

UNITED NATIONS

# TRUSTEESHIP COUNCIL OFFICIAL RECORDS

SEVENTH SESSION ANNEX, VOLUME I

**NEW YORK** 



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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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# TRUSTEESHIP COUNCIL - SEVENTH SESSION

# ANNEX - VOLUME I

## AGENDA ITEM 4

Examination of annual reports on the administration of Trust Territories

(a) Western Samoa, year ending 31 March 1949

#### Document T/680

Observations of the United Nations Educational, Scientific and Cultural Organization on the reports for 1949 on the Trust Territories of the Pacific Islands and Western Samoa

> [Original text : English] [31 May 1950]

Note by the Secretary-General: The following observations, dated 27 May 1950, of the Director-General of the United Nations Educational, Scientific and Cultural Organization, were received by the Secretary-General and are hereby circulated to the members of the Council.

The observations, which were formulated in accordance with resolution 47 (IV) of the Trusteeship Council, concern the report of the Administering Authority on the Trust Territory of Western Samoa for the year ending 31 March 1949, and the report on the Trust Territory of the Pacific Islands for the year ending 30 June 1949. No observations were submitted on the reports on Nauru and New Guinea for 1949, as copies of those reports did not reach UNESCO until 25 May 1950.

#### Introduction

1. The United Nations Educational, Scientific and Cultural Organization avails itself of the terms of resolution 47 (IV) of the Trusteeship Council to present comments on the reports for 1949 on the Territories under trusteeship situated in the Pacific Ocean. Although the following observations relate to reports on two

Trust Territories only, namely, Western Samoa under New Zealand administration and the Pacific Islands under United States administration, it would appear, from an examination of the reports for 1948 on the Trust Territories of Nauru and New Guinea, that some of the very general comments presented by UNESCO on the reports for 1948 on the six Trust Territories in Africa (T/439) apply equally to the Territories of Nauru and New Guinea. The United Nations Educational, Scientific and Cultural Organization would therefore wish reference to be made to these observations regarding the Universal Declaration of Human Rights, primary and higher education, teaching about the United Nations, adult education and libraries.

2. Note has been taken of the extensive sociological and linguistic research and of the scientific research undertaken in the Territories in the Pacific Ocean. UNESCO welcomes these activities and expresses the hope that they will be pursued unremittingly.

#### TRUST TERRITORY OF WESTERN SAMOA

#### Social advancement

- 3. The report of the New Zealand Government on the administration of Western Samoa presents many facts indicative of an evident desire to safeguard the cultural integrity of the inhabitants and to respect their customs and traditions. It gives an excellent résumé of the social structure of the Samoan people and of the governmental machinery, which takes into account the rights of the local *matai* and *fono*. The principles which would appear to inspire the actual functioning of the administrative system are in entire agreement with the principles that UNESCO seeks to spread.
- 4. Western Samoan society does not appear to be affected by tensions or serious disturbances. The factors which have contributed to this relatively happy state of affairs are worthy of analysis, in particular those allied to racial contacts. Figures supplied in

<sup>&</sup>lt;sup>1</sup> See Report by the New Zealand Government to the Trusteeship Council of the United Nations on the administration of Western Samoa for the year ending 31st March, 1949. Department of Island Territories, Wellington, 1949.

<sup>&</sup>lt;sup>2</sup> See Report on the Administration of the Trust Territory of the Pacific Islands for the period July 1, 1948, to June 30, 1949, transmitted by the United States to the Secretary-General of the United Nations pursuant to Article 88 of the United Nations Charter, prepared by the Navy Department, Washington, D.C., July 1949 (OpNay-P22-100H).

<sup>&</sup>lt;sup>3</sup> See Official Records of the Trusteeship Council, Sixth Session, Annex.

the report would seem to indicate that the number of persons of mixed blood is tending to increase, but will never become very great in view of the small number of individuals classed as Europeans.

5. It would be of value to know what effect the increase in population has had on the family economic situation.

#### Educational advancement

- 6. The United Nations Educational, Scientific and Cultural Organization notes from the information contained in the report that education is free in all government schools, except in a vey few cases where nominal fees are charged. However, since the enrolment in government schools was 13,328, as against 24,592 in mission or church schools, where, with few exceptions, fees of varying amounts are charged, it cannot be said that education for the majority of the children of Western Samoa is free. Under these conditions, the realization of universal compulsory education becomes more difficult. It is noted that the organization and curricula of mission and church schools are not subject to governmental control.
- 7. Of the 13,328 pupils enrolled in schools of all types and levels, 12,246, or 92 per cent, were in village primary schools, where the programme is from primer I to standard IV; 950 pupils, or 7 per cent, were in schools offering a programme up to standard VI; 40 pupils, or 0.3 per cent were in post-primary schools, forms III to V; and 92 pupils, or 0.7 per cent, were at the college level. UNESCO is of the opinion that a programme of education extending only to standard IV is not sufficient to establish permanent literacy, and urges the Administering Authorities to make further efforts to provide school facilities and to encourage school attendance, so that in the near future the majority of the pupils of Western Samoa may pass through standard VI before leaving school.
- 8. Note has been taken of the proportion of the population attending primary schools in the twenty-seven districts comprising the Territory, which varies from 3 to 46 per cent. Four districts have an enrolment of less than 10 per cent of the population, seven districts 10 to 15 per cent, six districts 16 to 20 per cent, four districts 21 to 25 per cent, two districts 26 to 30 per cent, and four districts above 30 per cent. From these figures it would appear that in two-thirds of the districts, one or less of every five persons was in school, and that in only one-third of the districts was the proportion one or more for every four inhabitants. This would seem to indicate a high degree of educational inequality, an urgent problem of distribution which calls for study by the Administering Authorities.
- 9. It is encouraging to note the increased budget allocations for education, £46,855, or 9.36 per cent, of the total receipts for 1949 being devoted to education, as against £39,681, or 7.23 per cent, in 1948.
- 10. It is observed that the trend in school education is towards vocational subjects; this is excellent in itself, as civic and vocational training are indispensable if the people are to carry on responsibly and effectively the affairs of democratic government. The trend therefore deserves every encouragement, but the task remains

- of extending it to adult education by offering a larger variety of vocational and civic courses, thus helping to increase the earning capacity of the adult population and making of them more active citizens. In this connexion it is, however, noted that the demand for enrolment in adult schools exceeds the accommodation and staff available.
- 11. It is noted with appreciation that the Administering Authorities have plans for the showing of films on health and other subjects, and that efforts have been made to use the radio for educational purposes. It is hoped that these services may be further developed.
- 12. Teaching about the United Nations and its specialized agencies should be stressed in all school grades and particularly in secondary and adult schools.
- 13. The United Nations Educational, Scientific and Cultural Organization has observed with great interest the mention in the report of the long-term plan for educational development in the Territory of Western Samoa, drawn up in close consultation with the Samoan people, by which it is proposed to raise the general level of education among the people in the villages by more intensive teacher training, better equipment and staffing, and more and better textbooks.
- 14. In the field of applied research, the Territory expects to benefit substantially from the establishment of the South Pacific Commission. UNESCO knows that this commission is doing excellent work, and that the scientific work in Western Samoa is in good hands.
- 15. Although the ethnography of Western Samoa is well known, it would nevertheless be useful if more specialized ethnographical research were undertaken to determine the degree of assimilation of the Samoans and the manner in which the people reconcile the past with the present.

#### TRUST TERRITORY OF THE PACIFIC ISLANDS

#### Social advancement

- 16. The information contained in the report made by the Government of the United States of America on the situation in the Trust Territory of the Pacific Islands gives a most satisfactory picture of the social condition of the indigenous population, with whose well-being the present Administration appears to be greatly concerned.
- 17. The United States Navy has preserved, with few alterations, the system of local administration set up during the period of Japanese occupation. In maintaining this political structure for the present, the Administering Authority would appear to have acted wisely, since it has become interwoven in the manners and customs of the people and a sudden change might have an unsettling effect.
- 18. The United Nations Educational, Scientific and Cultural Organization cannot but commend the principle guiding the United States Government when it states: "The policy of the Administering Authority . . . has been to reduce interference with local customs to a minimum and to assist in the preservation and healthy development of prevailing cultures. The Trust Ter-

ritory Bill of Rights protects individuals and minority groups . . . by prohibiting discrimination on account of race, sex, language or religion." 4

19. It must, however, be noted that this attitude of respect and tolerance is not coupled with a desire to maintain the *status quo* and to make an ethnographic reserve of these islands. Various measures clearly show the intention of the Administering Authority to encourage the adaptation of the indigenous inhabitants to modern life, and to prepare them to fulfil their rightful destiny. Thus, in so far as the Administering Authority is concerned, women are treated on an equal footing with men, and may occupy official posts in the administration.

20. The creation of local councils seems also to be a happy modification of the Japanese administrative system. It strengthens the democratic character of the institutions and affords public opinion an opportunity to express itself in all important matters. The discussions in these councils are of the utmost importance, for on them depends the entire success of any administrative measure.

21. The Trust Territory of the Pacific Islands is a far from complete cultural unit. Not only do the language and customs differ in islands or groups of islands, but the attitude of the indigenous inhabitants also varies considerably towards changes brought about by the Administering Authority. The people of Yap are very conservative and seek to uphold their ancient culture; on the other hand, the inhabitants of Palau are greatly desirous of modernizing themselves. As for the people of Truk, they appear to wish to choose from among the innovations offered, and to integrate them with the culture of their ancestors.

22. The Trusteeship Council may wish to have an assurance that the Administering Authority is fully aware of these differences of attitude, and that they are taken into account when new measures are adopted. In this way the indigenous inhabitants have the opportunity of participating in their own cultural development, and of collaborating with the Administering Authority in the latter's efforts to introduce social and economic improvements.

#### Educational advancement

23. From the information contained in the report, the United Nations Educational, Scientific and Cultural Organization notes the existence of a free and universal system of education, with 80 per cent of the total enrolment in the public schools, the remaining 20 per cent in mission schools under private direction. The total number of pupils attending schools on 31 March 1949 was 8,962 (including four attending universities abroad), or 16.5 per cent of the total indigenous population. Of these, 8,259 were in government or mission elementary schools. In 1948, the total number of pupils attending elementary schools of both types was 7,935, or 15.4 per cent of the total indigenous population.

24. Note is taken of the intention of the Administering Authority to establish a six-year and eventually an eight-year elementary school programme, covering school attendance from six to fourteen years of age. To date, a programme of approximately four years, duration has been attained. It is agreed that a fouryear programme is not of sufficient duration for the acquisition of lasting literacy, and that the present age of enrolment in the first grade at approximately eight years of age is too high. It is hoped that the entrance age will be set at six years and the six-year programme instituted at the earliest opportunity, though where ample reading material is provided, it is possible that a five-year programme may suffice provisionally. would be helpful if in future reports an analysis could be supplied of school enrolment by school grade and sex, both for primary and secondary education.

25. It is observed that there are 127 government elementary schools located throughout the Territory, that they are staffed by 223 indigenous teachers and that they serve 7,136 pupils. Fifteen mission elementary schools are attended by 1,123 pupils and staffed by fifty-six indigenous and American teachers. Intermediate schools have been established in the five civil administration units and at Yap; they are attended by 553 students and staffed by six indigenous and twenty-three American teachers.

26. Facilities for higher education within the Territory appear to be meagre, though it is noted that the Administering Authority has transferred the Pacific Islands Teacher-Training School from Guam, outside the Territory, to Truk, inside the Territory. A communications school was organized in September 1949, with an enrolment of 40 students. Future plans include the erection of a model school, to be used in giving advanced students practical teaching experience. Facilities in Guam for professional training are noted, together with the fact that scholarships are made available as necessary, but it is felt that opportunities should be provided for professional training for both sexes and generally extended.

27. In view of the discrepancy in the salaries paid to indigenous and American teaching personnel, measures should be studied to try to narrow the differences of salary for equal qualifications; this would materially overcome the difficulty of retaining the services of trained indigenous teachers.

28. Intermittent adult education classes, attended by about 650 adults, have been held in addition to the classes provided under the elementary school programme. The report states that, though necessarily modified by local conditions, adult education is generally provided and encouraged throughout the Territory. Adult and vocational training, with special emphasis on English, have been stressed in areas where teachers are available; adult instruction has also been given in health and public welfare programmes.

29. The percentage of illiteracy in the Territory is not yet known. It would be desirable that when a census is taken, information on the extent of literacy among the indigenous population, and on the average yearly increase in school population, should be obtained.

<sup>&</sup>lt;sup>4</sup> See Report on the administration of the Pacific Islands transmitted by the United States, op. cit., p. 43.

- 30. The Administering Authority has prepared and is distributing textbooks and other reading material especially adapted in vocabulary and content for use in the Territory; this material is in English, which is slowly becoming the lingua franca of the Territory. It would be of value if future reports could give some examples of this material, the manner in which it is obtained, and the part indigenous teachers and educators have played in its development.
- 31. None of the eight indigenous languages spoken in the islands is territory-wide in usage. The Administering Authority has encouraged and sponsored research in all major language groups, and dictionaries and grammars have been prepared; mission groups have translated portions of the Bible and the catechism into several of the vernacular languages.
- 32. It is noted that no facilities exist within the Territory for the use of the film and radio as media of mass communication. The United Nations Educational, Scientific and Cultural Organization recommends that the Administering Authority should examine the possibilities of development of these services, in particular in the field of educational broadcasting. The lack of radio receivers in the Territory might be overcome by the organization of collective listening centres in the principal centres of population.
- 33. The report states that active encouragement has been given to the preservation of indigenous music, dances, folklore, arts and crafts. It would be of interest if future reports could give some further details on this subject.
- 34. No museums exist in the Territory. It might be possible to establish branch or mobile museums after the pattern followed by the Office of Indian Affairs, United States Department of the Interior, in the Indian reservations in the United States of America. These museums serve as demonstration units for arts and crafts programmes, and for educational purposes.
- 35. The initiative taken by the United States Navy Department in sponsoring a large-scale ethnographic and sociological inquiry in the Territory must be cited. This research, conceived according to a carefully drawn-up plan, has been carried out by a team of highly qualified technicians. If is noted with satisfaction that two further schemes in the fields of linguistic and social anthropology are envisaged for the near future.
- 36. The United Nations Educational, Scientific and Cultural Organization observes with interest that anthropologists are employed by the Administering Authority to advise it on the problems and difficulties which may arise in its relations with the indigenous inhabitants, and that plans are made to have one such expert permanently assigned to each administrative district.
- 37. The United Nations Educational, Scientific and Cultural Organization is aware of the valuable work which is being carried out under the auspices of the Pacific Science Board, and notes with interest the scientific investigation of Micronesia which has been inaugurated in the Territory.

#### Document T/L.82

Replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

[Original text : English and French]
[6 June 1950]

#### I. GENERAL

Question 1: An annex on page 68 of the report¹ contains a statement on the implementation of the recommendations of the Trustceship Council. Would the special representative care to give additional information on the implementation of those recommendations and the recommendations of the General Assembly since the publishing of the present report? (Philippines.)

Answer: An answer to this question will be given later in the session.

Question 2: The report states that the Trusteeship Council will be advised in subsequent reports of proposals for the solution of the problem of the status of the inhabitants. Please give information, if possible, on what basic principle such a solution is contemplated? (Philippines.)

Answer: The problem of providing a common status for the inhabitants of the Trust Territory is receiving the continuous attention of the Administering Autho-The complexities of the present law add a complication to the practical difficulty that there is no one status which would be acceptable in all its implications to the whole population. For instance, while Samoans desire the continued protection of their rights to all Samoan land, which they believe should be reserved for the Samoans of the future, the local 'European' feels that Samoa is just as much his home as it is that of the Samoans, and that his economic opportunities should not be less. The achievement of a common domestic status depends upon the solution of problems such as these, which can be resolved only by a gradual process assisted by a continuation of the good feeling displayed by leaders of both Samoan and European groups.

Question 3: According to the report, a Samoan may not in general be sued for trade debts. What, then, is the effect of this provision on granting credit to the indigenous people? (China.)

Answer: Purchases by Samoans are financed either by cash in hand or from the proceeds of sale of produce brought to the trading station for the purpose. The effect of the provision that a Samoan may not be sued for trade debts is to restrict the granting of credit. In the past, this has been considered to be in the interests of the indigenous people, but there is a growing opinion in the community that this restriction could be removed. The whole question of commercial credit is one that is at present being examined.

<sup>&</sup>lt;sup>1</sup> See Report by the New Zealand Government to the Trusteeship Council of the United Nations on the administration of Western Samoa for the year ending 31st March, 1949. Department of Island Territories, Wellington, 1949.

Question 4: As only five conventions in regard to labour problems have been applied to Western Samoa, is the Administering Authority contemplating the extension of other labour conventions of the International Labour Organisation to the Trust Territory? (China.)

Answer: This question will be referred to the Administering Authority.

Question 5: According to the report, a meeting of the South Pacific Commission was set for May 1949. Would the special representative care to give information on its deliberations and recommendations in regard of the Trust Territory? (Philippines.)

Answer: The South Pacific Commission drew up a comprehensive programme of operations, which has been translated by the Research Council of the Commission into express projects under the headings of economic advancement, health and social advancement. The Research Council has met once, and a further meeting is set for August of this year. A visit was made by the permanent members of the South Pacific Commission to Samoa during 1949. That combined visit for the purpose of an over-all study of the problems involved has been followed by individual visits of members to Samoa and Wellington, as well as by a special visit to the Territory by an expert investigating methods of visual education. Some attention has also been given to the study of commercial credit systems as one feature of economic development. The Secretary-General of the South Pacific Commission is expected to visit Samoa during the present month, and further information upon the application of projects to the Trust Territory may be anticipated after the next meeting of the Research Council this year.

The close identification of the Government of Samoa with the operations of the Research Council may be judged from the fact that the New Zealand Government has nominated, and the South Pacific Commission has appointed, the Director of Health, the General Manager of the New Zealand Reparation Estates, and the Secretary of Samoan Affairs, as associate members of the Research Council for health, economic advancement and social advancement respectively.

#### II. POLITICAL ADVANCEMENT

Question 6: The Council of State, composed of the High Commissioner and two Fautua, is an advisory body where each member has a vote. What is the situation when an advisory decision is taken by votes of the two Fautua against the High Commissioner? (Philippines.)

Answer: No case is recalled where the views of the two Fautua and of the High Commissioner have been irreconcilable on any important issue. In the event of a difference of opinion, or where further investigation of Samoan opinion seemed desirable, it is likely either that the question would be discussed or deferred until some degree of unanimity could be reached, or that action would be taken to refer the point at issue to the Fono of Faipule or to the Legislative Assembly, or both, for some expression of opinion by the representatives of the people.

Question 7: According to the report, the scope of the legislative power of the Legislative Assembly was specifically widened to include the power of overriding New Zealand legislation, except in regard to certain reserved subjects. What are these reserved subjects? (Philippines.)

Answer: The reserved subjects, or rather, those parts of the law which contain reference to these subjects, are set out in section 9 of the Samoa Amendment Act, 1947, or listed in the Samoa Reserved Enactments Regulations, 1948. A full understanding of the subject of reserved enactments would call for a study of the full text of all Acts or parts of Acts or regulations cited. For the information of the Council, however, it may be stated that the subjects on which New Zealand legislation is paramount are defence, external affairs. Crown land, and all matters affecting the Constitution Western Samoa. The last-mentioned comprise mainly parts of the Samoa Act, 1921, and its amendments, certain legislation relating to the New Zealand Reparation Estates, and the regulations governing the appointment of the Fautua and the election of the members of the Assembly itself. Statutory provisions for the election of *Faipule* are not reserved.

Question 8: Please describe the functioning of the standing committees of the Legislative Assembly. For instance, how are these committees appointed and for what terms? Will membership rotate? What procedures are followed by the committees in respect to public hearings, drafting and initiation of legislation, and the study of specific problems? Do the committees function between sessions of the Legislative Assembly? (United States of America.)

Answer: The present Standing Committees of the Legislative Assembly on Finance, Health, Public Works and Education were set up by the assembly itself during its second session. Each consists of three Samoan members, one European member and one official member, with members of the Council of State sitting ex officio on all committees. The intention that they should hold office during the three-year term of the present assembly and that membership should not rotate within that period appears to meet with the wishes of the members themselves, and this procedure is advisable in order to give them the most thorough understanding of the operation of their own committee. The appointment of a chairman was left to each committee with the intimation that the person chosen need not necessarily be the official member. The health and education committees decided to appoint the heads of their respective departments, but those for finance and public works chose Samoan members.

The committees function principally between the sessions of the Legislative Assembly, since that is the time when they are free to devote themselves to the study of policy and administrative problems. The Committee on Finance met on a total of fifteen days during the year ended 31 March 1950; the Committee on Education, on eight days; the Committee on Health, on ten days; and the Committee on Public Works, on seven days. Members have an opportunity of considering, in its initial stages, the legislation which affects the department in which they are particularly interested.

They are, of course, free to suggest legislation if they wish. Since the Committee on Finance is concerned with many major questions of policy, the High Commissioner occasionally finds it useful to attend meetings in person, to discuss them with members.

Question 9: What, in general, are the provisions of the Samoan Reserved Enactments Regulations 1948 (Serial No. 1948/85) referred to in appendix IV (page 57 of the report) as an Order in Council applying to Western Samoa during the year? (United States of America.)

Answer: Please see the answer to question 7, in the section on political advancement, put by the Philippines delegation.

Question 10: Of the ordinances passed by the Legislative Assembly during the year, how many or what proportion were initiated by the High Commissioner, by standing committees, by individual members, Samoan and European? (United States of America.)

Answer: All legislation passed during the year under review was initiated by the High Commissioner and sponsored by official members, as were all ordinances passed during the year ended 31 March 1950. Many motions, on which some of the keenest debates were held, were, however, introduced by private members, who have been informed that those who wish to initiate legislation will be afforded every possible assistance by the Law Drafting Office in preparing their bills. No private member has so far availed himself of this offer.

Question 11: Who are at present the six official members of the Legislative Assembly? Are the presidents of its four standing committees appointed or elected? If they are elected, are they elected by the assembly or by the committees themselves? (China.)

Answer: The six official members of the Legislative Assembly are the Secretary-Treasurer, the Trusteeship Officer, the Secretary of Samoan Affairs, the Director of Health, the Director of Education and the Crown Solicitor. Chairmen of standing committees of the assembly are elected by the members of the committees themselves. The Committees on Health and Education have appointed the heads of their respective departments as chairmen, but the Committees on Finance and Public Works have chosen Samoan members.

Question 12: According to the report, the Faipule election procedure is regulated by local ordinance. Who or what body has passed this ordinance and what are the exact contents of it? (Philippines.)

