tanganyika and by some general comments on the conclusions reached by the Mission.

Each of the suggestions made by the Mission for accelerating the political development of the inhabitants of the Territory was discussed. In conclusion, it was stated that the Administering Authority considered the measures being taken by the Administration for the political education of the people fully met the need for the "formulation of appropriate measures for accelerating" political development.

The Administering Authority agreed with the Mission that the Inter-Territorial Organization

was short of complete political union, but was unable to agree that it would be political union if the organization possessed full powers of legislation over any or all of the common services. The administrative nature of the organization was stressed.

The Administering Authority stated that the groundnut scheme would eventually be taken over by the Tanganyika Government and would finally pass to the ownership and control of the people themselves, on a co-operative or other basis, though, at the present experimental stage, it was too early to attempt to work out the exact details of how this would be accomplished. The Corporation would not occupy a specially favoured position nor be exempted from any liability for tax and the Territory would thereby benefit considerably from so vast an enterprise. The communities established in the groundnut areas would in many respects serve as examples for other communities.

The Administering Authority recognized the primitive nature of African agriculture and animal husbandry and enumerated the steps being taken to overcome the problems created thereby. It was hoped that, as soon as qualified scientists became more readily available, the large number of vacancies existing in the agricultural, veterinary and other professional departments would be filled.

Concerning the conclusions of the Mission on land questions, the religious missions in the Arusha and Moshi districts would be allowed to retain land for revenue-earning purposes as long as they continued to provide educational and medical services; other land owned by them would be made available for African occupation when required.

It was the declared policy of the Administering Authority fully to preserve and protect the interests of the indigenous inhabitants, but large areas of the Territory were capable of development at present only by the non-indigenous population and in these places there would be no land pressure for some considerable time. It should be recognized that opportunities for immigrant enterprise existed and such enterprise should be encouraged, not only without detriment to the interests of the indigenous inhabitants, but in fact to their benefit. The Administering Authority had taken note of the Mission's suggestion concerning the placing of ex-enemy estates under African ownership. In its opinion, management of the estates on a co-operative basis was at present impractical. As to the Mission's suggestion that, where Africans were not immediately capable of operating the estates, the estates should temporarily continue under non-African management, such wide authority would need to be given the non-African manager that the position in effect would be much the same as it was at present.

The Administering Authority fully appreciated the importance of ensuring the Territory and its inhabitants a fair return from the exploitation of the Territory's mineral resources; the information requested by the Mission, however, would be difficult to obtain, but consideration would be given to the practicability of furnishing an estimate sufficiently accurate to be of value.

Concerning the suggestions of the Mission on finance and trade, the 10 per cent surcharge on cotton goods had now been removed and the Administering Authority was fully alive to the

¹⁰⁰ T/333.

desirability of the establishing of economically sound industries and of the importance of training Africans in industry and commerce.

The Administering Authority agreed on the need for a stable, efficient and skilled labour force, and also agreed that the general standard of efficiency of the African workers was low. The Mission's views on the reasons affecting efficiency were correct, although the Administering Authority differed as to their relative degree of importance.

The Administering Authority appreciated the importance of improving and expanding the medical and health services, but reluctantly stated that it was not financially possible at present to provide any further expansion than that envisaged in the Ten Year Development Plan.

Shortage of staff prevented the carrying out of the standard-of-living surveys suggested by the Mission, though the importance of these surveys was fully appreciated. When the staff position permitted, the surveys would be made and the results made known to the Trusteeship Council.

The Administering Authority agreed on the importance of improving and expanding the Government's educational services, although the extent to which these services could be extended was necessarily controlled by considerations of finance. The limitations of the Ten Year Plan were fully recognized, but in view of the limited resources at present available, the Administering Authority had reluctantly decided that no more could be accomplished than the programme contained in the Plan.

Action taken by the Council

At the beginning of its fourth session, the Council placed on its agenda the examination of the report of the Visiting Mission, but in the light of the desire of the Administering Authorities concerned to have more time in which to submit their observations, an understanding was reached after discussion at the 1st, 2nd and 10th meetings, that the report should be examined on a provisional basis only.

This preliminary examination of the Mission's report on Ruanda-Urundi was carried out by the Council at the 31st to 34th meetings of the fourth session. At the 34th meeting, the Council decided formally to postpone the discussion until the fifth session. The report on Tanganyika was similarly examined at the 38th to 41st meetings, and at this last meeting, the discussion was similarly postponed. In each case the Chairman of the Mission, Mr. Henry Laurentie, was invited to the Council table to explain parts of the report and to answer questions, and in the case of Tanganyika, Sir George Sandford was present as special representative from the Trust Territory.