Answer: The Faipule Election Ordinance, 1939, was examined in draft form by the Fono of Faipule and then passed by the old Legislative Council—since replaced by the Legislative Assembly. Briefly, the contents comprise a schedule setting out the designation and boundaries of the forty-one Faipule constituencies, the regulation of the nominations and voting in respect of candidates, together with a clause empowering the High Commissioner to declare that certain Faipule have been duly elected, and a statement of the conditions on which a Faipule may be deemed to have vacated office. A further clause defines the period of three years during which Faipule are to hold office. It is

within the jurisdiction of the Legislative Assembly to amend this ordinance as desired.

Question 13: According to a statement of the special representative, the only reason for continuing the arrangement previously in force, whereby the High Commissioner confirmed the appointment of any Faipule selected by the majority of matai, is the necessity for some authority to declare that the Faipule has been legally appointed. Does that mean that such a confirmation has at any time been withheld? (Philippines.)

Answer: The High Commissioner has never arbitrarily refused to accept a nomination for the office of Faipule supported by the majority of the matai in the constituency. One case is, however, recalled where a technical majority in a constituency (comprising one village) at first desired to depart from an agreement made three years previously with a minority in that constituency (another, smaller village) whereby the office of Faipule was to alternate between those two groups. The High Commissioner called both groups before him for discussion and it was ultimately arranged that the majority should acquiesce in the nomination of the candidate put forward originally by the minority.

Question 14: The report states (page 15) that legislation has been prepared to provide for a separate Samoan public service commission. Such action was recommended by the Visiting Mission and the need was acknowledged by the Administering Authority. The United States delegation noted with interest the statement of the special representative that a Samoan Public Service Commissioner commenced duty on 1 April 1950 and is at present engaged in reviewing the organization of the public services of the Territory. Does this statement imply that the legislation referred to above has now been adopted? If so, what are the general provisions of this legislation? If not, what is the present status of the proposed legislation? (United States of America.)

Answer: The Samoa Amendment Act, 1949, which has now been brought into force by proclamation of the Governor-General, sets up the Samoan Public Service Commission as from 1 April 1950, and a copy is available for inspection by delegations if desired. There is provision for assistant public service commissioners and machinery clauses for the operation of the Act, which also provides for the appointment, termination or suspension of appointments, salaries, gradings and regradings, advertising of vacancies, inquiries into conduct of officers, appeals and miscellaneous provisions usual in an Act of this nature.

Question 15: The report states (page 21) that the Fono of Faipule has so far not been willing to renominate a judge for a second consecutive period of office, and that this period is of three years. Does not such a short term have unfavourable effects on the independence of the judges? Why is the principle of the unremovability of judges not applied to the Samoan judges (Fa'amasino Samoa Itumalo)? (Philippines.)

Answer: It may definitely be stated that the threeyear term for Samoan judges does not have unfavour-

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Second Session, Special Supplement No. 1.

able effects upon their independence of action. Neither the executive nor the judiciary of the Government of Samoa is opposed to the course suggested in the question. It is on record that both have frequently urged it to the Fono of Faipule. It is a fact, however, that in this matter the Samoan people are slow to relax the view they have consistently held, namely, that government offices of this nature should be subject to change every three years. The report indicates that there have been instances of reappointments; for instance, the Fono, after some persuasion, on one occasion agreed on the nomination of a Samoan judge for a third term. More recently, a judge was nominated who had had previous experience in a similar office.

Question 16: According to the reply of the special representative, the decisions of the Native Land and Titles Courts are given, in law, by a majority of the European assessors, but in practice Samoan associate judges assist in framing decisions. He declared that the possibility of revising the law to bring it into conformity with existing practice would be examined. What has been the result of such an examination? (Philippines.)

Answer: The question of the status and jurisdiction of Samoan associate and district judges is at present being examined, both by the Government and by the Local Body Commission of Inquiry, which is now conducting its hearings. The Commission of Inquiry will be interested indirectly in some, at least, of the operations of the Samoan judges, in that it will examine the question of judicial functions for village councils. A plan for the reorganization of the work of the High Court, allowing for the grant of greater responsibility to associate judges, awaits the approval by the Samoan Public Service Commission of the appointment of the additional staff required.

Question 17: Do the indigenous inhabitants have the right to be defended before the courts of justice by legal practitioners? (Philippines.)

Answer: All indigenous inhabitants have the right to be defended before the courts of justice by legal practitioners.

Question 18: In Western Samoa, when a more serious criminal case happens in which the defendant is an indigenous inhabitant, the usual practice is to include one Samoan assessor in a group of four assessors who sit with the judge in their advisory capacity. Now, since the judge may accept a majority opinion of three of the four assessors so engaged, does the Administering Authority contemplate any improvement in this practice so as to strengthen the influence of the indigenous assessors? (China.)

Answer: The law does not require that assessors shall be of any particular racial status but merely prescribes that they shall be "fit and proper persons". It has been the practice of the court to appoint one Samoan assessor for trials in which the accused is a Samoan, but more recently there have been cases in which two Samoan assessors have been appointed. The decision in any particular case is one solely for the court.

Question 19: According to a statement made by the special representative at the fourth session of the Trustee-

ship Councill, no indigenous inhabitant has so far qualified to practise as a barrister or solicitor. What, in the opinion of the Administering Authority, can be done to improve this situation? (China.)

Answer: It is part of the purpose of the scholarship system to afford Samoans an opportunity of qualifying for professional positions. The present scholars include some who have qualified for entrance to the University of New Zealand, and others may be expected to do so. The way is thus open for any Samoan scholar with the necessary academic qualifications to proceed to study further for admission as a barrister or solicitor.

#### III. ECONOMIC ADVANCEMENT

Question 20: The major economic problem of the Trust Territory, as stated by the Trusteeship Council, is to achieve some diversification of industry. According to the report, a beginning has been made with the establishment of a factory to produce desiccated coconut and the development of a dairy industry. What further steps are contemplated by the Administering Authority in this direction? (Philippines.)

Answer: To some extent the reply to this question is bound up with the reply to question 21 concerning economic advancement. The question as to what industries may best be developed in future depends largely upon the operation of an over-all plan for economic development which takes into account the fact that too great a degree of industrialization might not be in the best interests of the inhabitants of the Territory. It is too early, however, to draw any final conclusion on this important matter. A good deal of preliminary work is at present being done. The Department of Agriculture, which is to be established, and the census of food and agricultural resources which is to be taken under the auspices of the Food and Agriculture Organization of the United Nations this year, will supply a good deal of information which, taken in conjunction with the data derived from the projected aerial survey of the whole Territory, will bring up to date our information as to existing land utilization and the extent and nature of undeveloped areas.

Question 21: The Trusteeship Council, at its fourth session, requested the Administering Authority to elaborate an over-all plan for the economic development of the Trust Territory.¹ Can the plans for a survey to determine the economic potential of the Territory and the work of the South Pacific Commission be regarded as preliminary steps for this over-all plan? (Philippines.)

Answer: The reply to this question should be read in conjunction with the reply to question 20. The plans for a survey to determine the economic potential of the Territory and the work of the South Pacific Commission in its economic branches may be regarded as the preliminary steps for the over-all plan for the economic development of the Trust Territory. The road programme which is at present being carried into

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

operation is a feature of the plans of the Government of Samoa for economic development. Approximately thirty-five miles of new road were completed and opened for traffic during the financial year ended 31 March 1950, twenty miles of existing roads were widened, straightened and improved, and assistance was extended to six villages in the construction of roads giving them access to main roads. The establishment of the new Department of Agriculture is also an important feature in the economic policy of the Government of Samoa. Some time will be required for a preliminary examination before the details of any effective plan for economic development begin to emerge.

Question 22: Would the special representative care to make the text of the Copra Board Ordinance, 1948, and the Copra Ordinance, 1948, available to the Council? (Philippines.)

Answer: If the Secretariat has not already been supplied with copies of the Copra Board Ordinance, 1948, and the Copra Ordinance, 1948, any delegation is free to refer to the copies of these ordinances held by the New Zealand delegation.

Question 23: Copra has been sold since 1942 to the British Ministry of Food under contracts which have provided for the taking of the entire output of the Territory. As this sort of practice tends to create monopoly which can be harmful to the interests of the indigenous producers, does the new contract purport some improvement to the situation? (China.)

Answer: The present contract for the sale of copra to the British Ministry of Food is not only considered by the Administering Authority and the Government of Samoa to be in the best interests of the Samoan people, but is also accepted as such by the Samoans themselves. The price at present being paid is high and there is provision that this is not to vary from year to year by more than 10 per cent of the price paid in the previous year. A most satisfactory price for some years to come is therefore assured.

Question 24: In the year under review, a factory to produce desiccated coconut has been established in the Territory. Please explain the fact that the quantity of desiccated coconut exported from the Territory was lower in 1948 than in 1947. (China.)

Answer: The desiccated coconut factory has been in production for some years, but there is a plan to establish a further factory in order to increase production from 650 to 950 tons per annum. As explained in the report, the quantity of desiccated coconut exported from the Territory was lower in 1948 than in 1947 because some of the plant, much of which was more or less improvised, became defective. The up-to-date machinery which had been ordered, as stated in the report, has now been received and installed.

Question 25: Please give some information on the new contract for nine years with the British Ministry of Food in regard to cocoa prices and marketing. (Philippines.)

Answer: There is no contract with the British Ministry of Food for the sale and purchase of cocoa. A contract for copra, however, has been signed for the nine-year period extending from 1 January 1949 to 31 December

1957. It provides that the price to be paid for copra in any one calendar year shall not increase or decrease by more than 10 per cent of the price paid the previous year. This ensures that the principal product of the Territory has an assured market at a good price for several years to come.

Question 26: Is the world price of cocoa still showing a downward trend? What can be done to increase the quantity of the export of cocoa to help counterbalance the trend of prices? (China.)

Answer: The price for cocoa, though subject to fluctuations, is at present excellent and both government and private cocoa plantations are being extended.

Question 27: What is the reason for the decrease (page 30 of the annual report) of 4,000 tons in the volume of copra exported? Is it due to a decline in the number of fruit-bearing trees? (Belgium.)

Answer: An answer will be given to this question later in the session.

Question 28: The United States delegation notes with particular interest the re-establishment in Western Samoa of the Department of Agriculture. In view of the increased interest in agricultural development shown by the Samoans, the primarily agricultural economy of the Territory, and the statement in the annual report (page 25) that government assistance has been on a small scale and that little activity has been shown in that field in recent years, the re-establishment of the Department of Agriculture is worthy of commendation, and it would be useful to the Council if further details of the plans for this development could be given by the Administering Authority. (United States of America.)

Answer: The proposal to re-establish the Department of Agriculture was proceeded with after careful consideration and consultation with various public groups. It was thought best not to attempt too much in the initial stages. The staff at present comprises an acting director, who was previously the produce inspector, and seven field inspectors and instructors who are all Samoans. Control of the work of the fourteen Samoan district plantation inspectors has been placed under the new department and co-ordination of their activities will form an important part in the initial work. The department, besides being responsible for the inspection of produce exported, will also be largely employed during the present year in taking an agricultural census and collating the results. It has also placed high on the list of urgent work to be done the development of operations for the elimination of the rhinoceros beetle. Arrangements have been made that the staff of the Department of Agriculture should regularly spray the Apia storage sheds with DDT solution in an effort to reduce the wastage which results from the depredations of copra-consuming insects.

Question 29: In connexion with the statement in the report (page 28) that the balance of accumulated but unallotted profits of the New Zealand Reparations Estate have been allocated for various uses, would the special representative comment on the possibility of giving legal form to the announced policy of devoting these profits to the development of the Territory by some means such as the establishment of a Samoan

development fund, as mentioned in the annex of the report of the Visiting Mission (T/46/Add.1).¹ (United States of America.)

Answer: The suggestion that a legal basis should be given the long-standing policy of devoting profits of the New Zealand Reparation Estates to the development of the Territory by means of the establishment of a Samoan development fund will be brought to the attention of the Administering Authority.

Question 30: Would the special representative care to explain the machinery and purpose of governmental control of the export of bananas? (Philippines.)

Answer: The principal purpose of government control of the export of bananas is to ensure the maintenance of the present high standard of the product and to take full advantage of the restricted avenues of shipping which are at present open. Government control in Samoa also results in an economy of organization and is in the interests of the growers. In this connexion, it is worthy of note that the Fono of Faipule recently recommended the setting-up of a banana board with constitution and powers similar to those of the Copra Board.

The New Zealand Reparation Estates are responsible for the accounting work in connexion with the schemes and the new Department of Agriculture is in charge of the inspection of plantations, of the packed cases for export and of the loading arrangements. Families or villages pack their bananas at a local depot in the district. The cases are then transported to the shipping point at the expense of the controlling organization. Subject to satisfactory inspection, the grower receives payment for the bananas he has delivered to the village depot, and all subsequent costs and overhead are borne by the scheme.

Question 31: How long will price control of foodstuffs be maintained in the Territory? What is the reason for the maintenance of control of imports of foodstuffs? (China.)

Answer: The question of continuing price control over foodstuffs is at present being examined. Import control in respect of foodstuffs is merely part of the general control of imports, the primary purpose of which is the conservation of foreign exchange. While the machinery of these controls remains unaltered, there has recently been considerable relaxation in their application, particularly in respect of imports from non-dollar areas whence most foodstuffs are now imported, and in the establishment of general convertibility of currency with many sterling countries.

Question 32: The Trust Territory is an earner of hard currencies, mainly from the export of cocoa to the United States. The value of its exports is higher than the value of its imports. What is the exact reason why the purchase of foreign exchange is controlled? Is the eventual surplus of hard currencies given to the Bank of New Zealand? How great has this surplus been in the last year? (Philippines.)

Answer: Although the value of exports is higher than the value of imports, the difference is not entirely

represented by exports to dollar-producing countries. The purchase of foreign exchange is controlled as a contribution, however insignificant it may be, to the solution of one of the most pressing of current world problems. It is not possible to state the exact amount of the dollar surplus during the last year, other than to say that there is, in fact, a small net dollar surplus on the year's operations. The eventual surplus of hard currencies is not given to the Bank of New Zealand.

Question 33: In view of the appointment of a Select Committee of the Legislative Assembly to study the problem of the preferential tariff, would the special representative comment on the recommendations of this committee, the consideration given to them by the Administering Authority, and any plans to implement these recommendations? (United States of America.)

Answer: The representative of the Administering Authority has already made a statement to the Council on the subject of the preferential tariff.<sup>2</sup>

Question 34: Had the examination of the question of the preferential tariff applying to British goods imported into the Territory not yet been finished when the report was published? (Philippines.)

Answer: As at the date of the report now under consideration, the report of the Select Committee of the Legislative Assembly on the Preferential Tariff had not been published. The Select Committee was set up on 24 June 1949, and presented its report, dated 24 October, to the Legislative Assembly on 7 November 1949.

Question 35: The information given on public finance in the report did not allow the Trusteeship Council to make a thorough examination of the financial situation of the Trust Territory. Why is it not possible to forward the detailed budget as is requested in question 19 of the Provisional Questionnaire? (Philippines.)

Answer: Preparation of the material for the report commences before the end of the period reported on and is completed soon after that date in order that it may be printed in New Zealand with the least possible delay. To include the detailed budget in the report would involve delays both in preparation and in printing.

Question 36: There was a considerable decrease in the receipts of public revenue in the year under review in comparison with the previous year (£500,338 in 1948/49 against £548,682 in 1947/48). Would the special representative care to explain the reasons for this decrease? (Philippines.)

Answer: The decrease in the receipts of public revenue in the year under review was due largely to a reduction in the amount received under the heading of treasury and customs, which was a reflection of the drop in the total value of exports and imports. Reduced export production restricts spending power and is quickly reflected in a decrease in the value of imports.

Question 37: How far has the examination concerning the question of introducing income tax in the Territory proceeded? (China.)

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Second Session, Special Supplement No. 1, p. 125.

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Fourth Session, Annex, document T/256/Rev.1, section III, question 4.

Answer: As stated during the oral examination in the Council on 5 June [3rd meeting], a comprehensive review of the taxation system in the Territory has been carried out by a senior officer of the New Zealand Land and Income Tax Department. As a further step in the reorganization of the system, another officer of that department has recently been specially appointed to the position of collector of customs and taxes for a period of twelve months. It will be his function to examine the extent to which the recommendations arising out of this review can be implemented.

Question 38: What measures have been taken for the conservation of natural resources, including land and mineral resources? The answer given to this question of the Provisional Questionnaire in the report (page 25) cannot be regarded as satisfactory. (Philippines.)

Answer: Measures to be taken for the conservation of natural resources will emerge more clearly after the expected visit this year of the Conservator of Forests from Fiji, as reported to the Council in the opening address [2nd meeting]. The work of the Department of Agriculture and the information to be gathered from the Food and Agriculture Organization census this year, together with material that is brought together in respect of the economic survey of natural resources, will all show more clearly the measures, if any, that are necessary for the conservation of those natural resources. There are no known mineral deposits in the Territory.

Question 39: The report contains almost no information on animal husbandry. Would the special representative care to give some information on this question? What types of animals are raised? What measures have been taken to improve the quality and increase the quantity of stock? (Philippines.)

Answer: The measures taken to improve the quality and increase the quantity of stook were referred to in the opening address in connexion with the operations of the New Zealand Reparation Estates. The herds of cattle on Reparation Estates plantations have recently been increased to 10,000, of which some 1,300 are killed annually for beef. Recently, also, an additional 1,100 acres of grazing land have been brought into operation by the Reparation Estates, which also undertake the breeding of pigs on a scientific basis.

Question 40: Could fisheries be developed in the future? (China.)

Answer: This question was fully answered during the oral examination in the Council on 5 June.

Question 41: The report states that the present export trade in bananas and other crops cannot be increased until additional shipping connexions with New Zealand are provided. What has been done in the year under review to improve this situation and what are the plans for the future? (Philippines.)

Answer: The operation of shipping connexions to the Trust Territory is in the hands of a New Zealand shipping company which is at present proceeding with the construction of a new vessel for the islands trade. It is anticipated that this will be in commission some time in 1951.

Question 42: What is the reason for the reconstruction and extension of the airport at Falcolo for which 1,387 acres have been alienated? (Philippines.)

Answer: It is presumed that this question refers to the statement on page 31 of the report to the effect that details of past and projected alienations of Native land include 1,387 acres for the Faleolo airport. This is a reference to an alienation which took place in the early years of the Second World War. There has been no reconstruction or increase in the area of the airport other than what has been necessary to maintain it in a serviceable condition.

Question 43: With regard to electricity, was it absolutely impossible to obtain steel pipes, or was it impossible to obtain the necessary currency? (See page 34 of the annual report.) (Belgium.)

Answer: The piping for the hydro-electric plant was manufactured in Queensland, Australia, and it proved impossible to arrange shipment for many months. It is presumed that the piping has by now been received and that it will be installed and the scheme be in operation by the end of September. There was no difficulty about financing the purchase.

#### IV. SOCIAL ADVANCEMENT

Question 44: Are there any trade unions in the Territory? What are the methods of settlement of industrial disputes? (Philippines.)

Answer: There are no trade unions in the Territory and industrial disputes are practically unknown because there are so few industries. In relation to general employment, however, an examination of the possibility of introducing workers' compensation insurance is being made by the Government, assisted by an expert from New Zealand. Some consideration has also been given to a bill relating to contracts of indigenous workers. These steps flow from the operation of certain international conventions to which the Administering Authority is a party and which have been ratified on behalf of the Trust Territory.

Question 45: Is there any discrimination in the matter of employment or wage and salary payments on grounds of race, sex, nationality, religion or tribal association? What measures have been taken to prevent such discrimination? (Philippines.)

Answer: There is no discrimination on the part of the Government in matters of employment or wage and salary payments on grounds of race, sex, nationality, religion or tribal association. The policy of the Government has been to appoint to the vacant positions in the public service those applicants who qualify satisfactorily for the positions, and the recent establishment of a Samoan Public Service Commission, which is required by law "to have regard to the obligation of the Administering Authority under the Trusteeship Agreement to ensure to the inhabitants of Western Samoa a progressively increasing share in the administrative and other services of the Territory", will ensure that the aspirations of the Samoan people in this connexion receive attention.

Question 46: The report says (page 37) that no Samoan is entirely dependent on wages for sustenance. Does this mean that the newly adopted scale of wages has been calculated with reference to this deplorable situation? (China.)

Answer: This question was discussed during the oral examination in the Council on 5 June. It will be clear from that discussion that, in the opinion of the special representative, the fact that Samoans are not entirely dependent on wages for sustenance places them in a position of advantage over those who are.

Question 47: When will the first results of sample studies on the standard of living of the inhabitants be available to the Trusteeship Council? (China.)

Answer: The oral examination has probably demonstrated that it would be difficult to produce accurate sample studies on standards of living in Western Samoa, and it will be some time before any survey of this description, which it may be found possible to attempt, could be expected to produce any useful or reliable results.

Question 48: What has been the reason of the increase in Samoan infant mortality during 1948? What special provision, if any, is made concerning the health of mothers and children? (Philippines.)

Answer: A review of the figures for Samoan infant mortality during the last twenty years does not suggest that the small increase in the mortality rate during 1948 was significant. The figures for Western Samoa compare favourably with those in most other parts of the Pacific. This is, however, a matter to which the Director of Health gives constant attention. There are seventeen Samoan nurses in the district baby welfare service, which covers the whole Territory. Each month, over 1,000 babies are seen and their mothers advised as to their proper care. The service also includes prenatal attention and the records show that about 500 pregnant women are advised each month. Some 175 lectures and demonstrations are given in the same period to women's committees, and every effort is made to reduce the considerable amount of illness that is common among young children as a result of faulty feeding, especially during the weaning period. During the early part of this year, Dr. Muriel Bell, senior nutrition officer of the New Zealand Medical Research Council, paid a visit to the Territory to study the blood protein levels in children, a subject bound up with questions of nutrition and the search for suitable weaning foods.

A central baby clinic is operated at the main hospital in Apia and provision is made under the programme of operations of the mobile clinic for advice to be given by one of the nurses attached to the staff. In addition, the senior staff nurse at the Apia hospital has during the past year given a course of lectures to the Teachers' Training College on baby welfare, school health and general hygiene.

Question 49: With regard to public health matters, the United States delegation noted with interest the account in the annual report of the surveys conducted by the Medical Research Council of New Zealand in Western Samoa. It also noted certain steps mentioned in the opening statement of the special representative with regard to improving the public health service of

Western Samoa, in particular the construction of a large new detached tuberculosis ward, as well as certain steps to control tuberculosis among cattle. Would the special representative comment on any other steps being taken to control the relatively high incidence of tuberculosis? Do the steps taken to control tuberculosis in cattle include the tuberculin testing of the dairy herds of the New Zealand Reparation Estates? Is the information gathered in these surveys being made available through the South Pacific Health Service and the South Pacific Commission to other territories with similar problems? (United States of America.)

Answer: Routine milk testing is carried out in the laboratory attached to the main hospital in Apia, and other milk products offered for sale, such as cream and ice cream, are tested from time to time. As to measures for the conrol of tuberculosis in human beings, a tuberculosis register has been established; nearly 1,100 chest X-rays were carried out in the last twelve months. All staff at Apia hospital are weighed monthly, the entire staff of the department is X-rayed at six-monthly intervals, and it is hoped to extend this procedure as opportunity offers. The completion of new tuberculosis accommodation now under construction will permit intensification of field work. The Samoan Health Department maintains the closest contact with the South Pacific Health Service and the South Pacific Commission.

Question 50: The report stresses that there is a scarcity of officers willing to accept appointment on the medical staff of the Trust Territory. Has any effort been made to find prospective applicants among qualified displaced persons in Europe? (China.)

Answer: Attempts have been made to find prospective applicants for medical positions among qualified displaced persons in Europe and other places outside New Zealand and the United Kingdom. At one time a medical officer from Vienna was employed in the Territory and, more recently, two officers from the Indian Medical Service, one of whom is still attached to the main hospital in Apia, took up appointments.

Question 51: According to the report, repairs were undertaken at both Apia hospital and several district hospitals. Is there, in the opinion of the Administering Authority, any necessity for a building programme of new hospitals? (Philippines.)

Answer: The construction of new district hospitals is part of the health programme which has been approved by the Government of Samoa with the intention of bringing an adequate medical service within the reach of every person in the Territory. These district hospitals will be central points for the control of the smaller dispensary and hospital units in the outer districts.

Question 52: In connexion with the difficulty of recruiting doctors (page 39 of the annual report), has the Administration attempted to find medical personnel outside New Zealand and the United Kingdom? (Belgium.)

Answer: The Administering Authority has made attempts in countries other than New Zealand and the United Kingdom to obtain the services of additional medical personnel. See also the answer to question 50 above.

Question 53: The report states that the love of children and a respect for the aged in Samoan society rendered the need for social security less pressing than it is in some other countries. Is this, in the opinion of the Administering Authority, the reason why no legislation affecting social welfare has been enacted during the year? What will be the policy of the Government in the future? (Philippines.)

Answer: There is not the need in Samoan society for the development of general social security legislation as operated in other countries. Samoans already receive free medical treatment, and legislation is not considered necessary in the circumstances. Even where a small charge is made for medicines, no medicine or special treatment of any kind is ever refused to any person because of his inability to pay.

Question 54: The report speaks of a shortage of European-type houses. Is there no shortage of houses for the indigenous population? Is no housing programme needed in the Territory? (Philippines.)

Answer: Samoans are able to build freely whatever additional houses are required from easily procured materials taken from their own lands, and there is accordingly no necessity for a building programme.

Question 55: The report for 1948¹ mentioned that rodent-control measures were being instituted. In the absence of any reference to this matter in the report for 1949, would the special representative comment on the progress in this field? Have there been any further developments in the study of rats as possible carriers of leptospirosis, i.e., the causative organism of Wild's disease or infectious jaundice? (United States of America.)

Answer: Six trainees have been employed during the last year in mosquito-control and rodent-control and a good deal of success has been achieved in effecting an improvement in certain areas in and about Apia which in the past were badly infested with rats. Due to shortage of staff, the teaching and supervision of trainees have so far been insufficient to produce the maximum results. Occasionally, the staff attached to the mobile clinic includes a sanitary inspector and vermin-control and mosquito-control teams with sprays, and these teams work through the village while the clinic remains. They also operate a power sprayer which has been in use during most of the last year, and some hundreds of dwellings, stores and public places have been sprayed with DDT.

Cases of malignant jaundice, listed in appendix VIII of the annual report, are now notified as infective hepatitis. There have been no specially significant developments in the study of rats as possible carriers of leptospirosis, but research on this problem is being continued.

#### V. EDUCATIONAL ADVANCEMENT

Question 56: Would the Administering Authority give more detailed information as to the specific curriculum in use in various grades and standards in various

schools and, in particular, as to the manner in which the curriculum is related to local requirements? (United States of America.)

Answer: The request for more detailed information as to the specific curricula in use in various grades and standards in schools will be referred to the Administering Authority.

Question 57: A programme in teacher training is noted with satisfaction. The report states that until there are sufficient trained teachers and administrative schools, it is considered impracticable to introduce a system of compulsory education. When, in the opinion of the Administering Authority, will these conditions be fulfilled? (Philippines.)

Answer: It is difficult to forecast when there will be sufficient trained teachers for government schools. Additions have been made to the Teachers' Training College which will enable the roll to be raised to 150. During the year ended 31 March 1950, 450 applicants for training as teachers sat for the entrance examination. This made possible a careful selection, particularly as the educational standard of the applicants is higher each succeeding year. Sixty new trainees were admitted bringing the present roll to 123. The course of training now covers three years, at a much higher level than has been achieved in the past, and during the last year twenty third-year students graduated from the college. It is advisable to point out, however, that all these graduates were absorbed into existing schools. There is a steady annual loss of teachers due to marriage or change of occupation, and the rapid growth in the population makes it essential to staff adequately the existing government schools before many new schools can be opened. In order to cope with the rapidly increasing number of infants, however, a system of employing temporary assistants has been brought into operation. Sixty temporary assistants have been taken on up to the present and, if they show ability, they will be given an opportunity to enter the training college as soon as they can be replaced by trained teachers.

Question 58: Has anything been done in the year under review to encourage the formation of teachers' associations? (Philippines.)

Answer: It would be difficult to set up and operate teachers' associations in view of the dispersal throughout the Territory of those who would be the members. During the year, however, teachers of each district were gathered at a central place and a short refresher course was conducted in specific subjects. In the May vacation, all teachers and inspectors attended a ten-day refresher course in Apia, and the teachers, divided into groups, received instruction from New Zealand teachers in the correct use of radio lessons, social studies, music and writing. These refresher courses are valuable in improving the knowledge and technique of the teachers and as a source of inspiration towards greater efforts.

Question 59: How many indigenous pupils have studied in New Zealand under the existing scholarship programme? The report states only (page 49) that ten more Samoan and European students were selected to be sent to New Zealand for higher education. How many among these ten were Samoans? (China.)

<sup>&</sup>lt;sup>1</sup> See Territory of Western Samoa: twenty-fifth report on the administration of the Territory of Western Samoa, for the year ended 31st March, 1948.

Answer: The number of students who have been awarded scholarships in New Zealand now totals sixtyone, and the latest information concerning their activities is set out fully in the opening address by the special representative. Of the ten students selected to be sent to New Zealand during the year ended 31 March 1949, eight were Samoans and two Europeans.

Question 60: The report states (page 65) that the number of schools represents an increase of three over the 1947/48 period. Does this refer to the calendar year 1947 and 1948 or to the year ending March 1948? If so, how many schools were opened in the year ending 31 March 1949? (China.)

Answer: The increase of three in the number of schools referred to on page 65 of the report is in respect of the year ended 31 March 1949. The phrasing employed in this footnote is ambiguous and could have been more clearly expressed as an increase of three over the number for the 1947/48 period.

Question 61: Answering a question of the United States representative, the special representative stated at the fourth session of the Trusteeship Council¹ that the Administering Authority considered it feasible to establish additional boarding schools. Were such schools established during the year under review? (Philippines.)

Answer: No additional boarding schools were established during the year under review. The residential school in Savai'i, however, is being entirely rebuilt. This has a present roll of seventy boys under the tuition of Samoan teachers, but upon completion of a European residence, modern dormitories and class rooms, two New Zealand teachers will be appointed to the staff. The school will then fill an important place in the education of the boys of Savai'i.

A Samoan accelerate school has been established and ninety young pupils, many of them from the outlying villages, have been enrolled. The instruction is all in English and the syllabus follows the general lines of a New Zealand school. The best of these pupils will later form the student nucleus of the projected Samoa college, which is the proposed new residential secondary college referred to in the opening address. The establishment of the Samoa college will represent the principal step proposed for the setting-up of additional boarding schools and it is likely that this institution will absorb the present high school in its secondary department.

Question 62: According to the report (page 49) the mission schools are not subject, as regard their organization, staffing, or curricula, to government control. Is the present situation, in the opinion of the Administering Authority, quite satisfactory and is no control planned for the future? (Philippines.)

Answer: The present extent of government control of mission schools is not considered unsatisfactory in

present circumstances. The missions are eager to move with the Government in the field of education, and both missions and Government co-operate in the drawing up of school syllabuses. Missions also receive copies of the Samoan School Journal, printed in the vernacular and issued six times a year. The journal supplies a fund of factual material, imaginative stories and plays, and is doing a great deal to broaden the educational experience of the Samoan child.

The missions are also showing increasing activity in educational development. The London Missionary Society has completed a large building for boys in the Apia area, the Marist Brothers have almost completed a high school, and the Latter Day Saints Mission is planning to erect a large education block in the coming year. This enterprise on the part of the missions is welcomed, as it will help to ensure that educational facilities keep pace with the growing population.

Question 63: It is stated (page 49 of the report) that this year a night school for adults was opened at Leifiifi in Upolu. When would it be possible to open such a school in the other large island of the Trust Territory? (China.)

Answer: The special classes referred to in the report under review are continuing, but there has been a marked falling-off in attendance, indicating that many adults have apparently found themselves unable to keep up the steady effort required for after-hours study. The conducting of such classes in the island of Savai'i would therefore not appear to be warranted at present and, in any case, would have to await the provision of additional staff for the purpose. Other developments in adult education were referred to by the special representative in the opening address.

#### VI. FORM OF THE REPORT

Question 64: It is noted that an index has been appended to the last report giving the page for the reply to each question of the Provisional Questionnaire. Would it be possible in future reports to number the answers with the corresponding number of the questions as in the reports on other Trust Territories? (Philippines.)

Answer: The suggestion that in future reports the answers should be numbered with the corresponding number of the question in the Provisional Questionnaire will be referred to the Administering Authority.

Question 65: Would it be possible to include in future reports some photographs depicting the country and its people? (Philippines.)

Answer: The suggestion that photographs depicting the country and its people should be included in future reports will also be referred to the Administering Authority. It is hoped that such photographs will be included in the next annual report. An album of photographs will be circulated during the examination of the report.

<sup>&</sup>lt;sup>1</sup> See Officials Records of the Trusteeship Council, Fourth Session, Annex, document T/256/Rev.1, section V, question 2.

# (b) New Guinea, year ending 30 June 1949

#### Document T/L.83

Replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

[Original text : English]
[9 June 1950]

#### I. GENERAL

Question 1: In section 8 of the report <sup>1</sup> it is stated that "the national status of the indigenous inhabitants of the Territory has not yet been given statutory definition". Does the Administering Authority contemplate confering upon the indigenous inhabitants a special status of nationals of the Trust Territory of New Guinea? (China.)

Answer: The question of the national status of the indigenous inhabitants of the Trust Territory is a complex one, as it was during the time the Territory was administered under a mandate. There has been much legal examination of the question, but to the present time it has not been decided what action may be taken.

Question 2: Has the special representative any recent information regarding the work of the South Pacific Commission in so far as it affects the economic and social welfare of the inhabitants of New Guinea? (New Zealand.)

Answer: I am aware of the work programme that has been drawn up by the South Pacific Commission and circulated to all member governments. The surveys so far made by the commission in New Guinea have been a linguistic survey by Dr. A. Capell, a visual education survey by Mr. Moore and a tuberculosis and nutrition survey carried out by a health team from the commission and which was completed only quite recently. The Secretary-General of the South Pacific Commission, Mr. W. D. Forsyth, visited the Territory some months ago and conferred with the Administration, particularly on the matter of the economic and social welfare of the indigenous inhabitants. Two members of the Administration staff-the Director of Public Health and the Director of Education-are associate members of the Research Council of the commission and are of course also closely concerned with social welfare in the Territory. I am unable at this stage to provide any precise information regarding the work of the South Pacific Commission in so far as it affects the economic and social welfare of the indigenous inhabitants of New Guinea, but the several work programmes about to be undertaken will be of considerable value to these fields of development in New Guinea.

Question 3: The Trusteeship Council, in examining the report for 1946/47, 2 put forward several recom-

mendations and considerations and expressed concern over the proposed administrative union between the Trust Territory of New Guinea and the territory of Papua.<sup>3</sup> Does the Papua and New Guinea Act, 1949, in the view of the Administering Authority, give effect to all these considerations and recommendations, and if so, in what manner? (Philippines.)

Answer: No answer received. 4

Question 4: In section 20 of the report, it is stated that the murder of Mr. Robinson was motivated by "greed for the trade goods in the victim's possession and disinclination on the part of the Native, Au'um, to accompany Robinson to his plantation when he found that none of his fellow villagers was willing to go". What are the methods of recruitment of labour? Under what obligations was the Native, Au'um, after being recruited by Robinson? Does the recruiter possess such powers of coercion that, in this case, the Native, Au'um, could see in murder the only way to liberate himself from the obligations of recruitement? (China.)

Answer: The method of recruitment is either that the indigenous inhabitant approaches the prospective employer, or vice versa. An agreement is, or is not, reached and, if it is, the Native then accompanies the employer to the district labour office, where the contract is entered into before an officer. Au'um was a perfectly free agent but as he had said he would accompany the late Mr. Robinson to the district labour office and had accepted the gift of a tomahawk from him, he apparently felt that he could not go back on his word. He therefore took the action he did rather than tell Mr. Robinson he had changed his mind and then have to relinquish the gift tomahawk. The late Mr. Robinson was a very fine type of man and had served over twenty years in the Territory and was highly esteemed by the indigenous people, with whom he had much contact. He saved the lives of many indigenous people during the recent war and was decorated with the D.C.M. [Distinguished Conduct Medal] for outstanding bravery. All Au'um had to do was to say he had changed his mind; the tragedy is that he did not, but that fact reflects neither on the late Mr. Robinson nor on the method of recruitment of labour.

#### II. POLITICAL ADVANCEMENT

Question 5: In section 21 of the report, it is stated that "although no legislation dealing specifically with the question of political advancement was enacted during the year, a step towards the ultimate objective of self-government for the inhabitants . . . was nevertheless achieved in the passing . . . of the Papua and New Guinea Act, 1949". What is the basis for the Administering Authority's statement that in establishing a common administration for the Colony of Papua

<sup>&</sup>lt;sup>1</sup> See Report to the General Assembly of the United Nations on the administration of the Territory of New Guinea from 1st July, 1948, to 30th June, 1949. Commonwealth of Australia, 1949.

<sup>&</sup>lt;sup>2</sup> See Report to the General Assembly of the United Nations on the administration of the Territory of New Guinea from 1st July, 1946, to 30th June, 1947. Commonwealth of Australia, 1947.

<sup>&</sup>lt;sup>3</sup> See Official Records of the General Assembly, Third Session, Supplement No. 4.

<sup>4</sup> See document T/L.83/Add.1 below.

and the Trust Territory of New Guinea, a step towards the ultimate objective of self-government for the Trust Territory was achieved? How can such a statement be reconciled with the fact that the seat of the government will be outside the Trust Territory and in a Territory with a different political status? How, furthermore, can such a broad statement be reconciled with such a measure as the appointment "on the recommendation of the Administration" of only three non-official Native members of the Legislative Council for the combined Territory of Papua and New Guinea? (China.)

Answer: In the first place, the Administering Authority holds the view previously expressed both in this Council and in the General Assembly that the establishment of an administrative union under the Papua and New Guinea Act, 1949, will lead to more efficient administration and more rapid development in the Trust Territory of New Guinea in all spheres—political, economic, social and educational. The union will enable the Administering Authority to utilize to the fullest extent the people experienced in administrating in New Guinea —a body of people much reduced during the war. The increased rate of political development, in the opinion of the Administering Authority, which has given this matter careful attention, will hasten the achievement of the ultimate objective of self-government in the Trust Territory.

Secondly, the question of the seat of the administration for Papua and New Guinea was the subject of discussion last year in the Fourth Committee, where the Australian representative made a statement on 25 October. The Administering Authority studied the question thoroughly before a decision was finally taken on Port Moresby, which seemed in the best interests of all concerned. Three towns in New Guinea and two in Papua were considered fully and a considerable period of time elapsed before the decision was made.

Thirdly, the legislative council envisaged under the Papua and New Guinea Act, 1949, would for the first time give means whereby the indigenous inhabitants would have direct representation on the body making the laws for the Territory. The view that the measure of representation of the indigenous inhabitants is inadequate is not shared by the Administering Authority, having regard to their stage of development. As previously indicated, the representation of the indigenous inhabitants will be progressively increased as they are brought to a stage where such responsibility can be shouldered.

Question 6: On page 19 of the report, under the heading, "Central Highlands District", it is stated that in two cases patrols "had for their objective consolidation of Administration influence in the Bara Bunassuwaira sector". Could more details be supplied of the circumstances which necessitated such consolidation of Administration influence, and of the means by which it was brought about? (China.)

Answer: The area had been visited by patrols, friendly relations had been established with the people and the area had been classed as under the "partial influence"

of the Administration (see page 91 of the report). The consolidation of Administration influence was for the purpose of cementing the friendly relations that had been established with the people by delivering gifts of trade goods, cloth and food. The result is that the people are now receiving the care of the Administration—medical treatment and advice on sanitation and such matters—and that they are progressing from their primitive state.

Question 7: In connexion with the table in section 22 of the report, please give the number of the staff serving in the Trust Territory, rather than the total number of staff serving in the administrative union of the two Territories. (Belgium.)

Answer: The number of officers serving in the Trust Territory at 30 June 1950 was 548; details of their distribution is given in the table on page 105 of the report.

Question 8: In section 25 of the report, it is shown that out of 9,580 indigenous inhabitants employed by the Administration, only 151, or less than 1.6 per cent, are in clerical and allied positions. What plans, if any, are contemplated to train more indigenous inhabitants for similar or higher positions? What opportunities are open to such Native officials to reach higher positions in the Administration? (China.)

Answer: The lack of educational facilities during the past years—particularly the years during which New Guinea was a major theatre of war—has resulted in a dearth of people with qualifications or inclination for clerical work. Every encouragement is being given to lads to enter upon clerical duties and we can expect a steady increase in the numbers employed in this capacity. The way is open for Native officials to reach higher positions and they have already attained such positions. Progressively Native officials will displace non-Native officials.

Question 9: In section 25 of the report, it is stated that approximately 11,000 Natives were appointed by the Administration as officials in the villages. Does this mean that the indigenous village officials are not selected or elected by the villagers themselves? (China.)

Answer: The Natives so appointed are traditional tribal chieftans or, when there is no tribal chief, a Native selected by the villagers themselves.

Question 10: The report states that the question of increasing the number of three indigenous members in the joint legislature for the Trust Territory and Papua is being examined, but conclusions had not been reached at the time the report was prepared. Has this question been decided since that time? (Philippines.)

Answer: The question has not yet been decided, but on 1 June 1950, the Minister for External Territories made a statement in the House of Representatives to the effect that the composition of the legislative council would be further examined and that that would be done before steps were taken to bring the council into being.

Question 11: The Trusteeship Council, in examining the report for 1947/48, 2 recommended that the

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Fourth Committee, 107th meeting.

<sup>&</sup>lt;sup>2</sup> See Report to the General Assembly of the United Nations on the administration of the Territory of New Guinea from 1st July, 1947, to 30th June, 1948. Commonwealth of Australia, 1948.

Administering Authority should study the possibility of establishing a separate legislature for the Trust Territory. Has any decision been reached on this matter? (Philippines.)

Answer: A decision has not been reached concerning the establishment of a separate legislature for the Trust Territory.

Question 12: According to the Papua and New Guinea Act, 1949, the three "non-official Native members" are to be appointed by the Governor-General from persons, nominated by the Administrator. Could the special representative give some indication concerning the manner of choosing truly representative persons for these nominations? (Philippines.)

Answer: While I am not in a position to describe the manner in which the Administrator will decide on the selection of the three non-official Native members of the legislative council, I am able to assure the Trusteeship Council that he will certainly exercise his prerogative so as to ensure that the persons selected are those best able to represent truly the indigenous people of the Territory.

Question 13: The United States delegation is interested in the institution of the village councils as a means of political development in the Territory and would appreciate some comment on the present status and general provisions of the ordinance to provide statutory authority for the Native village councils. Have any advisory councils yet been established? (United States of America.)

Answer: The Native Village Councils Ordinance came into operation on 30 December 1949, and provides that the Administrator may, by proclamation, establish a Native village council in and for the area described in the proclamation. The area in and for which a council is established may include more than one village and the council shall consist wholly of Native members. In addition to the powers and authority conferred on it by the ordinance, a Native village council has such powers and authority as are conferred on it by indigenous custom, in so far as that custom does not conflict with the laws in force in the Territory and is not repugnant to the general principles of humanity.

The general duties of a Native village council are as follows:

- (a) To perform the duties and fulfil the obligations imposed upon it by the ordinance or by any other law in force in the Territory;
- (b) Subject to the laws of the Territory, to maintain general peace, order and good government among the indigenous people residing in or being in the area in and for which it is established; and
- (c) To intervene for the purpose of preventing, and to the best of its ability to prevent, the commission by any indigenous person over whom it has authority of any offence against the law of the Territory.

Subject to the approval of the district commissioner, a Native village council may do the following:

(a) Organize, finance or engage in any business or enterprise;

- (b) Carry out any works for the benefit of the community in the area in and for which it is established; and
- (c) Provide or co-operate with any department of the Administration of the Territory or other body in providing any public or social service.