At the 20th and 21st meetings of its fifth session, the Council concluded its examination of the reports of the Mission when it had before it not only the observations of the Administering Authorities concerned, but also the written comments¹⁰¹ of Mr. Woodbridge on the observations of the United Kingdom Government, which had been transmitted by the Costa Rican delegation. The Council, at the latter meeting, adopted a

resolution¹⁰² under the terms of which, after taking note of the observations and conclusions of the Mission, as well as of the observation of the Administering Authorities concerned, it decided to take these observations into account in the course of its examination of future annual reports on, and of questions related to the Trust Territories concerned; the Council also expressed its appreciation of the work of the Mission and invited the Administering Authorities concerned to give most careful consideration to its conclusions, as well as to the comments made thereon by the members of the Council.

2. Visiting Mission to Trust Territories in West Africa

After consultation with the Administering Authorities concerned, the Council, in accordance with Article 87 c of the Charter, decided, at the 5th meeting of the fourth session, to send a visiting mission, at the beginning of November 1949, to the four Trust Territories in West Africa—the Cameroons under French administration, the Cameroons under British administration, Togoland under French administration and Togoland under British administration.

At the 5th and 42nd meetings, the Council discussed the composition of the Mission. The following persons were appointed: Mr. Pierre Ryckmans (Belgium), Mr. Awni Khalidy (Iraq), Mr. Abelardo Ponce Sotelo (Mexico) and Mr. Francis B. Sayre or, alternatively Mr. Benjamin Gerig (United States of America). Subsequently, Mr. Sayre informed the Council that he would be unable to take part in the work of the Mission.

At the 4th meeting of its fifth session, the Council adopted a resolution¹⁰³ in which, after reaffirming the appointment to the Visiting Mission of the persons mentioned above, it set forth the Mission's terms of reference. By these terms the Mission was directed to observe the developing political, economic, social and educational conditions in the four West African Trust Territories, their progress towards self-government or independence and the efforts of the respective Administering Authorities to achieve these and other basic objectives of the International Trusteeship System; to give attention to issues raised in connexion with annual reports on the administration of those Trust Territories and, in particular, the petitions relating to the Ewe problem in Togoland under French and Togoland under British administration, and the petition from the Bakweri Land Committee relating to the Cameroons under British administration; to accept, receive and investigate on the spot such other petitions as were, in the opinion of the Mission, of sufficient importance to warrant special investigation; and to report its findings to the Council, together with such observations and conclusions as it might wish to make.

At the 25th meeting, the Council appointed Mr. Khalidy as Chairman of the mission. At the same meeting, it appointed to the mission Mr. Claeys-Boûaert, who had been nominated by the Belgian Government, to replace Mr. Ryckmans, who was unable to take part in the mission.

¹⁰¹ T/364.

¹⁰² Resolution 107 (V) of 15 July 1949.

¹⁰³ Resolution 108 (V) of 20 June 1949.

3. Visiting Mission to Trust Territories in the Pacific

At the 20th and 21st meetings of its fifth session, the Council decided to appoint a visiting mission of four members to visit all four Trust Territories in the Pacific, and further decided that the Mission should begin its work in the spring of 1950 and should spend not more than 110 days on its

visit. At the 23rd meeting, the Council decided that the Governments of China, France, the Philippines and the United Kingdom should be invited to nominate persons for appointment as members of the Mission. At the 25th meeting, it appointed Sir Alan Burns, who had been nominated by the United Kingdom Government. The appointment of other members would be made as soon as the nominations of the Governments concerned had been received.

QUESTIONS SPECIALLY REFERRED TO THE COUNCIL BY THE GENERAL ASSEMBLY

1. Administrative unions affecting Trust Territories

Under the terms of General Assembly resolution 224 (III) of 18 November 1948, the Council was requested to undertake an investigation of customs, fiscal and administrative unions and common services between Trust Territories and adjacent territories under the sovereignty or control of the Administering Authority; to recommend such safeguards as it might deem necessary to preserve the distinct political status of Trust Territories and to enable the Council to exercise its supervisory functions. The Council was also requested to seek, where appropriate, an advisory opinion from the International Court of Justice, to invite the Administering Authorities concerned to make available additional information, and to report on its investigation and on the action taken by it to the fourth regular session of the General Assembly.

At the 4th meeting of its fourth session, the Council adopted a resolution,¹⁰⁴ establishing a committee to undertake preparatory work for the purpose of facilitating the Council's investigation and, in particular, to draw up an outline of the various aspects of the problem and to collect all available information. The President subsequently appointed China, France, Mexico, New Zealand, the Union of Soviet Socialist Republics and the United States of America as members of the Committee.