Subject to the Ordinance, a Native village council may make rules which are not inconsistent with any law in force in the Territory for the peace, order and welfare of the indigenous people within the area in and for which it is established. In particular, it may make rules as follows:

- (a) To prohibit, restrict or regulate any game or practice in which, in the council's opinion, any indigenous person is likely to be defrauded;
- (b) To prohibit, restrict or regulate the use of weapons;
- (c) To prohibit any actor conduct which, in the opinion of the council, might cause a riot, disturbance or breach of the peace;
- (d) To prevent the pollution or obstruction of the water in any stream, water-course, water supply or water-hole;
- (e) To require and regulate the disposal of garbage, excreta or other objectionable matter;
- (f) To prohibit, restrict or regulate the cutting or destruction of trees or plants;
- (g) To require the control or destruction of any vermin or insect pest;
- (h) To require the destruction of any diseased or infected vegetation and otherwise prevent the spread of any plant, disease or pest which is declared under any law of the Territory to be a noxious plant, disease or pest;
- (i) To prevent the spread of any disease which is declared under any law of the Territory to be an infectious or contagious disease, whether of human beings or animals, and provide for the care of the sick;
- (j) To require that the birth or death of any indigenous person should be reported to it or to such person as it directs;
- (k) To prohibit, restrict or regulate the movement of live-stock of any description belonging to any Native or Natives;
- (l) To regulate or ensure the supply of food to travellers:
- (m) To prohibit, restrict or regulate the burning of grass or bush, and the use of fire or lights;
- (n) To prescribe measures to relieve any actual or anticipated famine, food shortage, pestilence, flood or other grave emergency;
- (o) To require indigenous inhabitants to cultivate land to which they have title, whether by Native custom or otherwise, to such extent and with such crops as will secure a sufficient supply of food for their support and the support of those dependent upon them;
- (p) To prohibit, restrict, regulate or require to be done any matter or thing which the council by Native

custom may prohibit, restrict, regulate or require to be done, except where the Native custom conflicts with any law in force in the Territory or is repugnant to the general principles of humanity; and

(q) To prescribe the fees to be paid in respect of any matter permitted or directed to be done.

The following action must be taken in respect of any rule made under this section by a Native village council:

- (a) It must be reduced to writing in a language approved by the district commissioner;
- (b) It must be submitted to the district commissioner by the council for his approval;
- (c) If it is approved by the district commissioner, it must be notified by the council in the area in and for which the council is established in any manner by which it is customary to transmit news or orders in that area; and
- (d) It must be regarded as binding, from the date on which it is so notified, or from such later date as is specified in the rule, on all indigenous persons residing in or being in that area.

A district commissioner, at the end of each month, shall furnish a return to the director setting out, in respect of each Native village council established in the district, every rule approved, not approved or revoked by him.

The following rules are binding on any indigenous person:

- (a) He shall not, without reasonable excuse, contravene or fail to comply with any rule made under this ordinance which is applicable to him;
- (b) He shall not obstruct or interfere with the lawful exercise by a Native village council of any of its powers or functions;
- (c) He shall not without lawful authority purport to exercise any power of a Native village council or of any member thereof or of any person employed by a council.

The penalty for infraction of these prohibitions is £5 or imprisonment for one month, or both.

Proceedings for an offence against sub-paragraph (c) shall not be instituted without the consent of the district commissioner.

A Native village council may, with the approval in writing of the Administrator, take the following action:

- (a) Levy rates and taxes to be paid by indigenous persons within its area; and
- (b) Charge fees, or make charges for services rendered by it or by persons employed by it.

All rates, taxes, fees, charges and other moneys collected or received by or on behalf of a Native village council shall be paid into a fund to be known as the village treasury fund, which fund shall be vested in the council.

Moneys may be expended from the village treasury fund by a council subject to such conditions and in such manner as are prescribed.

Regulations under the ordinance have been prepared and will be issued this month. The first Native village councils will then be established in the Rabaul-Kokopo area of the New Britain District.

Quite apart from the legislation dealt with in the foregoing, the establishment of village councils extends back through many years of pre-war administration. It has long been recognized, by officers in the field, that indigenous communities and even indigenous village groups are controlled by "elders" or clan representatives who meet together and determine matters of Native welfare and local importance. This custom was well established before the influence of western civilized culture.

The establishment of organized village councils in the Rabaul area of the New Britain District had reached a high standard before the war with Japan. Village councils met regularly and recorded the council business The assistant district officer for Rabaul supervised the meetings in person. He did not take any active part; his function was to advise and to explain the limits of the village council's function in relation to the existing laws. Since the end of the war, with the proposed "legislation" establishing village councils, the ancient system of government by the village elders or clan representatives has been encouraged in all districts. The council representatives of the clans are selected or nominated by the clans, and councils meet regularly. In the Rabaul sub-district of New Britain, and extending into the Kokopo sub-district, the council system is well established throughout a population of 30,000 people. In New Ireland, particularly in the Kavieng sub-district, the councils have reached a similar degree of control, and influence at least 15,000 people.

In the Morobe District, in the coastal area between Finschhafen and Lae and the lower Markham valley, villages in the Lei-Womba sub-division have developed regular village councils.

Village councils exist and meet regularly in parts of every district; they have reached varying degrees of development. It will not require a great deal of educational training to make possible the expansion of the powers given to these councils. Even under the existing system, some village councils have Native-prepared clerical records.

No advisory councils for Native matters have been established so far. The first step is to establish Native village councils in all districts; when this is done, the establishment of an advisory council for Native matters will be undertaken.

Question 14: The Trusteeship Council recommended that provision should be made in the ordinance dealing with advisory village councils to entrust them with a certain amount of financial responsibility. As the Native Village Councils Ordinance has been in force since 30 December 1949, it would be useful to know what is the responsibility of the councils in financial matters. (Philippines.)

Answer: Information concerning Native village councils generally, including information concerning

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

their financial responsibility, has been given in answer to question 13.

Question 15: It is noted from pages 18 to 23 of the annual report that a considerable number of new non-official village councils were inaugurated during the year. Did the inhabitants themselves take the initiative in the formation of these new councils or was their establishment the result of action by Administration officers? Have any of the older village councils yet been placed on an official basis in accordance with the ordinance made under the Papua and New Guinea Act, 1949, and, if so, what functions and powers were they given? Is there any indication that, in the more thickly populated districts, the villages may decide, after liaison with one another, to form district councils comprising representatives drawn from a number of village councils? (New Zealand.)

Answer: Please see the answer to question 13.

Question 16: It is stated on page 21 of the report that there are twenty-five non-official village councils in the Madang District with a total of 128 councillors who settle the majority of minor disputes without the aid of the Administration. What is the difference, in practice, between such village councils and those supervised by the Administration and described on page 16, section 21?

It is further stated that in the Morobe District a number of such non-official village councils were inaugurated during the year and that the people are enthusiastic about this phase of village administration. Can this be regarded as evidence of the people's ability to administer themselves? Does the Administering Authority contemplate recognizing these non-official village councils as primary organs of local self-government? (China.)

Answer: Please see the answer to question 13.

Question 17: With regard to the Native officials referred to on page 20 of the report, are the traditional tribal chiefs officially invested or recognized by the authorities? It is stated elsewhere that they play a part in the European administrative hierarchy. (Belgium.)

Answer: The traditional tribal chiefs are appointed to the official position of Luluai and are recognized as the Administration representatives in the village. Where tribal chieftainship does not exist, the villagers elect one of their people to be the Luluai.

Question 18: According to the report (section 33), an ordinance is in course of preparation which will give existing village tribunals "the necessary statutory authority to enable them to become a part of and supplementary to the existing judicial system of the Territory." When will this ordinance be promulgated? (Philippines.)

Answer: A Native courts ordinance has existed in draft form for some months and promulgation has been delayed only because of difficulties in having it printed. Steps were taken recently by the Minister for External Territories which will result in the promulgation, at an early date, of this and a number of other ordinances that have been in draft form for some time.

Question 19: What methods are adopted by the Administering Authority to ensure that, in the various courts of law, the judicial authorities, in appropriate cases, are fully conversant with indigenous customs and usages? (New Zealand.)

Answer: Anthropology is included in the course of training of members of the field staff of the Department of District Services and Native Affairs. Before being appointed to the position of magistrate, an officer has to satisfy the Director of the Department of District Services and Native Affairs that he is fully conversant with indigenous customs and usages. The officer has to serve at least two years in the Territory before he is considered for an appointment as magistrate of a court for Native matters. The judges of the Supreme Court have all had many years service in the Territory and all are fully conversant with indigenous customs and usages.

Question 20: In connexion with section 28 of the annual report, it is noted that the Administrator has the power to establish wardens' courts with jurisdiction over civil cases involving mining. Additional information as to these courts would be appreciated, including information concerning the wardens appointed to preside over them, their qualifications, their general functions and their length of tenure. Might it be possible, also to provide information similar to that set out in appendix III of the report on cases brought before the courts? (United States of America.)

Answer: The powers to establish wardens' courts is given by part VII of the Mining Ordinance 1928-1940. The Administrator may, by proclamation, establish courts which shall be called wardens' courts, with officers which shall be called wardens' officers, at such places as he thinks fit, and may assign to any wardens' court such gold-fields and mineral-fields as he sees fit.

A wardens' court is a court of record and has jurisdiction to hear and determine all actions, suits, claims, demands, disputes and questions which may arise in relation to mining or in any way relating to any mining tenement where the land in respect of which any dispute arises is held under the mining ordinance, and may inflict any fine or penalty that is imposed by the ordinance or regulations thereunder in respect of any offence other than an indictable offence. District officers (or, as they are to be known in future, district commissioners) are appointed to be wardens as an extra function and are assigned mining- or mineral-fields that exist in the district. In the case of a large mining area, a special appointment of a warden is made; there is only one such field in the Territory, the Morobe gold-fields. There exists in the public service of the Territory a classified office of warden (Morobe gold-fields); the present occupant is an officer of the public service who has had long experience in mining administration, first as clerk in the wardens' office and subsequently as mining registrar. The position of warden would be filled in the event of a vacancy in the office by the appointment of a person with long experience in mining-fields administration, such as a mining registrar, or by the appointment of an officer of the magisterial branch. Action will be taken to include in the report for 1949/50 information of the cases brought before the wardens' courts throughout the Territory.

Question 21: In connexion with the wardens' courts and Native courts referred to in sections 28 and 29 of the report, it is stated that the Administrator may appoint "any person". Does this apply exclusively to government officials, or can private persons be appointed? (Belgium.)

Answer: Appointment as members of courts (district courts, courts for Native affairs and wardens' courts) is reserved exclusively to members of the public service of the Territory.

#### III. ECONOMIC ADVANCEMENT

Question 22: It is noted that the report on New Guinea, unlike the reports on other Trust Territories, contains no mention of any kind of plans or programmes for the economic development of the Territory. Does the Administering Authority contemplate the formulation of such a plan for general economic development in the near future? (China.)

Answer: I gave information concerning plans for the economic development of the Territory in the opening statement that it was my privilege to make to this Council. Further information concerning such plans will be given in the report for the year 1949/50 which will be compiled in the near future.

Question 23: Could the special representative supply the information requested in question 36 of the Provisional Questionnaire concerning the proportion of private and public capital available for investment in major programmes of economic development? Why is the information as to private capital invested or available for investment in the Territory not available (page 25 of the report)? (Philippines.)

Answer: It is regretted that the Administration has been unable so far to give anything like a reliable answer to this question. This is due to the complete destruction of all records of the Territory during the war. However, investigation has advanced and it will be possible to give the information in the report for 1949/50 which will be compiled shortly.

Question 24: The report states (section 168) that "until registration under the Co-operative Societies Ordinance proceeds, it is not possible to supply statistical information concerning the growth and type of societies". When will this registration take place? (Philippines.)

Answer: The registration of co-operative societies will take place at a very early date. Delay has been caused only by unfortunate circumstances. The Papua and New Guinea Act of 1949, which came into force on 1 July 1949, provided that the ordinances of the Territory in force on that date would be continued in force. As the Co-operative Societies Ordinance was not in force on that date, it was not an ordinance continued in force by the Act. An ordinance to rectify this (and other similar cases) has been drafted, but once again delay has been experienced in promulgation owing to printing difficulties. As stated in the answer to question 18 above, steps taken recently by the Minister for External Territories will have the result that the ordinances will be brought into force at an early date and the statistical information will become available.

Question 25: It is noted that many of the indigenous inhabitants have been paid considerable sums as compensation for war damage. It would appear from the reference in section 156 that these sums are paid directly in cash. Would the special representative please elaborate the reasons for this policy and indicate whether, in view of the fact that the recipients appear to have no great need of money to meet their day to day needs, any encouragement has been given to them to direct their spending of it into useful channels? (New Zealand.)

Answer: Cash payments of war damage compensation were made formerly in an endeavour to assist the indigenous population in a speedy resettlement. Experience showed, however, that in many cases the money was not used for resettlement purposes and as a result the policy has been varied. The indigenous people now receive a small amount of money in cash and the balance is paid to their credit in a savings bank account. Withdrawals from these accounts is permitted only on the authority of a district commissioner, who sees that the sums withdrawn are applied for the purpose for which they are intended, namely, to replace goods and effects lost by the Native during the war; or to enable him to purchase other classes of goods that would assist his rehabilitation.

Question 26: The report (page 117) gives figures concerning compensation to indigenous people for war injuries and war damage. How much has been granted to Europeans and European corporations under the same heading? (Philippines.)

Answer: The amount of war damage compensation paid to non-indigenous interests in the Territory was in the vicinity of £7 million.

Question 27: The budget is prepared for the combined Territory of Papua and New Guinea. Figures of the revenue and expenditure of the Trust Territory are given in the report. Would the special representative explain how those figures were computed out of the figures of the common budget? (Philippines.)

Answer: All revenue and expenditure accounts are kept separately for each Territory. Actually the budget is prepared in respect of each Territory separately, but the Commonwealth Government in making funds available does so to the Territory of Papua and New Guinea as a whole.

Question 28: Would it not be possible in preparing the budget to separate ordinary and extraordinary revenue and expenditure in order to facilitate the Trusteeship Council's understanding of the financial situation of the Trust Territory? (Philippines.)

Answer: I shall have this matter examined directly on my return to the Territory and see what can be done to show ordinary and extraordinary expenditure separately.

Question 29: It is evident from the tables showing the revenue by items during the years 1947/48 and 1948/49 (pages 113 and 114 of the report) that there were sometimes considerable differences in the amount of the revenue collected in each of those years. Such differences existed, for instance, in respect of customs (export and other), licences (liquor and billiards), stamp

duties, mining receipts (rentals-claims), fees and fines (dental), sale of stores (general stores), agriculture. What is the reason for such great differences in revenue? Does the revenue for both fiscal years refer to the Trust Territory alone or to the Trust Territory and Papua as well? (China.)

Answer: The figures refer to the Trust Territory alone and the increase of £738,841, 15s. 9d. is accounted for by the increased trade and development of the Trust Territory over the period.

Question 30: It is stated (page 28 of the report) in reply to question 51 of the Provisional Questionnaire that funds are made available by the Government of the Commonwealth of Australia to the Territory of Papua-New Guinea as a whole. Is it possible to make a distinction between the funds made available to the Trust Territory of New Guinea and to Papua? (China.)

Answer: Information concerning the funds made available to the Trust Territory is given in the reply to question 48 of the Provisional Questionnaire (page 27 of the report) and details as to revenue and expenditure are given in appendix IV (pages 113 to 118 of the report).

Question 31: According to appendix IV, page 114 of the report, mining royalties amount to approximately £50,000. Could the special representative say whether the devaluation has had any appreciable influence on mining receipts? (Belgium.)

Answer: The information available to the time of my departure from the Territory did not indicate that the devaluation of the pound had any notable influence on mining receipts. The position will become clear when the accounts for the year are closed at the end of this month.

Question 32: No change in the fiscal system is noted in the report. Has the Administering Authority examined the recommendations of the Trusteeship Council in regard to the introduction of direct taxes based upon the individuals' capacity to pay, and with what result? (Philippines.)

Answer: The Administering Authority is at the present time examining the recommendation of the Trusteeship Council in regard to the introduction of direct taxes based on the individual's capacity to pay.

Question 33: In view of the fact that, as stated in the reply (page 32 of the report) to question 74 of the Provisional Questionnaire and others, that the corporations and companies acting in the Territory do not pay any taxes, with the exception of export duties, could the special representative state whether the Administering Authority intends to change this system and to introduce an income tax which would be levied on these corporations or companies? (China.)

Answer: Please see the answer to question 32.

Question 34: Would the special representative explain the term, "indenture fees", mentioned in section 59 of the report as a source of revenue, and could he provide information on the amounts of the fees and the manner in which they are assessed and collected? (United States of America.)

Answer: "Indenture fees" are fees paid by an employer when a contract is entered into with a Native labourer and amount to 3s. for each contract. The fees represent a charge for the services of the officer of the Administration who peruses and approves the recruiting papers, assembles the indigenous labourers and witnesses the signature on the contracts. There are also fees for consent to the transfer of a contract (2s.), and for the preparation by a district labour officer of an original or copy of any document required under the ordinance (2s.).

Question 35: The United States delegation was interested to note in section 67 of the annual report that there is no customs union with Papua and that receipts from import and export duties are recorded separately for the Trust Territory. In this connexion, could the special representative explain the customs arrangements in force covering the movement of goods between Papua and New Guinea and the transhipment and resale of exports and imports between the two territories? (United States of America.)

Answer: Customs duties are not levied in respect of the movement of goods of any description between Papua and New Guinea.

Question 36: In connexion with question 67 of the Provisional Questionnaire (page 30 of the report), is there no customs union with Papua? It is stated elsewhere that the import duty on alcoholic beverages is higher than in Papua. Is there any arrangement between the Trust Territory and its neighbours for exemption from customs duties? (Belgium.)

Answer: Customs duties are not levied in respect of the movement of goods of any description between Papua and New Guinea. At the present time the customs legislation of the territories is that which existed pre-war—a separate ordinance for each territory. Steps are being taken to repeal the pre-war legislation and introduce as from 1 July 1950 a customs ordinance common to both territories.

Question 37: How are the interests of indigenous producers of copra represented on the Australian New Guinea Production Control Board, which organizes the purchase and sale of copra and which operates under regulations administered by the Minister for External Territories who, from time to time, fixes the price of copra? (Philippines.)

Answer: The interests of the indigenous producers of copra are represented on the Production Control Board by two officers of the Administration—the Treasurer and the Director of Agriculture, Stock and Fisheries. The third member of the board is the Deputy Chairman of the Production Control Board. Indigenous producers receive exactly the same amount for their copra as do the non-indigenous producers. The price of copra is fixed by an agreement with the United Kingdom.

Question 38: Regarding the Australian New Guinea Production Control Board mentioned in the reply (page 31 of the report) to question 73 of the Provisional Questionnaire, can the special representative state what is the participation of the indigenous population in this board, if any? (China.)

Answer: Please see the answer to question 37.

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Third Session, Supplement No. 4.

Question 39: The United States delegation notes that it is stated, in section 35 of the annual report, that at the beginning of 1949 the price of copra, Territory ports, was fixed at £60 per ton; in section 78, it is stated that in the agreement with the United Kingdom, which covers all copra in excess of the requirements of the Territory and Australia, the price is £48 for standard grades with premiums up to £1 5s. for better grades. Would the special representative explain the apparent divergence in these sections, and could he also explain whether these figures represent prices paid to the primary producer or to the Australian New Guinea Production Control Board? Do these figures represent the price inclusive of export duty and/or contributions to the Copra Stabilization Fund? (United States of America.)

Answer: The price at the beginning of 1949 was £60 (Australian) per ton. On 1 March 1949, the agreement with the United Kingdom came into operation and the price was fixed at £48 (sterling) per ton. The figures represent the price inclusive of export duty and contribution to the Copra Stabilization Fund. After deducting these charges and charges for handling, storage, freight and selling, the balance is paid by the Production Control Board to the primary producer.

Question 40: It is stated in the reply (page 32 of the report) to question 75 of the Provisional Questionnaire that gold is exported only to Australia. Is this the result of a legal provision? (Belgium.)

Answer: Yes. Please see the answer to question 39.

Question 41: In the reply (page 33 of the report) to question 80 of the Provisional Questionnaire it is stated that "there are no private monopolies or undertakings having in them an element of monopoly in existence in the Territory". How can this statement be reconciled with the activities of the Australian New Guinea Production Control Board? Does this board not have in it an element of monopoly? (China.)

Answer: The Production Control Board is purely an organization that was set up for the marketing of copra and other produce during the war. The marketing of copra and other produce is being handed over to private enterprise as quickly as possible and when this is done the Production Control Board will be abolished. The Administration will then market the copra and other produce of the indigenous inhabitants.

Question 42: It is noted (section 91 of the report) that negotiations are under way for the purchase of timber rights over some eleven or twelve thousand acres of land. It is also noted (section 92) that a licence to prospect an area of 6,960 hectares for mining purposes was granted during the year and that applications for another 7,032 hectares are under consideration. Does the Administering Authority keep in mind the present and future land requirements of the indigenous inhabitants when granting to non-Natives rights over such large tracts of land? (China.)

Answer: The Administering Authority at all times pays the closest attention to the present and future requirements of the indigenous inhabitants when granting leases of land to non-Natives. In fact, land is not acquired from an indigenous inhabitant unless a district

commissioner has discussed the matter with the indigenous owner and the latter has agreed to sell, and unless the district commissioner has satisfied himself that the land is not likely to be required in the future by the indigenous owner.

Question 43: With regard to the replies (pages 18 and 40 of the report) to questions 27, 92 and 93 of the Provisional Questionnaire, some additional information is requested on the right of the indigenous inhabitants, to prospect and mine mineral deposits. (Belgium.)

Answer: The indigenous inhabitants may prospect for gold on land other than alienated land and they possess all the privileges secured by a non-Native, who is required to obtain the issue of a miner's right before he may prospect for gold. All gold won by Natives is their own property and the Administration assists them to dispose of it at the ruling price.

Question 44: In view of the importance of the gold mining industry to the general economy of the Territory, could the special representative inform the Council whether there are any provisions or agreements governing the sale or export of gold mined in the Territory and, if so, could he provide the Council with the terms of any such agreements? (United States of America.)

Answer: Under the provisions of the Customs Ordinance of the Territory, gold won in the Territory may not be exported to places other than Australia unless the approval of the Administrator has first been obtained. For the most part, gold is not refined in the Territory, this being done at the mint in Melbourne, Australia, and royalty and price of gold is determined as a result of the returns issued by the mint.

Question 45: The Trusteeship Council recommended that the Administering Authority should consider the possibility of increasing the royalty on gold production. Would the special representative give some indication whether this matter has been considered, and with what result? (Philippines.)

Answer: The question has been considered fully but, so far as I am aware, the Minister for External Territories has not yet announced the decision that has been reached.

Question 46: With regard to the table showing mining receipts (page 114 of the report), what is the explanation for the considerable decrease during the year under review in the receipts accruing from rentals on claims? What is the cost of a prospector's licence? Is there any export duty on gold? (New Zealand.)

Answer: The amount for the previous year included amounts from the years since the resumption of the operation of the Mining Ordinance which had not been brought to account under the appropriate revenue heading. The cost of a prospector's licence (miner's right) is £1 per year. Royalty is payable on gold but no export duty is levied.

Question 47: Could the special representative advise the Council as to the provisions of the Petroleum (Prospecting and Mining) Ordinance under which areas have been taken up by the Australasian Petroleum Company

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

(United States of America.)

Answer: The Petroleum (Prospecting and Mining) Ordinance provides for the issue of a permit to prospect for petroleum in and on the land specified in the permit. The total term for any permit may not exceed ten years and during the term the holder of the permit must supply the Administrator with regular reports showing the nature of the work done in prospecting for petroleum.

The holder of a permit may not dispose of any petroleum obtained from the land included in the permit until a lease of the land from which the petroleum was obtained has been granted. He may apply for a licence giving him the exclusive right to carry out upon the land detailed surveys and such other operations as are necessary to test the land for petroleum. Before such a licence may be issued, he must furnish a bond of not less than £5,000 with such surety as the Administrator approves. Originally, the licence is for two years, but it may be extended to a total period of six years subject to compliance with the terms and conditions of the licence. A lease may be granted, conferring on the lessee the exclusive right to conduct mining operations on the land comprised in the lease and construct on the land such works as are necessary for the full enjoyment of the lease. The lease is for a term of twenty-one years but may be renewed for successive terms of twenty-one years. Rental is payable as follows: in respect of each of the first five years, £1 18s. 6d. per square kilometre; in respect of each of the next five years, £3 17s. 2d. per square kilometre: in respect of each year thereafter, £5 15s. 8d. per square kilometre.

Royalty is payable at the rate of 10 per cent upon the gross value at the well head of all crude oil, casinghead, petroleum spirit and natural gas produced from the land comprised in the lease.

Question 48: According to the report, there has been a significant increase in acreages planted in cocoa and rice. Can any exact indication be given of these acreages? Are any statistics on agricultural production available? (Philippines.)

Answer: It is regretted that it is not possible to give any exact indication of the acreages planted with cocoa and rice during the year, but the approximate acreage in each case is 250. This refers, of course, only to non-Native estates. Precise information will be given on this point in the report for 1949/50, which is shortly to be compiled. Figures on agricultural production other than those given in the table on page 128 of the current report are not available.

Legislation has been drafted to provide for the collection of agricultural statistics from all producers and directly this legislation has been promulgated, action will be taken to prepare tables of the agricultural production of the Territory.

Question 49: It is stated in the reply (page 45 of the report) to question 100 of the Provisional Questionnaire that rice, formerly imported from Saigon and the East, is now obtained from Australia and that it is an objective of the Administration to develop adequate local production of this important staple food. What steps are being taken to develop this production? Is rice used

Pty. Ltd., as mentioned in section 92 of the report. by the indigenous inhabitants as an important stable food? (China.)

> Answer: Development of the rice industry is being directed by the Department of Agriculture. Stock and Fisheries and milling equipment has been introduced to save time and manual labour. All Native communities are being encouraged to engage in the cultivation of rice and are responding very well. Rice is not at present an important staple food of the indigenous inhabitants, although approximately 18,000 tons are consumed annually in the Territory, mainly by people in employment in town areas.

> Ouestion 50: It is stated in the reply (page 45 of the report) to question 101 of the Provisional Questionnaire that, under the Native Administration Ordinance, 1921-1938, the indigenous inhabitants may be compelled to plant food crops for their own benefit in certain circumstances. It is also stated that this type of compulsion has been largely inoperative since 1942. In what circumstances has compulsion been operative and for what reasons? Could the special representative state the cases where compulsion has taken place since the beginning of the administration of the Territory under the International Trusteeship System and the reasons why the indigenous inhabitants have been compelled to plant food crops for their own benefit? (China.)

> Answer: There have been rare cases only where indigenous persons have neglected to plant food crops for their own sustenance. In these cases they have been instructed by an officer of the Department of District Services and Native Affairs to do so for their own benefit. That has been the only form of compulsion used and the indigenous inhabitants were really quite willing to obey.

> Question 51: The special representative stated at the fifth session of the Trusteeship Council that land had been selected for a Native Arabica coffee project at Effontera near Kainantu. Please give information in regard to the progress made since that time. (Philippines.)

> Answer: Good progress has been made in the development of the Arabica coffee project at Effontera. The land has been cleared and growth of plants under shade well advanced. The project is under the guidance of an agricultural officer stationed in the Kainantu area and the Natives are displaying keen interest.

> Question 52: In connexion with the raising of sheep in the Central Highlands, would the special representative provide further information on the trust which was formed to control and develop this industry (section 27 of the report)? It would also be interesting to learn the financial relationships and organisation of the trust, the amounts and rate of interest of initial investments, and the provisions for the disposition of earnings. (United States.)

> Answer: The project to establish a sheep-raising station in the Central Highlands district was initiated by Mr. E. J. Hallstrom, a well known businessman and

<sup>1</sup> See Official Records of the Trusteeship Council, Fifth Session. Annex, document T/354, question 28.

philanthropist of Sydney, in consultation with the Administrator. It was arranged that a trust, representative of Mr. Hallstrom and the Administrator, should be formed to control and develop the project. Pending the formation of the trust, Mr. Hallstrom supervised and financed, to the extent of about £25,000, the arrangements for the station, including the air-freighting of the sheep from Australia. When the trust was formed, Mr. Hallstrom presented to it the resultant assets and a further sum of £10,000. The purposes of the Trust are as follows:

- (a) To establish and operate live-stock stations in the Territory;
- (b) To train natives in the care, use and propagation of live-stock;
- (c) To distribute, by way of sale or otherwise, live-stock and live-stock products to Natives and to other residents of the Territory;
- (d) To promote the use of live-stock and live-stock products in the Territory, particularly by Natives;
  - (e) To collect and study indigenous fauna, and
- (g) To sell or otherwise supply indigenous fauna to such authorities or persons as the Administrator, by notice published in the *Gazette*, declares to be approved authorities or persons for the purposes of this sale.

The sum of £10,000 and the assets of the Nondugl live-stock station, which were donated for the purposes of the trust by Mr. Hallstrom, are vested in the trust. All moneys and other property vested in the trust and all land placed under the control of the trust by the Administrator shall be held or occupied in trust and used in accordance with the ordinance for the purposes of the trust. The trustees are the Administrator, Mr. Hallstrom, Mr. Hallstrom's son, Mr. D. Clyne, M.L.A., the Director of Agriculture, Stock and Fisheries, the Director of District Services and Native Affairs, the chief of Division of Animal Industry and the district commissioner for the district in which the Nondugl live-stock station is situated. A trustee does not receive any remuneration for his services. The trust is a body corporate with perpetual succession and a common seal. The Administrator is the chairman of the trust. The trust is required to keep accounts of its receipts and expenditure and of its assets and liabilities, and the books are to be open to inspection at all reasonable times by any trustee and to be subject to audit annually by the Auditor-General for the Commonwealth.

#### IV. SOCIAL ADVANCEMENT

Question 53: The Trusteeship Council recommended <sup>1</sup> that the Administering Authority should review all the legislative and 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. Would the special representative explain whether any action has been taken or contemplated? (Philippines.)

Answer: A legal officer of the Administration is at present engaged in a review of all the legislation of the Territory with a view to determining whether there are any provisions which might involve discrimination contrary to the Charter or to the Trusteeship Agreement

Question 54: In section 114 of the report, it is stated that "the laws of the Territory do not differentiate between indigenous and non-indigenous inhabitants in the use, ownership and operation of transport or communication facilities". If there is no such differentiation in the laws, please indicate whether there is any discriminatory practice in the use of transport facilities. It is noted that a correspondent of the Pacific Islands Monthly (July 1949, page 15) wrote on this subject as follows:

"Of course we have got the new bus, which looked like going to the Natives at one stage. One of the old buses is to provide a service for Natives."

Would it be correct to infer on the basis of this notice that there exist in the Territory discriminatory practices in the form of segregation in the use of communication facilities? (China.)

Answer: There is no discriminatory practice in the use of transport facilities. The extract from the Pacific Islands Monthly relates to Port Moresby, in the territory of Papua, and it would be quite incorrect to infer on the basis of such a notice that discriminatory practices in the form of segregation in the use of communication facilities exist in the territory of Papua.

Question 55: The Trusteeship Council recommended that the Administering Authority should revise the Police Offences Ordinance and other laws, regulations and practices relating to the powers of arrest and curfew. <sup>2</sup> As the report does not indicate the intention of the Administering Authority in this matter, an explanation is asked from the special representative. (Philippines.)

Answer: The police force ordinances and other laws, regulations and practices relating to the powers of arrest and curfew have been under review in the Territory and, although there has been much discussion, circumstances made it impossible to arrive at a final decision before I left the Territory. Information on this point will certainly be included in the report for the year ending this month.

Question 56: Three international labour conventions have been applied to the Territory. According to the report (section 150), the application of a number of other conventions, including those adopted by the thirtieth session of the International Labour Conference, was under examination at the close of the period under review. What has been the result of this examination? (Philippines.)

Answer: The examination of the conventions adopted at the thirtieth session of the International Labour Conference was completed shortly prior to the date I left Australia to attend this session of the Council, and the recommendations concerning them were to be placed before the Commonwealth Government immediately.

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

<sup>2</sup> Ibid.

Question 57: It is stated in the reply (page 59 of the report) to question 150 of the Provisional Questionnaire that the question of the application to the Territory of a number of conventions, including those adopted by the thirtieth session of the International Labour Conference, was under examination, but had not been determined at the close of the period under review.

Can the special representative give the Council further information as to the reasons for the non-application up to that time of those conventions? Have those conventions been applied to the Territory in the meantime? (China.)

Answer: Please see the answer to question 56.

Question 58: The Trusteeship Council recommended that the Administering Authority should in future establish wage rates which were not merely commensurate with the cost of living of the indigenous inhabitants according to their existing standards, but which would also enable them to improve their standards of living. According to the report (section 151), the minimum prescribed wage in the year under review was the same as in the previous year, that is, 15s. per month. Is an increase in this wage contemplated by the Administering Authority? (Philippines.)

Answer: As from 1 January 1950, a new wage scale for Administration servants fixed the minimum wage for a probationer (i.e., a new appointee with no previous experience) at £1 per month, with two annual increments of 10s. each, to a maximum of £2 per month. This represents a rise in the minimum rate of 5s. and in the maximum of 10s. per month.

Question 59: What suitable measures for solving such important problems as penal sanctions for breach of labour have been adopted? (Philippines.)

Answer: Penal sanctions for breach of labour were abolished in 1945.

Question 60: What has been done in the year under review to hasten the abolition of the system of indentured labour? (Philippines.)

Answer: Shortly after the re-establishment of civil administration in the Territory, the Commonwealth Government announced that the indenture system would be abolished as soon as possible, and in any case within a period of five years. On 1 June 1950, the Minister for External Territories announced that the system would be abolished within the time stated. Provisions of the present Native Labour Ordinance, under which Natives may be employed under contract of service, will continue in operation until 31 December 1950 and contracts may be made under those provisions until and including that date. Any contracts that are current on 31 December 1950 may continue for the balance unexpired to the full period of twelve months, but no new contracts will be possible after 31 December 1950.

Question 61: According to appendix X of the report (page 129), the total number of non-indentured labourers in private employment was 11,198, while that of indentured labourers in private employment was 10,677. According to another table in the same appendix (page

136), there were thirty-one deaths during the year among non-indentured labourers and ninety-eight among indentured labourers. Thus there appears to be a considerably higher death rate among privately employed indentured workers than among privately employed non-indentured workers. Could the special representative comment on these figures? (United States of America.)

Answer: Information is being obtained from the Territory by cable.<sup>2</sup>

Question 62: Has anything been done in the year under review to encourage the establishment of trade unions in the Territory? (Philippines.)

Answer: The matter of the establishment of trade unions in the Territory has been constantly under discussion during the past twelve months. Nothing has been done as yet, however, to encourage or discourage the establishment of trade unions.

Question 63: It is stated in section 151(b) of the report that there is no legislation relating to freedom of association, conciliation and arbitration. Does the Administering Authority intend to introduce in the Territory any legislation relating to these freedoms and, if not, what are the reasons? (China.)

Answer: Please see the answer to question 62.

Question 64: The report states that the Administration and missions have both created opportunities for workers to be trained in various trades and other forms of skilled labour. Would the special representative care to give some information concerning the number of trained workers and some details in regard to the methods used? (Philippines.)

Answer: The Technical (Industrial) Training Division provides for the organization and supervision of instruction in such subjects as carpentry (woodwork and joinery); sheet metal work and plumbing; engineering mechanics; electrical mechanics and local industries. Training is given where appropriate in cane-work (furniture and basketry), mat making, wood carving, manufacture of articles from shell, pottery work, etc.

The present training centres carrying out this work, including certain mission centres specifically approved for the purpose, are provided for under the Commonwealth Reconstruction Training Scheme as applied to the Natives of the Territory, for which special funds are made available by the Australian Government through the Department of Post-War Reconstruction. This training is subject to requirements prescribed by the Industrial Training Division of the Commonwealth Department of Labour and National Service.

This type of training is provided at six Administration and at six mission centres, and at 30 June 1949, indigenous persons were receiving training as follows:

Cane furniture manufacture	31 persons
Carpentry	373 persons
Mechanics	147 persons
Plumbing	26 persons
Saw milling	31 persons

The training is given by qualified European tradesmen in each case and the indigenous students are housed,

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Third Session, Supplement No. 4.

<sup>&</sup>lt;sup>2</sup> See document T/L.83/Add.1 below.

fed and given pocket money of 15s. per month whilst in training.

Question 65: It is stated in section 158 of the report that a Native is free to travel to another district, but that he may not accept employment outside his own district unless he obtains special permission. Does this regulation apply also to Europeans? What is the reason for such a practice? (China.)

Answer: The practice is for the purpose of protecting the indigenous inhabitant in his employment by non-Natives; a similar protection is not afforded to non-Natives.

Question 66: In connexion with section 174 and appendix XII of the report, has the number of physicians increased since the end of the year under review? (Belgium.)

Answer: Yes. Twenty-four fully qualified medical practitioners recruited from among displaced persons who had arrived in Australia have taken up duty in New Guinea.

Question 67: What was the result of a survey which was made among European displaced persons with a view to obtaining further qualified medical personnel? (Philippines.)

Answer: Thirty-eight fully qualified medical practitioners were recruited from among displaced persons who had arrived in Australia and twenty-four of these medical practitioners have already taken up duty in New Guinea.

Question 68: In connexion with the training of medical personnel (section 175 and appendix XII of the report), it is noted that while there are 624 male Native medical orderlies, there are only 72 females. What steps are being taken by the Administration to encourage women to choose nursing as a career? (New Zealand.)

Answer: Every encouragement is given to women and girls to choose nursing as a career and the natural reserve which the indigenous people have to their women engaging in this and kindred work is being slowly overcome.

Question 69: In connexion with medical and hospital facilities (section 185 of the report), does the Administration employ mobile health clinics in any part of the Territory? (New Zealand.)

Answer: The terrain of the Territory operates against the use of mobile clinics. Medical patrols by land are a constant feature and during these patrols 119,970 Natives were seen in their villages and 19,901 treatments were given. Stationary clinics are established throughout the Territory. Much use is made of air transport for movement of medical personnel and for conveyance of indigenous persons to hospital.

Question 70: With regard to section 179 of the report, is the notification and treatment of venereal disease compulsory? (Belgium.)

Answer: A person suffering from venereal disease is obliged to report for, and remain under, treatment until cured.

Question 71: In connexion with section 196 of the report, could the special representative give the figures of the census which took place in 1949? (Belgium.)

Answer: The work of taking a census was not commenced until May 1949, and the final figures for each district have not yet been collated by the district commissioners. The latest information will be given in the report for the year 1949/50, which ends this month.

Question 72: With regard to section 27, on page 22 of the report, concerning the migration of the population of Tench island, is this migration voluntary or compulsory? (Belgium.)

Answer: The emigration of the Tench island people is quite voluntary. Tench island offers little in the way of subsistence and as they are of the same linguistic group as the people of Mussau, which is a fertile island, it has been suggested to them that they should transfer their homes to that island. Tench island will be reserved for them, of course, and they may return there whenever they wish.

Question 73: What is the purpose of the prison reforms which are at present being studied by a special committee mentioned in the report (section 215) ? (Philippines.)

Answer: To provide in all prisons the most modern methods, to provide educational facilities, prison farms, and separate accommodation and facilities for juvenile offenders.

Question 74: When will it be possible to replace prisons of a temporary nature by permanent prisons? (Philippines.)

Answer: This depends on the availability of materials which are in short supply both in New Guinea and Australia. The temporary buildings will be converted to permanent construction as soon as possible; in the meantime they are kept in good repair and condition.

Question 75: No reference is made in section 213 of the report to the death penalty which is, however, mentioned in appendix III, on page 107. Is there a death penalty and is it applied? (Belgium.)

Answer: The death penalty does exist but has not been applied in any case since the resumption of civil administration in 1945.

#### V. EDUCATIONAL ADVANCEMENT

Question 76: In the year 1947/48, the government schools had 1,899 indigenous pupils, while mission schools had 50,920 indigenous pupils. For the year 1948/49, the respective figures are 2,309 and 64,516. The increase in percentage of pupils in the government schools is not large. What has the Administering Authority done to implement the recommendation of the Trusteeship council that it should assume an increasing measure of responsibility and initiative in the education of the indigenous inhabitants? (Philippines.)

Answer: The Administering Authority has done all that it possibly could to assume an increasing measure of responsibility and initiative for the education of indigenous inhabitants, but this has been impeded by the shortage of staff and building materials. Both disabilities are being overcome.

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Third Session, Supplement No. 4.

Question 77: Does the Administering Authority consider the allocation of £135,097 (£86,197 from the Administration and £48,900 from the Commonwealth Government) for education, out of a total expenditure of £2,593,308, or approximately 5.2% of the budget, sufficient to carry out its plans for the educational development of the Territory? (Philippines.)

Answer: No. The Department of Education had budgeted to expend much more but the shortage of materials, both in New Guinea and in Australia, has delayed the school construction programme. The prospect of securing timber and other necessary supplies is now much brighter and the planned extension will be progressively achieved.

Question 78: It is noted (section 223 of the report) that during the year under review, the number of indigenous schools increased by six and that the total is now thirty-four. When will it be possible at least to restore the number of schools to the pre-war level, as recommended by the Trusteeship Council?<sup>1</sup> (Philippines.)

Answer: The number of schools for Natives—thirty-four—is far in excess of the number before the war, when there were only ten.

Question 79: Would the special representative care to give more detailed information on the planned school building programme? (Philippines.)

Answer: The plan is for a primary school in every village having sufficient children. Where there are insufficient children, the sub-area school will serve several villages closely located. There will be several area schools in each district and at least one central school. Higher training schools will be established in districts other than New Britain directly students are available.

Question 80: Would it be possible to provide further specific information on the curricula of schools, as requested in question 226 of the Provisional Questionnaire? (United States of America.)

Answer: It is regretted that it is not possible to include further specific information on the curricula of schools at the present time, but the required information will be obtained from the Territory and made available to the Council at an early date.

Question 81: The percentage of female pupils is very low both in Administration and mission schools. What is being done to remedy this situation? (Philippines.)

Answer: Every encouragement is being given to parents to send their daughters to school but the desired results have not been achieved. The indigenous people have a natural reserve in this matter, but continued effort is being made to overcome it.

Question 82: The Trusteeship Council recommended the establishment of scholarships or similar facilities for higher study outside the Territory.¹ What was done during the year under review in this matter? Were no indigenous pupils qualified for study outside the Territory apart from two indigenous youths attending the Central Medical School at Suva? (Philippines.) Answer: No indigenous student qualified for study outside the Territory during the year. Directly students are available, they will be sent to institutions in Australia at the expense of the Administration.

Question 83: Is the new school at Keravat intended to replace the Sogeri school in Papua (mentioned in last year's report) in so far as the training of teachers for New Guinea is concerned, or are teachers for New Guinea still being trained at Sogeri and, if so, how many are there? (New Zealand.)

Answer: The school at Keravat is for the training of teachers for schools in New Guinea. The school at Sogeri is no longer being used for this purpose.

Question 84: According to the report (section 235), Dr. Laubach, an authority on mass literacy technique, visited the Territory. It would be useful to know more about the recommendations which this expert has made to the Administering Authority. (Philippines.)

Answer: Dr. Laubach, after an investigation in the Territory, recommended that lessons should be given in thirteen vernacular languages and in pidgin English. This recommendation has been adopted. The lessons have proved successful and will be given extensively in the campaign to reduce illiteracy. Arrangements will be made to append a copy of the report on the Dr. Laubach method and of the results so far achieved as an annex to the annual report for the year 1949/50 which ends this month.

#### VI. SUGGESTIONS AND RECOMMENDATIONS

Question 85: The current report contains a section (246) on implementation of the recommendations of the Trusteeship Council and the General Assembly by the Administering Authority. It is stated therein that where consideration of any items covered by the recommendations has not been completed, the matter is still under examination and that information as to action taken thereon will be communicated to the Trusteeship Council when a conclusion has been reached. The report was published in Canberra in December 1949. Would the special representative care to give some further information on the action which may have been taken since December 1949? (Philippines.)

Answer: I was in Canberra for only a few hours on the way from the Territory to New York. While I am aware that the Administering Authority has been, and is, examining the remainder of the items covered by the observations, conclusions and recommendations of the Trusteeship Council and the General Assembly, I did not have the opportunity to note the progress that had been made. I do expect, however, that advice on several matters will be communicated to the Trusteeship Council shortly.

Question 86: The Trusteeship Council recommended that the existing activities and programmes of the Administering Authority for the advancement of the Territory should be extended and co-ordinated so as to comprise a general, long-range plan which should be based on an appropriate constitutional foundation. As the report does not contain any direct answer to

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Third Session, Supplement No. 4.

this recommendation, would it be possible to know the intention of the Administering Authority in this regard? (Philippines.)

Answer: The preparation of a long-range plan based on the fundamental considerations stated in the conclusions and recommendations of the third session of the Trusteeship Council has been commenced. A Cabinet sub-committee of the Parliament of the Commonwealth of Australia was set up in 1948, and under this an interdepartmental committee, on which the Administration of the Territory was represented, and work of a preliminary nature was undertaken. The change of government in the Commonwealth of Australia made it necessarv to review the composition of those planning bodies, and recently the Minister for External Territories announced that the Government attached such importance to the future of the External Territories (Papua and New Guinea) that it had appointed a ministerial standing committee comprising the Minister for External Territories, the Treasurer, the Minister for Commerce and Agriculture and the Minister for National Development, to assist in the preparation of material for the consideration of the Government. In addition, a position of research officer has been provided on the staff of the Department of External Territories at Canberra, and a secretary for Planning and Development has commenced duty at the headquarters of the Administration at Port Moresby.