The Committee held its first meeting on 2 February 1949, when it elected Mr. Henri Laurentie (France) as Chairman and Mr. Lin Mou-sheng (China) as Rapporteur. Subsequently, the Committee met at frequent intervals during the course of the fourth session of the Council. The Committee decided to request the Secretariat to prepare memoranda from the documentation already available and to request additional information from the Administering Authorities of the Trust Territories affected. At a later stage the Committee drew up a list of questions concerning arrangements between the following Trust Territories and neighbouring colonies: Tanganyika, Ruanda-Urundi, Cameroons and Togoland under British administration, New Guinea. These questions appeared as annexes I to V of the interim report of the Committee to the Council,¹⁰⁵ which also stated that the Committee was evenly divided as to whether it had competence to study the question of the relations between France and the Trust Territories administered by France within the framework of the French Union.

The Council considered the interim report at the 34th to 36th meetings, when it heard the oral replies of Sir George Sandford, special representative of the United Kingdom Government, to the questions of the Committee on the East African Inter-Territorial Organization affecting Tanganyika. It also adopted a resolution¹⁰⁶ instructing

the Committee to make, exceptionally and in addition to its regular duties, a study of the relations between France and the Trust Territories administered by France.

The Committee (and the Council) had been informed by the United Kingdom delegation that it did not consider the arrangements by which the Cameroons and Togoland under British administration were administered as integral parts of Nigeria and the Gold Coast respectively as falling within the scope of resolution 224 (III) or the competence of the Committee, and that, accordingly, the United Kingdom did not intend to make available the documentation requested or answer the questions addressed to it by the Committee. Subsequently, the United Kingdom Government, while maintaining its opinion that the arrangements were outside the scope of resolution 224 (III), agreed to make the material requested available to the Committee.

The Committee reconvened, after a recess of two months, on 24 May 1949, when it held further meetings. On 3 June, at its 17th meeting, the Committee completed its consideration of the subject and adopted its report¹⁰⁷ for submission to the Council. In doing so it requested its Rapporteur, Mr. Hsi-Kuen Yang (China), who had replaced Mr. Lin Mousheng, to make a statement embodying the reservations of its members. This statement was read at the 5th meeting of the Council's fifth session.

At the 21st meeting of the fifth session, the Council began discussion of a draft resolution presented by the delegations of Mexico and the United States of America. At the 22nd meeting, the Council adopted the draft resolution with certain amendments. By this resolution,¹⁰⁸ the Council decided to transmit to the General Assembly the reports of the Committee together with the replies of the Administering Authorities to questions prepared by the Committee and other documentation collected by it, and informed the General Assembly that the Council would continue to study and examine the operation of existing or future administrative unions. The Council recalled that the General Assembly had approved the Trusteeship Agreements upon the assurance of the Administering Powers that those Agreements did not give them power to establish any form of political association which would involve annexation of the Territories or extinguish their status as Trust Territories, and in this connexion noted the assurance by the Administering Authorities that the administrative arrangements under consideration did not extinguish the political identity of the Trust Territories and were not inconsistent with the objectives of the International Trusteeship System or with the terms of the Trusteeship Agreements. The Council decided that, in order to safeguard the identity and status of the Trust Territories, it should continue to study, during its regular examinations of conditions in Trust Territories, the effects of existing or

¹⁰⁴ Resolution 81 (IV) of 27 January 1949.

¹⁰⁵ T/263.

¹⁰⁶ Resolution 82 (IV) of 10 March 1949.

¹⁰⁷ T/338, T/338/Add.1.

¹⁰⁸ Resolution 109 (V) of 18 July 1949.

proposed administrative unions on the political, economic, educational and social advancement of the inhabitants, on the status of the Trust Territories as such and on their separate development as distinct entities, and finally requested the Administering Authorities concerned to furnish in their annual reports separate records, statistics and other information in order to safeguard the effective exercise of the Council's supervisory powers.

2. Educational advancement in Trust Territories

Under the terms of resolution 225 (III) of 18 November 1948, the General Assembly recommended that the Council should request the Administering Authorities of certain Trust Territories to intensify their efforts in the field of education, should propose to them that primary education should be free and that access to higher education should not be dependent on means, should suggest to them the improvement of facilities for the training of indigenous teachers and should request them to supply in the future complete and detailed information on the subject of education.

At the 13th meeting of its fourth session, the Council adopted a resolution¹⁰⁹ carrying out the instructions of the General Assembly.