The Administering Authority will keep the Council informed of all progress made towards the formulation and execution of the long-range plan for the extension and co-ordination of the political, economic, social and educational advancement of the Territory.

### Document T/L.83/Add.1

Addendum to the replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

> [Original text : English] [13 June 1950]

LETTER DATED 12 JUNE FROM THE REPRESENTATIVE OF AUSTRALIA ADDRESSED TO THE SECRETARIAT

I wish to refer to the written questions on the administration of New Guinea submitted by representatives on the Council, and to the replies provided by the special representative for New Guinea, Mr. Lonergan.

As I indicated in the Trusteeship Council on 9 June [7th meeting], a reply to question 3, in document T/L.83 was inadvertently omitted owing to the very short time given the special representative to prepare answers. I am attaching a copy of the special representative's reply to this question (appendix I).

It will be noted that no answer was given to question 61, in document T/L.83, as, when the other answers were prepared, the information was not available in New York. The information requested has now been obtained and is also attached (appendix II).

During the oral questioning of the special representative [6th meeting], the representative of the Philippines requested an explanation concerning the subsides paid by the Administration to the missions in the fields of health and education. Information on this subject is attached as appendix III.

(Signed) Alfred Stirling Australian representative on the Trusteeship Council

#### APPENDIX I

Answer to question 3

The Administering Authority, though considering itself under no obligation to do so, submitted the proposed legislation for the administrative union between Papua and New Guinea to the Trusteeship Council before that legislation was discussed in the Australian Parliament. The Administering Authority took into full consideration the conclusions and recommendations on this subject made by the Council at its fifth session as well as the observations made by individual members. To meet these conclusions, recommendations and observations, the Administering Authority made alterations to sections 8, 10, 11, 36 and 73 of the proposed legislation, and the "Papua and New Guinea Act, 1949" includes these alterations. Details of these are shown in document T/AC.14/19.

The representative of the Philippines states that the Trusteeship Council, in examining the report for 1946/47, "expressed concern over the proposed administrative union between the Trust Territory of New Guinea and the Territory of Papua". The concern expressed in the Council's conclusions and recommendations was "lest the powers conferred on the Governor-General by section 11 of the legislation, of defining provinces in the combined territories, may allow provinces to be so defined as to include portions of both territories, which might result eventually in obliterating the territorial boundaries and rendering difficult the supervision by the Council of the Trust Territory.<sup>2</sup>

To meet the Council's concern, the Administering Authority omitted from the Act section 11 as originally proposed. It will be noted that the Act as it came into force provides that the identity and status of the Territory of New Guinea shall continue to be maintained.

#### APPENDIX II

Answer to question 61

In the case of an indentured worker, a contract of service is executed at the time of his engagement and is given a record number. Should the worker die, either in hospital or elsewhere, there is recorded against the death entry the number shown on the contract of service. Thus a complete record in the case of indentured workers is maintained.

In the case of a non-indentured worker, a similar record is not maintained. The non-indentured worker may leave his employment without notice and it is

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

<sup>&</sup>lt;sup>2</sup> Ibid., Third Session, Supplement No. 4, p. 17.

not uncommon for him to do this when he is feeling unwell and to return to his village. Should he die in his village, his death is included in the village record and mention may not always be made that shortly prior to his death he had been in employment. The figure given on page 129 (appendix X) of the annual report therefore represents the number of deaths among non-indentured workers in a hospital or at the place of employment.

Many non-indentured workers return to their villages at the end of the day's work and do not actually reside at the place of employment. They are, of course, given every encouragement to enter hospital for treatment but they do not in every case take heed of this good advice.

#### APPENDIX III

Answer to the oral question asked by the representative of the Philippines on 8 June concerning subsidies to missions

The balance of the amount of £47,725 paid to the missions as a subsidy in respect of health and educational activities during the year is included in the items "con-

tingencies", on page 116 of the annual report, under "Public Health" and "Education". Details of this expenditure, that is, the amount paid to each mission in each field, are given in the table on page 168 of the report (appendix XVI).

It will be noted from the table on page 168 that in addition to the amount of £47,725 paid by the Administration as a subsidy in the fields of health and education, an amount of £40,500 was paid to the missions by the Commonwealth Government under the post-war Commonwealth Reconstruction Training Scheme. Mention of this scheme is made on page 82 of the report and also in the written answer to question 64, on document T/L.83. The position is therefore that the missions were paid amounts as follows:

Medical activity	£25,075
Educational activity	22,650
Aid by the Commonwealth Govern-	
ment for technical (industrial) train-	
ing	40,500
Total:	£88,225

Details of the amounts paid to each mission are given in the table on page 168 of the report.

# (c) Nauru, year ending 30 June 1949

#### Document T/L.94 and Corr.1

Replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

[Original text : English]
[6 July 1950]

#### I. GENERAL

Question 1: The Trusteeship Council, recalling that the Governments of the United Kingdom and New Zealand were also accountable to the United Nations under the terms of the Trusteeship Agreement on Nauru, recommended that those government should take such steps as might be appropriate to assist the Government of Australia in carrying out the recommendations of the Council.¹ Would the special representative care to give information whether any such steps have been taken? (Philippines.)

Answer: The recommendations of the Trusteeship Council are under examination by the Administering Authority. The Governments of the United Kingdom and New Zealand will be consulted as appropriate.

Question 2: The report for 1948/49<sup>2</sup> contains a section (pages 77 to 79) on implementation of the recommendations of the Trusteeship Council and the General Assembly. According to this report, however, some items are still under consideration and information

thereon will be communicated later. Can the special representative give additional information on the results of such consideration? (Philippines.)

Answer: Progress has been achieved in the consideration of matters which had not been completed at the date of the report.

Legislation is in preparation for the reconstitution of the Nauruan Council of Chiefs to the end that the council may shortly participate in Nauruan activities to a greater degree by the assumption of additional powers and responsibilities.

The Native housing scheme has progressed to the extent that 135 houses have been commenced and of that number 100 are virtually complete.

The royalty payments on phosphate exported are to be increased, as from 1 July 1950, by 3d. per ton, to bring the current price per ton (5d.) paid for community benefit up to the same level (8d. per ton) as is paid to individual landowners.

A Director of Education has been appointed and has commenced duty in the Territory. His functions include the development of a long-range plan for primary and secondary education.

A Director of Public Health has also been appointed and has taken up duty in the Territory.

Question 3: It is stated in the reply (page 16 of the report) to question 8 of the Provisional Questionnaire that no special national status has been granted to the Nauruans. They are regarded as Nauruan nationals and as "British Protected Persons".

Does the Administering Authority contemplate granting a special national status to the Nauruans and, if so, when? (China.)

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

<sup>&</sup>lt;sup>2</sup> See Report to the General Assembly of the United Nations on the administration of the Territory of Nauru from 1st July, 1948, to 30th June, 1949. Commonwealth of Australia, Sydney, 1950.

Answer: This question is being examined by the Administering Authority to determine what action might be taken.

Question 4: Although it is stated by the Administering Authority (section 246 (1) of the report) that the Chinese workmen involved in the disturbance of 7 June 1948 carried improvised arms, it is nowhere indicated that use was actually made of them. Even though "severe resistance from a large number of Chinese" is claimed, this circumstance, judging from the general nature of the statement, does not seem to justify the opening of fire on them by the special constables. Why was no thorough investigation made at all to determine who among the special constables were responsible for the resort to armed violence and why was no punishment meted out to any of them? (China.)

Answer: A full investigation was made by a coroner's inquiry into the circumstances surrounding the deaths of the Chinese workmen, and the finding in relation to the Chinese killed as a result of use of firearms was "that the said So-Kam died on the 7th day of June, 1948, in the Chinese settlement on Nauru of the British Phosphate Commissioners as a result of a bullet-wound through the heart sustained during the suppression of a riot on the aforesaid date in the said Chinese settlement and that the person who fired the shot is unknown". In his summing up, the coroner said: "As regards the Chinese So-Kam who was killed during the riot, the evidence shows that he met his death as a result of action properly taken in the emergency to quell the There is no evidence to show what person or persons were actually responsible for his death. not known whether the deceased was an innocent bystander or an active participant in the riot, but his death lies indirectly at the door of those who were responsible for the riot. Those who would make violence or threaten any constituted authority make a terrible decision and must bear the consequences."

Question 5: On what grounds was Agoko acquitted at the second trial? Would the representative of Australia arrange by cable to furnish the Council with a copy of the court's judgment in the second trial? (China.)

Answer: The grounds on which the Nauruan constable, Agoko, was acquitted of the charge of murder, are contained in the court's summing up and judgment, a copy of which has been deposited with the Secretariat and is available to representatives on the Council for reference.

Question 6: In connexion with the ordinance mentioned on page 15, authorizing the appointment of a commission of inquiry, could the Council be informed whether such a commission has indeed been appointed and, if it has, could the special representative describe the nature of its membership and the scope of its activities? (United States of America.)

Answer: Two commissions of inquiry were appointed under the ordinance mentioned. In each case, the subject of inquiry was related to the rioting of June 1948. Further reference to these investigations is contained in section 20 of the report.

#### II. POLITICAL ADVANCEMENT

Question 7: The report states (section 246 (2)) that "discussions between the Administrator and the Nauruans as to the manner in which the Nauruans can take a greater share in the administration of the Territory were nearing completion at the time the report was written". As it is probable that these discussions have ended in the meantime, would the special representative care to give full information on their results to the Council? (Philippines.)

Answer: As a result of these discussions, agreement was reached with the Nauruans that the present Council of Chiefs should be reconstituted. The basis, unanimously accepted by the chiefs, provides that membership of the reconstituted body shall be by free election of the indigenous people every four years. The powers and responsibilities, including a financial control by the new council, are to be widened. Legislation to give effect to these principles is now in course of preparation.

Question 8: It is stated in the reply (page 15 of the report) to question 7 of the Provisional Questionnaire that full powers of legislation, administration and jurisdiction are still vested in the Administrator. Does the Administering Authority contemplate reducing such absolute powers of the Administrator? Has the Administering Authority any plans to create separate and independent legislative and judicial bodies? In view of the small size of the island in area and population, why, after more than thirty years of administration, is it still necessary to vest all the administrative, legislative and judicial powers in one person? During the consideration of the previous report, the special representative stated that the Administering Authority would prefer the judiciary and administration to be separated and that the matter was under consideration.<sup>2</sup> There is, however, no mention of this matter in the latest report. It is of interest to know whether the consideration of this problem has been concluded and what decisions were arrived at? (China.)

 $\ensuremath{\textit{Answer}}$  : The examination of this question is not yet complete.

Question 9: According to a statement made by the special representative at the fifth session of the Trusteeship Council, the separation of judicial and administrative powers was again examined during the visit of the Acting Minister for External Territories to Nauru. What has been the result of this examination? (Philippines.)

Answer: The separation of judicial and administrative functions is still under examination by the Administering Authority.

Question 10: It is stated in the reply (page 20 of the report) to question 23 of the Provisional Questionnaire that "an important change during the year was the

<sup>&</sup>lt;sup>1</sup> See Report to the General Assembly of the United Nations on the administration of the Territory of Nauru from 1st July, 1947, to 30th June, 1948. Commonwealth of Australia, 1948.

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/347, answer to questions 20 to 23.

appointment of the Nauruan Head Chief as Native Affairs Officer in charge of the Native Affairs Department". However, in appendix II, on page 83, this position is shown as "vacant", and a Nauruan is said to be "acting". Was the Head Chief appointed or is he only acting until such time as another European is nominated? (China.)

Answer: The appointment of the Head Chief as Native Affairs Officer was experimental. He is an outstanding Nauruan and is fulfilling the duties of the position satisfactorily. It is intended that he should continue to occupy the position.

Question 11: It is stated in section 7 of the report, on page 16, that the duties of the individual chiefs are set forth in Administration Order No. 12 of 1921 and in the Native Administration Regulations. Could the special representative outline the provisions of this order and these regulations and, if possible, provide the Council with copies of these documents? (United States of America.)

Answer: The specified duties of individual chiefs involve responsibility for the maintenance of law and order in their districts, the maintenance of roads, wells and dwellings in good and clean condition, and the general well-being of their people. They are statutorily appointed as magistrates to deal with minor offences committed by Nauruans within their districts. A district chief may approve the employment of male Nauruans of his district without written contract. The relevant part of the Administration Order is quoted hereunder.

Administration of Nauru Order No. 12 of 27 August 1921

Paragraph 6

#### Duties of chiefs of districts

- 1. To maintain the public roads, in their respective districts, in good repair.
- 2. To ensure that the wells in their districts are maintained in good order and condition, and that the immediate surroundings are kept clean, so as to prevent the water becoming polluted.
- 3. To maintain order, and to see that the laws of the island are obeyed in their respective districts.
- 4. To ensure that all dwelling-places in their districts are maintained in good condition and in a sanitary state.
- 5. To encourage the well-being of the Nauruans in their districts by all means within their power.
- 6. The Nauruans holding office as, or carrying out the duties of Head Chief, Deputy Head Chief, or Chief, are hereby appointed to be magistrates of the district court, for the purpose of dealing with minor offences committed by Nauruans, within their respective districts.

A chief is empowered to punish by fine not exceeding ten shillings, or the equivalent of that amount in pandanus thatch, coconut sticks, or other Nauruan housebuilding materials. The Head Chief, or Deputy Head Chief, is empowered to punish by fine not exceeding twenty shillings, or the equivalent of that amount in pandanus thatch, coconut sticks, or other Nauruan house-building materials.

7. "Minor offences" as above referred, shall be held to mean offences such as

Failing to keep house and surroundings in a clean and sanitary condition;

Riding bicycle without light or without a bell;

Being absent from district during prohibited hours; Being absent from general meeting;

Creating a disturbance, and such like.

If a chief is of opinion that a fine of ten shillings is not sufficient punishment for the offence, he should remit the case to the Head Chief, who has power to inflict a fine of not exceeding twenty shillings. The Head Chief shall either deal with the case, or, if he think the offence merits a more severe punishment than that which he is empowered to award, he will remit it to the Administrator to be dealt with. All offences of a serious nature are to be brought before the Administrator.

8. A return of fines inflicted under rules 6 and 7 is to be rendered to the Administrator at the following monthly meeting of chiefs.

• • • •

14. Contracts of service entered into by Nauruans with European or other residents of Nauru must be made before and be approved by the Administrator; but a district chief has power to approve of the employment of male Nauruans, who are residents of his district, without reference to the Administrator, provided no written contract or agreement to serve for any specified period is entered into, and provided that sufficient men are retained in the district for necessary communal work.

Question 12: From 1 July 1949, the duties of Native Affairs Officers have been carried out by the Head Chief. How efficiently have these new duties been carried out? (Philippines.)

Answer: The appointment of the Head Chief to take control of the Native Affairs Department was experimental. His duties have been performed satisfactorily and the intention is that he shall continue to occupy the position.

Question 13: It is stated in the reply (page 16) to question 7 of the Provisional Questionnaire that the constitution and powers of the Council of Chiefs are not defined by ordinance. To what extent, under such conditions, may the Council of Chiefs be considered an official body? Does the Administering Authority contemplate enacting legislation establishing the council as such? Has the Administering Authority any plans to confer wider powers on the Council of Chiefs? Does the Administering Authority envisage the possibility of transforming the Council of Chiefs into an organ of self-government? (China.)

Answer: The present Council of Chiefs is not established under the provisions of any legislation, but the Administering Authority has always recognized the body as fully representative of Nauruan interests. Dis-

cussions have been held between the Administration and the Council of Chiefs to the end that the council may be reconstituted as requested by the indigenous people. When details of the reconstitution are complete they will be embodied in an ordinance.

Question 14: The Council of Chiefs advises the Administrator on Nauruan matters. What is the exact meaning of "Nauruan matters"? Please explain the exact field in which the advice of the council is solicited. (Philippines.)

Answer: All matters directly affecting the welfare of the indigenous inhabitants are "Nauruan matters". As an example, the advice of the Council of Chiefs is sought on the following subjects: land, royalties, Nauruan wages, Native housing, overseas movement of Nauruans, district and island welfare.

Question 15: At the fifth session the representative of the Philippines asked for an enumeration of cases where decisions and recommendations of the Council of Chiefs had not been confirmed by the Administration and a statement of the reasons therefor. The special representative stated that the answer would be given in the following report; nevertheless, no information is given on the matter in the latest report. Would the special representative care to give the requested information? (Philippines.)

Answer: The Council of Chiefs is not established by ordinance and it is not an executive body, either politically or administratively. It is an advisory body and any statutory action which it may desire taken is submitted as advice to the Administrator whose concurrence must be obtained before any implementation. It is regretted that the information previously requested has not been supplied, but some difficulty may be experienced in collating the particulars. The matter will be referred to the Administering Authority.

Question 16: Is is stated in the reply (page 20 of the report) to question 24 of the Provisional Questionnaire that the need for suffrage laws applies "only" to the indigenous population in their election of district chiefs. Why is this considered the only need for suffrage law? Could the local population, which, as is evident from the whole report, is almost entirely literate, not choose by free elections its legislative and administrative bodies? (China.)

Answer: The only formal election within the Territory is that by which the indigenous people choose their district chiefs, and this is the only case where there is a need for the operation of suffrage laws.

Question 17: It is stated in the reply (page 24 of the report) to question 33 of the Provisional Questionnaire that there are two district court magistrates on the island, one of whom is a member of the indigenous population and deals with offences committed by his own people. Does that mean that the district court magistrate who deals with non-Nauruans is not a Nauruan and, if so, what is the reason for such a distinction? (China.)

Answer: Of the two district court magistrates, one is Nauruan and one European. Both have equal judicial

powers and the Nauruan magistrate is competent to deal with any matter within the jurisdiction of the court. As a matter of practice, he confines his functions to offences committed by his own people.

Question 18: The United States delegation noted in section 32 that persons charged with magisterial authority must hold the necessary qualifications and credentials. In order to clarify this statement, could these requirements be specifically listed and described? (United States of America.)

Answer: There are no statutory requirements as to qualifications, but for highly technical matters or for cases of a serious nature judges of the Supreme Courts in Australia and Papua-New Guinea are appointed. The present establishment does not provide for such a highly qualified judicial person as a resident of the Territory. In general matters coming before the courts, local residents who are versed in Nauruan circumstances and the broad requirements of the law are appointed.

#### III. ECONOMIC ADVANCEMENT

Question 19: Please explain what kind of revenue is summarized under the item "miscellaneous", in the section on revenue, in appendix IV of the report. (Philippines.)

Answer: Section 48 of the report refers to the commuted payment of £12,000 per annum made by the British Phosphate Commissioners to cover customs duty and general fees, etc. The actual amounts payable for these charges are less than the commuted payment and the balance of the annual sum is brought to account as miscellaneous revenue. In addition, it is estimated that the Commissioners, as the constructing organization for the building of Native houses, will purchase from Administration-held stores materials to the value of £8,500 during the financial year ended 30 June 1950, thus accounting for the increase in the estimated revenue from miscellaneous sources in that year.

Question 20: It is stated in the reply (page 30 of the report) to questions 59 to 62 of the Provisional Questionnaire that the capitation tax for an adult male Nauruan amounts to 15s. per annum, while that of a male Chinese amounts to 20s. per annum. What is the reason for such discrimination as far as the Chinese are concerned? (China.)

Answer: The Administering Authority has not completed its consideration of the general question of taxation in the Territory. In the meantime, no variation is proposed in the current taxes, which were established in the early stages of the administration in the light of circumstances then existing.

Question 21: According to the report, the question of introducing a progressive income tax is being examined by the Administering Authority. Would the special representative care to inform the Council what is the estimated annual income of the Europeans on the island? (Philippines.)

Answer: The Administration of Nauru is not in possession of the desired information.

Question 22: In connexion with section 46 of the report, the Administering Authority may be asked why

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/347, answer to question 7.

it is "not practicable" to establish the statistical records required for the compilation of national income estimates in such a small area where almost all the active population is employed either by the Administration or by the Phosphate Commissioners? (China.)

Answer: The question of supplying data for national income estimates will be further examined.

Question 23: Has some progress been made since the publication of the last report towards the solution of the problem of the economic future of the Territory after the phosphate deposits have been exhausted? (Philippines.)

Answer: Information is not at present available beyond that indicated in section 246 (3) of the current annual report.

Question 24: It is stated in section 48 that under article 2 of the agreement of 2 July 1919, all expenses of the Administration, including the remuneration of the Administrator, shall be defrayed out of the proceeds of the sales of phosphate. In such circumstances, are not all the activities of the Administration subordinated to the interests and operations of the British Phosphate Commissioners? (China.)

Answer: While it is a fact that the expenditure of the Administration, to the extent that other revenue is deficient, is provided from the proceeds of the sale of phosphate, the Administration budgeting and the control of expenditure is entirely divorced from the activities of the British Phosphate Commissioners. Appendix IV on page 87 of the report shows the sources from which revenue is obtained.

Question 25: The Trusteeship Council recommended that the Administering Authority should prepare the indigenous inhabitants for participation in all government activities affecting the phosphate industry. Please explain what has been done in the year under review to implement this recommendation. (Philippines.)

Answer: All government activities have an indirect effect on the phosphate industry, and to the extent that Nauruans have been increasingly employed by the Administration, and also that they have greatly participated in Nauruan affairs through the initial consideration and projected reconstitution of the Council of Chiefs, some progress has been made towards an acknowledgment of the long-term objective implied in the recommendation. The formulation of an educational plan by the newly appointed Director of Education will prove an indirect contribution. The number of students sent overseas for higher education has been increased and ultimately these Nauruans will play their part in the progress of the Territory.

Question 26: At the fifth session of the Council, the special representative stated that data were being compiled upon which to base the analysis of the price of Nauruan phosphate as compared with the world market price.<sup>2</sup> Would the special representative care to discuss this analysis at this session? (Philippines.)

Answer: The special representative is not in a position to discuss this matter.

Question 27: The Trusteeship Council recommended that the long-term royalty investment funds should not necessarily be restricted to Australian Government securities, but should be invested freely in the best interest of Nauruans.<sup>3</sup> The report states (section 246 (3)) that the investment in Australian Government securities is consistent with the best interests of the Nauruans. Please explain the reasons for this point of view. (Philippines.)

Answer: The Administering Authority considers it essential that these funds for investment should be kept intact over a long term and the opinion is held that such funds should be invested in government securities. Australian Government Bonds meet that requirement and provide a rate of interest comparable with other gilt-edged securities.

Ouestion 28: It is not stated in the report how many passenger ships entered the port of Nauru and what was the number of passengers conveyed from and to Nauru. It is evident from the reply to section 124 that the movement of the indigenous inhabitants outside the Territory is discouraged and that only in cases where the reason for travelling "is a sound one", are travel facilities granted. It is also stated in that section that a number of Nauruans have relatives and friends in the Gilbert and Ellice Islands, many of which are isolated and visited only rarely by shipping. Would the special representative give information as to the transportation facilities between Nauru and other neighbouring islands, and state in how many cases the applications of indigenous inhabitants to leave the Territory to visit neighbouring islands was not granted. If no information is available at present, details might be included in the next annual report. (China.)

Answer: The great majority of vessels visiting the port of Nauru are freighters and at times these vessels carry immigrant residents. In addition, other vessels carry passengers as such. Statistics of passenger ships and passenger movements are not readily available but information will be given in the next annual report. The only sea communication between Nauru and neighbouring islands is direct with Ocean Island and is available only at irregular and infrequent intervals. There are no other transport facilities. No records are available of travel applications which are not granted, but steps will be taken to have information of this nature included in later reports.

## IV. SOCIAL ADVANCEMENT

Question 29: It is dated in section 124 of the report that the movement of the indigenous inhabitants is controlled between 10 p.m. and sunrise. Is the same control applicable to Chinese and Europeans? What is the reason for the introduction of these control measures? (China.)

Answer: The control of movement during certain hours is applied both to indigenous inhabitants and

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session<sup>9</sup> Supplement No. 4.

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/347, section III, question 17.

<sup>&</sup>lt;sup>3</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

to Chinese but not to Europeans. The measure was introduced in pre-war times, not as a measure of racial discrimination, but as a measure of security then considered desirable. It is currently applied most liberally. The Administering Authority has noted the earlier recommendation of the Trusteeship Council in this matter and a review of legislation generally is under consideration.

Question 30: In sections 137 and 138 of the report for 1948, it was stated that publication of the weekly news-sheet had been suspended because of a shortage of paper, but that resumption in the near future was planned. However, there appears to be no reference to this matter in the report under review. Accordingly, would the special representative comment on the present status of the news-sheet? (United States of America.)

Answer: Before the shortage of paper, referred to in an earlier report, was overcome, the Native Affairs Officer of the time, who was also the editor of the newssheet, left Nauru. It has not been possible to obtain another editor and the present Native Affairs Officer, a Nauruan, is not in a position to recommence the service.

Question 31: It is noted in section 151 (a) of the report that every contract for service or work in the Territory of Nauru by Chinese, Nauruans and other Pacific Islanders is made in accordance with the provisions of the Chinese and Native Labour Ordinance, 1922-1924. this connexion, would the special representative provide information as to the number of Nauruan employees under contract to the British Phosphate Commissioners, the Administration and other employers, and the terms and provisions of the contracts under which they work? The text of the contract used by the British Phosphate Commissioners in employing Chinese mechanics, included as appendix X of the annual report for 1947/48, was of much interest. Could the special representative supply sample texts of the contracts used in the employment of Nauruans? (United States of America.)

Answer: As indicated in section 151 (a) of the report, the employment of Nauruans is affected on the voluntary appearance of the person seeking engagement. Written contracts of service are not essential in these cases, but the Administration, through the Native Affairs Officer, investigates the suitability of the applicant before approving the engagement. The provisions of the ordinance mentioned bind both employer and employee to observe specified conditions of work. The extent of employment of Nauruans is detailed in appendix I (F) of the report.

Question 32: What solution has the Administering Authority found to the problem that Chinese workers are brought to Nauru without their families? (Philippines.)

Answer: A practical solution has not yet been reached. However, the period of engagement of Chinese workers has been reduced to one year, which is only half the term recommended by the International Labour Organisation for workers not accompanied by their families

who are engaged for employment involving a long and expensive journey.

Question 33: Why was the term of agreements for Chinese workmen reduced from two years to one year? Are these agreements renewable? (China.)

Answer: The reduction in the term of agreement for Chinese workmen was made in 1948, as it was considered that the initial period of twelve months was appropriate to the recruitment of workers and conditions at Nauru. The Chinese workman has the opportunity to renew his contract for a further twelve months.

Question 34: It is stated in section 155 that "towards the close of the year, the Council of Chiefs represented the desire of the indigenous employees for an increase in wages". The special representative is requested to give some further information as to whether this request has been met. (China.)

Answer: As from 1 January 1950, wages of Nauruan employees of the Administration were increased by £7 per annum (an increase of 10.6 per cent on basic wages), pending a complete analysis of the wage position in the Territory. This question is under current consideration.

Question 35: According to the statement made by the special representative at the fifth session of the Trusteeship Council, the rates of wages for Nauruans are assessed having regard to their qualifications and capacity and to their standard of requirements.<sup>2</sup> Would the special representative be good enough to explain this last condition? (Philippines.)

Answer: As indicated in appendix X (A) of the current report, the rates of wages paid to Nauruans are assessed according to occupation, length of service, efficiency and skill.

Question 36: In section 246 (2), it is stated that all the workmen whose contracts were terminated "received pay in lieu of notice". Does this mean that they were entitled to two months' pay after the notice? But in the next paragraph it is stated that their pay was made up to 22 June. As the notices were not given until 4 and 5 June, were they paid adequately, since the minimum notice was two months? (China.)

Answer: The notice given on 4 and 5 June related to the fifty-two labourers whose agreements were being terminated for unsatisfactory service. They were paid two months' pay as from the date notice was given as well as the pay due to them up to the notice date. The remaining repatriates were time-expired labourers to whom it was not necessary to give notice. Their pay was made up to 22 June, the date of expiry of their agreement.

Question 37: The question of the reduction of normal working hours for Chinese and Nauruans was under consideration a year ago. Please explain why this reduction has not been granted. (Philippines.)

Answer: A decision on this question has not yet been taken.

Question 38: According to the report (section 155), a section of the Chinese employees objected to certain

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/347, section IV, question 2.

conditions of their contract and adopted a "go-slow" policy. Court action for breach of contract followed. Please explain what were the conditions to which the workers objected. (Philippines.)

Answer: The basic request of the Chinese employees was for higher wages. The agreement of engagement provided that phosphate might be raised by piece-work. On that basis a minimum raising was stipulated. After performance of that minimum condition, an employee could voluntarily continue raising under increased unit payments. Over a long period, the stipulated task was regularly performed in a little more than half a working day and many employees continued working and earned overtime. A section of the employees demanded payment of the overtime without performing the work. When that was refused, a "go-slow" policy was adopted by the employees, who then produced in a normal day only 10 per cent of the amount raised previously in a much shorter period.

Question 39: It is shown in the table in appendix III (B) that 115 Chinese and one Gilbertese were convicted for breaches of the Chinese and Native Labour Ordinance. What was the nature of those offences? (China.)

Answer: The predominant number of convictions for breaches of the Chinese and Native Labour Ordinance recorded in that table related to the "go-slow" policy referred to in section 155 of the report.

Question 40: Has the successor to the European Director of Public Health, who returned to Australia in March 1949, already been appointed? If not, why not? (Philippines.)

Answer: Yes. The new appointee commenced duty in the Territory in January 1950.

Question 41: It is noted that section 182 of the report mentions weekly treatment in clinics of "registered" patients. Could the term "registered" be explained and could the procedures connected with this system be described? (United States of America.)

Answer: A function of the mothercraft service is to ensure that details of all infants up to the age of two years are recorded so that the benefit of advice and guidance of the mothercraft nurse is given to the mother. The register kept serves to ensure that mothers and children not regularly attending clinics are kept under surveillance.

Question 42: Would the special representative describe the programme for the local training of probationer Native nurses, giving, if possible, particulars as to the method of their recruitment and the organization and curriculum of their training? Could he also comment on how effective the programme has been and whether any expansion is planned? (United States of America.)

Answer: Probationer Native nurses are recruited through the district chiefs and the Native Affairs Officer. The parents of the girls are interviewed and their consent obtained before their suitability as nurses is examined. On selection, a successful probationer is housed in separate nurses' quarters at the hospital under the supervision of a Nauruan matron. The girls are trained

in elementary hospital duties and are given lectures by the medical officers early in their first year of duty. Visual education by means of suitable 16 mm. films is regularly given.

Question 43: The expenditure on social welfare for the year under review totalled £12,109. In addition, £6,145 was similarly applied from the Nauruan Royalty Trust Fund. What was the nature of the expenditures from both these sources? (Philippines.)

Answer: See appendix IV (E) and (F).

Question 45: Please give an explanation of the policy of fixing the rental for the houses built under the housing programme. (Philippines.)

Answer: The rental was determined at a figure considered within the capacity of the householder to pay. The 5s. per week rental fixed is not related to the cost of providing the dwelling.

Question 46: Has the Administering Authority already decided the question of a review of the laws containing the provision for whipping? (Philippines.)

Answer: No. The general review of legislation is under consideration.

## V. EDUCATIONAL ADVANCEMENT

Questions 47 and 48: Please give more detailed information in regard to the reorganization of the educational system of the Trust Territory, which is now in progress. (Philippines.)

It is noted that during the year under review, completion of two schools was effected by the Administration. These buildings, however, are replacements of older structures. Has the special representative anything to say about a school building programme for the future? (Philippines.)

Answer: A Director of Education was appointed and commenced duties early this year. He is engaged now in formulating the details of long-range proposals for future primary and secondary education. In addition, classes are being conducted for the Nauruan teachers themselves. Planning for the future envisages the establishment of tuition in domestic arts for girls and technical training for boys. Necessary strengthening of teaching staff and provision of the required buildings is now being examined. Further information will be furnished as available in later reports.

Question 49: Why have the two secondary schools which existed prior to the recent war not been re-established? (Philippines.)

Answer: Difficulties experienced in carrying out a general rehabilitation and reconstruction programme, supplemented by the need for first re-establishing primary education facilities, have delayed the re-establishment of secondary schools. It will be noted that selected Native students are receiving secondary education in Australia.

Question 50: According to the report (section 231), none of the twenty-six Nauruan teachers possess pro-

fessional qualifications. Does not the Administering Authority think that a substantial remedy to this situation must be found in the near future? (Philippines.)

Answer: The Administering Authority is fully aware of the desirability of improving the standards of the Nauruan teachers and the plans for the development of education will recognize this aim.

Question 51: When will the suitable premises for housing the new reference library be completed? (Philippines.)

Answer: Provision has been made in the new Domaneab building for the housing of a reference library. Selected books have already been shelved and are available to the Nauruan community.

# (d) Trust Territory of the Pacific Islands, year ending 30 June 1949

## Document T/L.89

Replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

[Original text : English and French] [16 June 1950]

#### I. POLITICAL ADVANCEMENT

Question 1: Up to the end of the period covered by the report, the Administering Authority had reached no decision as to what international treaties, conventions and agreements should be applicable to the Trust Territory, as provided in article 14 of the Trusteeship Agreement. What progress, if any, has the Administering Authority made in this connexion recently? When will a list of international treaties, conventions and other agreements applicable to the Trust Territory be ready? (China.)

Answer: The question of the application of international treaties, conventions and agreements to the Trust Territory, pursuant to article 14 of the Trusteeship Agreement, is still under study by the Administering Authority. As determinations are made regarding the application of international treaties and agreements to the Trust Territory, the Council will be provided with this information in accordance with question 13 of the Provisional Questionnaire.

Question 2: The annual report states (section 150) that no convention or recommendation of the International Labour Organisation has been applied in the Territory during the year under review. According to a statement of the special representative at the fifth session of the Trusteeship Council, the Administration has been studying these conventions to determine which of them may profitably be applied to the Trust Territory. Is there any information available as to the results of this study? (Philippines.)

Answer: See the answer to question 1. The question of the application of conventions and recommenda-

¹ See Report on the Administration of the Trust Territory of the Pacific Islands for the period July 1, 1948, to June 30, 1949, transmitted by the United States to the Secretary-General of the United Nations pursuant to Article 88 of the United Nations Charter, prepared by the Navy Department, Washington, D.C., July 1949 (OpNav-P22-100H).

tions of the International Labour Organisation also remains under study by the Administering Authority.

Question 3: What is the present status of the proposed organic law for the Trust Territory and of the plans to transfer administrative supervision over the islands from the Navy Department to a civilian agency? (Philippines.)

Answer: Draft organic legislation for the Trust Territory, pursuant to article 12 of the Trusteeship Agreement, was introduced into the Eightieth Congress. However, the Congress did not take action on the draft legislation. Recently, the executive departments concerned have undertaken a review of the legislation previously submitted with a view to its re-submission to the present Congress.

Plans have been drawn up by the executive departments concerned and approved by the President providing for the transfer of administrative responsibility for the Trust Territory of the Pacific Islands from the Department of the Navy to the Department of the Interior. Steps are being taken to give effect to these plans.

Question 4: It is stated in section 26, on page 14 of the annual report, that "a territory-wide legislative body is included in the long-range plans of the Administration, but the problems of transportation, communication and . . . ethnocentricity will have to be solved before the plan can be effectively concluded". Please explain what has been done in the year under review to solve these problems. (Philippines.)

Answer: See the answer to question 5. Continued education, especially in the advanced schools in Truk and Guam, is gradually increasing community of interest but it is still considered that it will be some time before a territory-wide legislative body will be practicable.

Question 5: Would the special representative care to give some information on the implementation of the recommendation of the Trusteeship Council<sup>3</sup> that the Administering Authority should increase its efforts to develop regional governmental organs on a representative and elective basis and that it should endeavour to bring representatives of the indigenous population into the territorial government? (Philippines.)

Answer: The Marshall Islands Congress, mentioned by the special representative at the fifth session of the

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/359, question 101.

<sup>3</sup> See document S/1358.

Trusteeship Council<sup>1</sup> was established by a proclamation approved by the Administration.

Leaders of the indigenous people in the Northern Marianas met on the invitation of the Administration and proposed a charter for an elected body for that area consisting of representatives of each municipality. This proposed charter has been reviewed by the High Commissioner and returned with recommended modifications for consideration by the indigenous inhabitants.

Under a tentative arrangement worked out in collaboration with the civil administrator, indigenous inhabitants of the Ponape district have elected congressmen representing each municipality, and a draft of proposed charter for a Ponape district congress, composed of these representatives, has been forwarded to the High Commissioner and is now under review by him.

At the invitation of the High Commissioner, appointed indigenous representatives from each of the five districts, familiar with economic conditions in their respective districts, met with the Deputy High Commissioner, the Governors, civil administrators, members of the High Commissioner's staff and a representative of the Navy Department, from 13 to 16 September 1949. An indigenous representative from each district was given a special opportunity to address the conference and express his views on matters of common interest, and all were invited to participate in the general discussion.

At the invitation of the High Commissioner, indigenous leaders in education conferred for three days in February 1950, in Honolulu, with educational administrators and the Educational Advisory Committee, on educational problems of mutual concern.

Question 6: The possibility of establishing an appropriate regional organ for the Marianas was discussed (section 26, page 13 of the report) in a conference of the High Council of Saipan and members of the staff of the Deputy High Commissioner. Would the special representative care to give some information in regard to these discussion? (Philippines.)

Answer: See the answer to question 5.

Question 7: It has been noted with interest in section 26, on page 13, of the annual report that a "young men's council" has been formed on the island of Yap and that this council has apparently, on occasion, sat jointly with the council of chiefs to discuss island problems. Did this "young men's council" come into being spontaneously or was its creation the result of action by the Administration? Does the council of chiefs in any way resent the establishment of this new body, or is it prepared to recognize the right of the young men thus to play their role in the conduct of island affairs? (New Zealand.)

Answer: This "young men's council" was the result of a spontaneous desire on the part of the younger men to study and foster the betterment of their social and economic lives.

The council of chiefs, while perhaps regretting the desire of the younger men for so much change, has taken an encouragingly constructive attitude in attempting to reconcile the varying points of view and to secure the fullest possible co-operation in advancing the good of all. The "young men's council" is not restricted to younger men; a number of the older men participate. In its discussions with the younger men, the council of chiefs appears to acknowledge fully the right of the younger men to be interested in and express their views on public matters.

Question 8: What steps have been taken during the past year to effect a real separation of administrative and judicial power? Is the Administering Authority considering any further steps on this matter? (Philippines.)

Answer: Action taken in this regard during the year under review is reported in sections 28 and 29 of the report. Since the close of that year, a qualified lawyer has been appointed as associate justice of the Court of Appeals. Pursuant to section 2 of article IV of Interim Regulation No. 1-49, set forth on page 20 of the documentary supplement to the report, he sits as district judge and holds sessions of the district court in the same manner as the Chief Justice. He is independent of the civil administrators.

Where deemed practicable, appointment or election as community court judges of persons other than municipal magistrates has been encouraged.

The High Commissioner is now considering a recommendation of the Chief Justice that the power of appointment and removal of justice court judges should be transferred from the civil administrators to the High Commissioner.

Question 9: From a reading of the Interim Regulation (page 20 of the documentary supplement) it appears that the Court of Appeals consists of not less than three persons, including the Chief Justice. Could the special representative please indicate who the other members of the court would normally be? Is there any provision for the appointment of assessors to advise the Court of Appeals in cases involving indigenous laws and customs? (New Zealand.)

Answer: Since originally constituted, the members of the Court of Appeals other than the Chief Justice have been James R. Nichols, who is an Ohio lawyer employed as a civilian with judicial functions as his primary duty; Ernest Holt, who is an American civilian employed as conservationist on the staff of the High Commissioner as his primary duty; and Lieutenant Commander Philip Drucker, USNR, whose primary duty is to serve as an anthropologist on the staff of the High Commissioner.

Rule 2 (d) of the rules of criminal procedure, promulgated since the close of the year reported on, provides that any court may appoint an assessor to advise in regard to local law and custom.

Question 10: How many indigenous inhabitants are employed in the civil service of the Government of the Trust Territory? How are they recruited—by election,

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Fifth Session, 16th and 17th meetings, also ibid., Annex, document T/359, question 17.

recommendation, or competitive examination? Is there any differentiation between United States citizens and the indigenous inhabitants with respect to their qualifications and salaries? (China.)

Answer: About 1,239 are so employed. The exact figure varies from time to time. They are selected from among volunteers on the basis of recommendations, interviews and demonstration of qualifications. It is the practice of the Trust Territory Government to employ non-indigenous inhabitants (other than naval personnel) only when professional or technical knowledge and experience is required that cannot be found among the people of the Trust Territory. When it is necessary to recruit professional or technical personnel in the United States, payment must be made in accordance with standards of compensation prevailing in the United States, plus any overseas differentials customary and prevailing.

# II. ECONOMIC ADVANCEMENT

Question 11: How is the annual budget of the Trust Territory prepared, enacted and implemented? Have the indigenous inhabitants any voice in this matter? Through what channel or channels can they express their wishes? (China.)

Answer: As a responsibility of the Federal Government of the United States, the annual budget of the Trust Territory is prepared, enacted and implemented in accordance with standard accounting practices as prescribed by the United States Government. Original estimates of financial requirements are compiled and submitted by the High Commissioner to the Department of the Navy. This estimate is combined with the estimates for Guam and American Samoa which together make up the appropriation "Island Governments, Navy". The budget request is based on the following formula: total requirements less estimated locally derived revenue equals amount necessary to be appropriated by the United States Government. It is processed through the Department of Defense and the Bureau of the Budget and is acted upon by the Congress of the United States. Upon action by the Congress, the amount for the Trust Territory is allotted by the Navy Department to the High Commissioner under six programmes: general administration; legal and public safety; public education; commerce, industry and agriculture; medical care, public health and sanitation; and public works. After allocation, the High Commissioner controls expenditures but renders monthly accounting reports to the Department of the Navy.

Officially the indigenous inhabitants have no voice in the matter. However, in actual practice the civil administration makes every effort to provide the governmental services desired and considered necessary by the people.

The indigenous inhabitants can express their wishes through their municipal officials, through regional advisory bodies where these exist, by personal requests to local civil administration officials and to members of the High Commissioner's staff (who regularly visit

various parts of the Territory), or by petitions to the High Commissioner, the Administering Authority, or the United Nations.

Question 12: In accordance with what regulations are the expenditures in the budget of the Trust Territory divided (part IV of the statistical supplement) between expenditures from locally derived revenue and expenditures from "appropriated funds"? (Belgium.)

Answer: The division is made as a matter of effective fiscal control. Locally derived revenues and appropriated funds are accounted for and reported separately because they are handled through different channels and are subject to somewhat different controls. However, funds from either source may be budgeted and expended for the same civil government programmes.

Question 13: In connexion with section 62 of the report, what action is taken when a person subject to taxation has neither paid the tax nor offers to meet his obligation in terms of labour? (Belgium.)

Answer: If it is determined that the person taxed cannot reasonably pay the tax, it is abated. If it is felt that he should be required to pay and he refuses to do so after direct demand, he may be brought to court.

Question 14: In connexion with section 64 of the report, is the amount of the taxes collected by the chiefs known by the Administration? Is this sum limited and is its collection controlled? (Belgium.)

Answer: The chiefs, as such, collect no taxes. Some chiefs are also municipal officials and, in that capacity, they collect municipal taxes either themselves or through the municipal treasurer. These municipal taxes are subject to the approval of the Trust Territory Government and the records thereof are regularly inspected and reported on by civil administration officials.

Question 15: In view of the unsatisfactory nature of the head tax, has any step been taken or contemplated by the Administering Authority towards its abolition? (China.)

Answer: From the point of view of the indigenous inhabitants, the head tax is one of the most easily understood. From the viewpoint of the civil administration, it is the simplest to collect (by the municipalities) and constitutes a concrete step in the primary political education of the inhabitants, since it makes them aware of their municipal obligations and responsibilities. staff of the High Commissioner is conducting a survey of municipal finances and economic conditions in an endeavour to determine a practical basis for any new or more appropriate forms of taxes and is giving consideration to ways and means of ensuring an adequate and equitable taxation system based on the ability to pay and yet containing essential elements of administrative simplicity. The advantages and disadvantages of an income tax are being specifically considered. However, until other means of raising the necessary revenues in a manner which is practicable under the varying conditions found in the Trust Territory have been developed, it is contemplated that the head tax will be retained.

Question 16: Could the special representative explain the reasons for the abolition, on 30 November 1948, of import duties on goods entering the Territory (section 77 (a) of the report)? Is it not felt that this action might adversely affect the growth of small industries, for example, the development of the small soap factories mentioned in section 107 of the report? What measures does the Administering Authority employ to ensure the protection of local industries? (New Zealand.)

Answer: Import duties were abolished because it was considered that the advantages of reducing the price paid by the indigenous inhabitants for imported goods outweighed the small amount of revenue derived from these duties. It is not believed that this action will adversely affect the development of small industries, as few of the imported goods are competitive. Generally speaking, the considerable cost of transportation involved in importing goods provides all the protection which is deemed reasonable. The Administering Authority protects indigenous industries by granting permits to non-indigenous interests only in cases where it is considered that temporary employment of non-indigenous capital or management would be in the substantial interest of the inhabitants.