By the same resolution of the General Assembly, the Council was instructed to study the financial and technical implications of a further expansion of facilities for higher education in Trust Territories in Africa, including the possibility of establishing in 1952 and maintaining a university for those Territories. The Council discussed the action to be taken in this matter at the 13th, 19th and 29th meetings; at the last mentioned meeting it adopted a resolution¹¹⁰ setting up a committee to make a preliminary study. Subsequently, at the 48th meeting, the President appointed Australia, Mexico, Philippines, and the United States of America as members.

The convening of the Committee was postponed pending the receipt of information on the results of a conference in Paris of Belgian, French and British experts in African education. On 17 May 1949, the Secretary-General received and communicated to members of the Council a memorandum¹¹¹ setting forth the views of the Governments concerned on the proposal for establishing a university in 1952. These views were briefly as follows: the proposal was not a practicable one because of a shortage of potential teaching staff and pupils and because of difficulties of language and of finance; a university college was under consideration for Ruanda-Urundi; elsewhere, qualified students were able to obtain higher education in metropolitan universities or in the colleges of neighbouring colonies; for the present, available resources were being used for a vigorous expansion of facilities for primary and secondary education, which were far from complete.

The Committee held its first meeting on 1 June 1948, when it elected Mr. Raul Noriega (Mexico) as its Chairman and Rapporteur. In the course of its examination of the question, the Committee studied working papers prepared by the Secretariat on higher education in the African Trust Territories, and heard statements by experts, including representatives of the United Nations Educational, Scientific and Cultural Organization, and by representatives of the Administering Authorities concerned. At its 18th meeting on 12 July 1949, the Committee adopted a report,¹¹² in which it reviewed the facilities for higher education in the African Territories, discussed certain technical problems and recommended to the Trusteeship Council the adoption of a resolution.

At the 22nd meeting of its fifth session, the Council began consideration of the Committee's report, and at the 23rd meeting adopted the draft resolution prepared by the Committee. By this resolution¹¹³ the Council, after reviewing the present facilities for higher education and the plans of the Administering Authorities concerned for further developments, recommended that the Government of Belgium should proceed as speedily as possible with its plan to establish a university centre in Ruanda-Urundi and that it should consider the initial establishment of suitable preparatory institutions of higher education by 1952; that the Government of France should consider the establishment of institutions of higher education for the Trust Territories under its administration, and especially for the Cameroons, if possible by 1952, and also university institutes and colleges of a technical or professional character which might be integrated with other institutions of higher education; that the Government of the United Kingdom should consider the possibility of establishing in Tanganyika facilities for higher education, including vocational and technical education, without prejudicing the normal development of Makerere, and that it should increase the number of scholarships for students in Togoland and the Cameroons under its administration in order to facilitate the expansion of higher education in these two Territories.

As regards scholarships, the Council recommended that the number of scholarships for higher education in Africa and overseas should be progressively increased, and urged that all possible steps be taken to make available to qualified students from Trust Territories fellowships, scholarships and internships established by the United Nations and its specialized agencies. Finally, in regard to financial considerations, the Council invited the Economic and Social Council to consider the needs of higher education in its studies of the development of under-developed areas, and suggested that the Administering Authorities should investigate the possibility of financial help from private sources.

3. Question of South West Africa

Under the terms of General Assembly resolution 227 (III) of 26 November 1948, the Trusteeship Council was requested to examine such

¹⁰⁹ Resolution 83 (IV) of 9 February 1949.

¹¹⁰ Resolution 84 (IV) of 1 March 1949.

¹¹¹ T/334.

¹¹² T/369.

¹¹³ Resolution 110 (V) of 19 July 1949.

information on the administration of the Territory of South West Africa as the Government of the Union of South Africa might continue to supply.

By a communication dated 11 July 1949¹¹⁴ the deputy permanent representative of the Union of South Africa informed the Secretary-General that his Government had decided to discontinue supplying information on the administration of the Territory and transmitted the text and an explanation of the provisions of the South West Africa Affairs Amendment Act, 1949.

¹¹⁴ A/929.

At the 27th meeting of its fifth session the Council discussed the above-mentioned communication and adopted a resolution¹¹⁵ by which it noted that the Government of the Union of South Africa had now given effect to its intention to bring about a form of closer association between South West Africa and the Union, and informed the General Assembly that the refusal of the Union Government to submit further reports precluded the Council from exercising further the functions envisaged by the Assembly in resolution 227 (III).

¹¹⁵ Resolution 111 (V) of 21 July 1949.

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