Question 17: In regard to the subsidies, etc., provided through the Island Trading Company to local enterprises, it is stated in section 36 of the report that "in every case some form of assistance has been given to new entrepreneurs". Please illustrate this statement by some concrete facts. (China.)

Answer: The Island Trading Company has extended unusually liberal inventory credit to indigenous wholesale concerns when chartered and reasonably soundly organized; has assisted them in setting up their accounting systems; has given "on the job" training in business management and methods to prospective employees of indigenous concerns; has advised them as to operations; has procured special items and equipment suited to needs of particular enterprises, and has in some instances entered into a brokerage agreement with a local wholesaler. An example of the latter is the 10 per cent fee currently being paid to the Truk Trading Company for handling copra purchases. Since the close of the year under review, it has also, upon the advice of the High Commissioner, created the Economic Development Fund mentioned in the answer to question 18.

Question 18: Give a full account of the organization, activities, and yearly profits of the Island Trading Company, with necessary tabulations. Does this company possess any right or privilege of a monopolistic nature? Is the company going to be perpetuated and expand its activities or gradually curtail them in order to give way to indigenous enterprises? Give also in detail the allocations made from the profits of this company for the benefit of the indigenous inhabitants of the Trust Territory. (China.)

Answer: The Island Trading Company of Micronesia was incorporated by proclamation of the Governor of Guam on 8 December 1947 by and with the consent of the Guam Congress. All capital stock (value \$1.00)

USA) is held by the Deputy High Commissioner in virtue of his office and passes to his successor. The officers, president, vice-presidents, comptroller and treasurer. are appointed by the Deputy High Commissioner. Branch managers and subordinate officials are appointed by the president. The Board of Directors designated by the High Commissioner consists of the Deputy High Commissioner, the officers of the company and two senior naval officers in no way connected with the administration of the Trust Territory. It meets monthly. The directors receive no compensation or fees. The actions of the board are approved by the Deputy High Commissioner and, with the periodic reports of operation and balance sheets, are reviewed by the High Commissioner. Proposed changes in major operating or financial policies or procedures must have the approval of the High Commissioner and in some cases of the Navy Department. Periodic reports of operations and balance sheets are also furnished and reviewed by several agencies of the Navy Department, including the Fiscal Director of the Navy. Comprehensive audits of the books and operations of the company are made periodically by a certified public accounting firm.

The prime purpose of the Island Trading Company is to provide essential commodities to the indigenous inhabitants and to facilitate the export of their island products; to foster the establishment of Native trading enterprises; and to assist in the development of industries and new sources of income for the inhabitants.

The company was initially financed in December 1947 by the Government of the United States. All the financial advances have long since been liquidated and, beyond normal commercial accounts payable, the company has no indebtedness. In July 1948, a dividend of \$100,000 was paid into the Treasury of the Trust Territory as local revenue. A net profit of \$41,782 was earned during the nine-month period ending 31 March 1950. In this same period, trade goods amounting to \$865,605 were sold in the several branches and island products amounting to a total of \$685,741 at cost price were purchased. Of this amount, copra represented \$593,319; handicraft, \$54,807; trochus, \$25,304, and other items (fruits, vegetables, fish, coconut oil, tortoiseshell, trepang, timber, etc.), \$12,309. Copra purchases were 7,554 short tons at an average price of \$78.55. The world prices of copra increased towards the end of the calendar year 1949 and, effective 14 February 1950, the field (Island Trading Company branch) price was increased \$10 per ton. It is now, for first grade, \$90.00; for second grade, \$80.00; for third grade, \$70.00. This does not include the increased differential of from \$2.50 to \$7.50 per ton offered for copra brought to the Island Trading Company branches by native boats. previous differential was \$5.00 per ton, i.e., \$85.00 in the outlying islands, \$90.00 at the branches, etc. (see answer to delegation of New Zealand, question 2 (a)).1 Nor does it include the 15 per cent processing tax which is paid to the Trust Territory Treasury by the Island Trading Company.

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/359, question 54.

The balance sheet of the Island Trading Company as of 31 March 1950 appears hereunder:

## ISLAND TRADING COMPANY OF MICRONESIA, BALANCE SHEET AS OF 31 MARCH 1950

Assets		
Cash On hand and in banks	\$	<b>\$</b> 468,814.39
Investments Government securities		718,257.86
Accounts and notes receivable  Accounts receivable  Notes receivable  Total  Less: reserve for bad debts	52,864,80 9,094,07 61,958.87 8,205.45	
Commodities, supplies and materials Trade goods. Purchase commitments—trade goods. Handicraft Copra Trochus	622,736.30 113,050.68 51,552.51 253,717.10 363.36	53,753.42
Other Native products  Lands, structure and equipment  Automotive and official equipment	10.769.90	1,052,189.85 1.00
Deferred and undistributed charges Deposits in Naval Working Fund.		50,513.33
Other assets  Agaña Terminal and Marbo handicraft shops  Deposits on letters of credit  Total	6,081.15 18,728.20	24,809.35 2,368,339.20
Liabilitia		
Liabilitie Accounts payable Government agencies	\$ <b>\$</b>	<b>\$</b> 489,971.38
Accounts payable		-
Accounts payable Government agencies Accrued liabilities		489,971.38
Accounts payable Government agencies		489,971.38 2,992.54 1.00
Accounts payable Government agencies		489,971.38 2,992.54 1.00
Accounts payable Government agencies		489,971.38 2,992.54 1.00 492,964.92
Accounts payable Government agencies		489,971.38 2,992.54 1.00 492,964.92
Accounts payable Government agencies  Accrued liabilities Other  Other liabilities Equipment on loan Total liabilities  Capital  Capital stock and paid in surplus Capital stock authorized and issued  Earned surplus Reserved Self insurance Fostering new enterprise Navy subsidized costs	\$ 111,757.73 100,000.00 1,290,572.28	489,971.38 2,992.54 1.00 492,964.92
Accounts payable Government agencies  Accrued liabilities Other Other liabilities Equipment on loan Total liabilities  Capital  Capital stock and paid in surplus Capital stock authorized and issued  Earned surplus Reserved Self insurance Fostering new enterprise Navy subsidized costs Copra Price Stabilization Fund	\$ 111,757.73 100,000.00 1,290,572.28	489,971.38 2,992.54 1.00 492,964.92

The company does not possess any right or privilege of a monopolistic nature. While at the present time it handles the major part of the import and export trade of the Trust Territory, this situation exists merely because the company was created as a matter of economic necessity to fill a commercial vacuum. As has been previously indicated, indigenous companies are taking over an increasing proportion of the economic activities in the Trust Territory.

While the Island Trading Company may as an interim measure expand its activities in some fields to develop the economy and perform necessary services for the inhabitants, it is the declared policy of the Administration to contract such activities as soon as private indigenous enterprise is capable of assuming the responsibilities.

In July 1948, \$100,000 of Island Trading Company profits were transferred to the Trust Territory Treasury for general civil governmental purposes. In addition, in an effort to stimulate and diversify economic activities, an economic development fund of \$100,000 was set up in March 1950 by the company, to be advanced to indigenous entrepreneurs as grants, or preferably on a loan basis, for the development of new industries or for government-operated pilot enterprises. Projects currently under consideration include boat building, fishing industry, soap manufacture, cocoa, papain, and ramie production, and other agricultural enterprises.

Question 19: Does the Island Trading Company buy trade goods and does it sell exported products elsewhere than in the United States? Do all the importers and exporters benefit from the privilege of transporting commercial cargo by naval vessels (section 77 of the report)? (Belgium.)

Answer: Yes, the past year has seen an increasing flow of copra to Japan and of manufactured goods from Japan to the Trust Territory. Shipments of copra have also been made to South America and to Canada.

Yes, the Navy extends the privilege of shipment in Navy bottoms to all shippers in the Trust Territory on a space available revenue basis when commercial shipping is not available.

Question 20: Has any change been made in the arrangement concerning the output of the Angaur phosphate mines as recommended by the fifth session of the Trusteeship Council?<sup>1</sup> (Philippines.)

Answer: While the special representative was not in a position to discuss the details at the fifth session, it may now be stated that for the past two years the subject of the Angaur phosphate mining operations and the welfare of the Angaurese people has been under review by the Administering Authority. In December 1949, a hydrological survey team was commissioned by the High Commissioner to study the hydrological conditions existing as a result of previous phosphate mining and to make recommendations for the future, with the welfare of the Angaurese as the prime consideration. The team was composed of three expert hydrologists, Dr. Chester K. Wentworth, Dr. Arnold C. Mason and Mr. Dan A. Davis. The survey team found that certain

<sup>&</sup>lt;sup>1</sup> See document S/1358.

damage to ground water and arable land existed in consequence of forty years of phosphate mining; that if mining were stopped, the impairment of certain land would continue owing to penetration of salt water, unless protective measures were taken to prevent it; that if the lakes were partly filled with sand, the spread of damage could be reduced or stopped; that the nature of the ground was such that salt water would probably not spread to the southern two-thirds of the island; that certain specified areas under controlled conditions could be mined safely; that if mining is continued under the conditions prescribed, the condition of the ground water and soil on Angaur would be better in five or ten years than if mining were stopped at once; that digging material to fill the lakes from certain areas to a depth close to ground water level would in time result in good wet agricultural land in these areas.

A meeting was held in Angaur between representatives of the High Commissioner, including the staff conservation officer (an expert on soils), the staff anthropologist of the Supreme Commander for the Allied Powers and representatives of all eighteen Angaurese clans. The report of the hydrologists and the conclusions of the conservation officer were thoroughly explained to the Angaurese. The next day, 21 December 1949, entirely voluntarily, all the Angaurese clan leaders and the representatives of SCAP and of the High Commissioner executed an agreement whose substantial provisions follow. The agreement to take effect as of 1 January 1950 is based on the report and recommendations of the hydrological survey team; mining is authorized in nine specified and delineated areas providing all conditions are fulfilled, i.e., repair and preventive back filling is accomplished; the High Commissioner is to ensure that the protective measures are carried out and will employ a hydrologist for that purpose; the Department of the Army will pay a severance fee of \$2.00 per long ton of dry phosphate adjusted to a basis of 32 per cent P2O5; in addition, the Department of the Army will pay into the Trust Territory Treasury a processing tax of 15 per cent of the value of the phosphate processed; the severance fee provided will be placed by the High Commissioner in a trust fund, the income of which will be paid during the lifetime of all present permanent residents of Angaur as follows: two-thirds to the clans which own land where the phosphate is to be mined; one-third to the municipality of Angaur, in part for the clans which own no phosphate land and the balance for municipal purposes; until the trust fund has been built up by instalment receipts, \$15,000 annually will be utilized, taken so far as necessary out of capital, for the initial payments; the aggregate of the existing trust fund to 1 January 1950 will be paid into the new trust fund; the High Commissioner is authorized to invest \$50,000 in justified enterprises desired by the Angaurese; a calamity fund of \$25,000 of the trust fund is to be set up for relief or rehabilitation of the Angaurese; upon the death of the last permanent resident now living, the trust fund will be extended or distributed to the beneficiaries designated to receive the income.

This agreement was approved by the High Commissioner, the Supreme Commander for the Allied Powers, and the Departments of the Navy and the Army, sub-

ject to the execution of a supplementary agreement between the High Commissioner and the Angaurese. This supplementary agreement has been negotiated and last week was sent to the Angaurese for their approval. It provides that distribution shall be made in accordance with schedules prepared by the leaders of the clans concerned and certified by the district court to be an equitable distribution, and that these schedules shall remain effective until revised schedules are certified by the district court after adequate hearing held after due notice to all parties concerned. It includes details of payments and accounting. Briefly, it credits each recipient with its share as it accumulates, and provides that each may draw it out for use, if desired, through the civil administrator, Palau. They will be advised that if they choose to let any amount accumulate for a sufficient time, it will draw interset (estimated attainable at approximately 2 per cent at present rates).

The Administering Authority considers this agreement to be in the interest of the Angaurese people as well as of the people of the Trust Territory as a whole. It was carefully explained to the Angaurese by the High Commissioner's representative that, if they so desired, the mining would be terminated.

Tonnage of phosphate shipped, severance fees and processing tax for the twelve months ending 30 June 1950 (estimated for May and June) are as follows:

Phosphate shipped (converted to 32 per cent  $P_2O_5$ ): 152,883 long tons;

Severance fee (from 1 January 1950): \$173,255.81; Processing tax (from 1 January 1950): \$49,921.65.

Question 21: Information of a general nature is requested on the history and organization of the Japanese Phosphate Company and its operation in the Trust Territory. (China.)

Answer: The Phosphate Mining Company was instituted as the result of negotiations between representatives of the Japanese Government and superphosphate manufacturers in Japan undertaken in implementation of instructions of the Supreme Commander for the Allied Powers. The company was organized on 28 July 1947 and registered with the Japanese Government in accordance with Japanese law. The authorized capital is 5 million yen, raised by issuing 100,000 shares of 50 yen par value, bearing 6 per cent interest. This interest is the only monetary return to the shareholders. Any deficit or profit above this 6 per cent is absorbed by the Japanese Government. The shareholders are understood to be companies having business with the Phosphate Mining Company. Allocation of the phosphate ore to superphosphate manufacturers is handled by the Fertilizer Section of the Japanese Ministry of International Trade and Industry.

Since July 1947, this company has mined phosphate ore on Angaur and exported it to Japan. About four hundred Japanese and about forty Angaurese are engaged in these activities. The company's operations in the Trust Territory are limited solely to Angaur island. Its operations are supervised by a liaison officer on Angaur representing the Supreme Commander for the Allied Powers and are under the general surveil-

Question 22: During the period under review, what was the world price of copra? Are exporters other than the Island Trading Company authorized to buy copra and do they do so (section 78)? (Belgium.)

Answer: The price of copra delivered on the West Coast of the United States for the twelve months ending 30 June 1949 ranged between a high of \$265.00 per short ton in July 1948 and a low of \$152.50 per short ton in June 1949.

In recent months, shipments of copra through channels other than the Island Trading Company have been increasing.

Question 23: In section 5 of the report, it is stated that on 24 January 1949 the waters of the Trust Territory were opened to commercial fishing. In sections 37 and 103, it is indicated that no outside commercial fishing companies have, in fact, requested permission to fish in the Trust Territory. It appears also from section 103 that the establishment of an indigenous commercial fishery is not feasible at the present time. Would the special representative explain whether the Administering Authority is taking any measures to encourage the rehabilitation of the fishing industry? Have there been any further instances of unauthorized fishing by Japanese vessels? (New Zealand.)

Answer: The Administering Authority is doing what it can to encourage the rehabilitation of the fishing industry by indigenous inhabitants on a very modest scale. The Island Trading Company has imported several new fishing boats and sold them to the inhabitants. The company is now operating such a fishing boat on an experimental and demonstration basis. Through the Staff Fishing and Shipping Commissioner, as well as the Island Trading Company, assistance has been given in marketing fish and in obtaining commercial transportation necessary to bring the fish to market. Experiments have been conducted to explore the commercial possibilities of other marine products.

During the current year, the boat-building programme has attained considerable impetus, especially in the Marshall Islands district, through the action of the Administering Authority in making available surplus wooden Navy whaleboats and 38-, 40- and 50-foot workboats. All districts are being provided with such hulls. As an incentive to the acquisition, conversion and operation of such boats, the Island Trading Company has recently increased the purchase price of copra delivered to its branch warehouses by locally operated craft by providing an allowance for such transportation of from \$2.50 to \$7.50 per ton, depending on the distance involved. This is in addition to the \$5.00 differential allowed for copra delivered to the branch warehouse as against that called for at outlying points. Additional funds have been made available to foster boat-building and indigenous commercial fishing enterprises, and studies are being currently made by the civil administrators and the Fishing and Shipping Commissioner for the purpose of activating such projects (see answer to question 18).

There have been no further instances reported of unauthorized fishing by Japanese vessels.

## III. SOCIAL ADVANCEMENT

Question 24: The annual report indicates (section 129) that owing to the absence of a prevailing money economy in the Territory, it has not been deemed practicable to conduct family living studies and other cost-of-living surveys, or to prepare and publish cost-of-living indices. Could the special representative nevertheless inform the Council whether the standard of living is still as it was described last year, below pre-war levels?<sup>1</sup> (Philippines.)

Answer: The standard of living varies considerably from one part of the Territory to another. Certain aspects of living conditions are also very different from corresponding conditions prior to the Second World War. It is considered that educational and health conditions, as they pertain to the standard of living, are generally better than they were before the war, and that the entire standard of living in outlying islands removed from Japanese centres of economic activity is at least up to pre-war levels. In those communities which were near Japanese centres, however, the purely economic aspects of the standard of living, depending directly on a money economy, appear still to be somewhat below pre-war levels. The Administering Authority is doing everything practicable to improve this condition without permitting the introduction of outside interests which might tend to exploit the indigenous inhabitants. The greater opportunities for employment for wages and for sale of local perishable products, which existed under the Japanese régime in those areas, should be weighed against the freedoms now enjoyed by the inhabitants and the fact that there are no longer large numbers of non-indigenous persons using major portions of the local resources.

Question 25: Are there any signs of an increasing desire on the part of women to participate in the management of local affairs? Have any unofficial women's organizations developed recently in the Territory? (New Zealand.)

Answer: Yes. Two indigenous women have been elected to the Palau Congress. One of these women presented a written petition concerning prohibition to the United Nations Visiting Mission on behalf of over two hundred women of Palau.

The special representative has no knowledge of any women's organizations having been developed recently in the Territory.

Question 26: It is stated (section 149 of the report) that "in most cases" housing is provided for the workers. Does this refer to a legal requirement or are the employers free as to whether or not they furnish housing? (Belgium.)

Answer: Provision of housing by employers is not a legal requirement. In the case of non-indigenous commercial employers, the conditions under which indigenous inhabitants are employed are regularly considered in connexion with the granting of permission to engage in business, action in each case depending on the circumstances involved.

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Fifth Session, Annex, document T/359, question 95.

Question 27: Would the special representative care to give information on the results of the general medical survey which has been accomplished by the medical unit, the USS Whidbey? (Philippines.)

Answer: The general medical survey of the Trust Territory, which is being conducted by the Administering Authority through the medium of the USS Whidbey, is continuing in the Marshalls and the Eastern Carolines. Operations have been completed in the Northern Marianas, the Western Carolines and part of the Marshall Islands. Approximately 18,800 persons, representing very close to 100 per cent of the population of the areas already visited, have been examined, vaccinated and inoculated. In addition to the results stated in answer to question 170 of the Provisional Questionnaire, on page 53 of the report, forty hitherto unreported cases of tuberculosis and twenty of leprosy have been discovered and prompt remedial action taken. Also, information as to diet for children, sanitary precautions and other pertinent health matters has been given a most complete dissemination as a result of this survey, and the effects thereof are already being noted. As another important factor relating to the general health programme, the normal habitat of certain diseasebearing insects has been carefully noted and recorded in all the areas visited. Finally, extremely valuable statistical information emanating from the medical survey is being further evaluated and compiled by the Statistics Section of the Bureau of Medicine and Surgery, Navy Department. Such information will be presented after the survey has been completed for the entire Trust Territory. It is now estimated that the survey of the Marshalls will be completed in July of this year, and that the survey of the Eastern Carolines will take another full year.

Question 28: In connexion with part XIIE of the statistical supplement, is syphilis unknown in the Territory? (Belgium.)

Answer: No cases of syphilis have been reported during either of the first two years of the trusteeship nor has report of any such cases been received by the special representative to date during the current year.

Question 29: Are the medical and dental assistants and nurses who have returned to their home islands for duty given periodic refresher courses? (New Zealand.)

Answer: It is the plan of the Administering Authority to provide periodic refresher courses for medical and dental assistants and nurses, but none of these have as yet been in the field long enough to warrant such action.

Question 30: Is there no consumption of alcohol by Europeans? (Belgium.)

Answer: The statement in the report (page 59) in answer to question 195 of the Provisional Questionnaire relates to the importation of alcoholic beverages for indigenous inhabitants. Non-indigenous persons are permitted, under administrative controls, to import alcoholic beverages for their own use. However, sale, transfer or gift of such products to the indigenous inhabitants is not authorized.

Question 31: In sections 199 and 200 of the report it is stated that no legislation whatsoever affecting social welfare has been enacted during the year under

review, and that the field of social security has not yet been surveyed. What steps, if any, are contemplated by the Administering Authority in these matters in order to meet the requirements of the indigenous population? (China.)

Answer: The social welfare and social security of the indigenous inhabitants are well assured in most instances by the clan or family systems prevailing in much of the Trust Territory. Any substantial change in these systems would have such far-reaching social effects that it is considered that no immediate legislative action in this field is either necessary or desirable. However, basic social customs and conditions are under continuing review by the civil administration and anthropologists.

## IV. EDUCATIONAL ADVANCEMENT

Question 32: Does the Administering Authority consider the possibility of establishing secondary schools in the Trust Territory as requested in the recommendation of the Trusteeship Council?<sup>1</sup> (Philippines.)

Answer: The Administering Authority has considered carefully the question of establishing secondary schools in the Trust Territory and has broadened the scope of education offered at the Pacific Island Teacher-training School in Truk to provide for those not interested in teaching. In September 1949, a School of Communications was added to train indigenous radio operators. Arrangements are now being made to add a school of general education in September 1950. Commencing with the opening of the autumn semester, it is hoped to offer courses leading to diplomas in teaching, communications, liberal arts, business, government and agriculture.

Question 33: Would the special representative please endeavour to supply the following percentage figures (approximations only):

- (a) Number of pupils enrolled in schools, expressed as a percentage of the number of children of school age;
- (b) Number of children regularly attending school, expressed as a percentage of the number of pupils enrolled. (New Zealand.)

Answer: (a) It is believed that over 90 per cent of the children of school age are enrolled in schools.

(b) Of the pupils enrolled in schools, approximately 100 per cent are regularly attending. Voluntary non-attendance without a good excuse is rare.

Question 34: How does it happen that there is no missionary in Saipan (section 142 of the report)? (Belgium.)

Answer: There are both Catholic and Protestant missionaries in Saipan, but they are not engaged in secular education work. For this reason they are not included in the tabulation shown on page XXVII of the statistical supplement to the report.

Question 35: Is there any differentiation in the treatment of public schools and missionary schools? Does the Government of the Trust Territory exercise any

<sup>&</sup>lt;sup>1</sup> See document S/1358.

control over the missionary schools? If so, to what extent? (China.)

Answer: Yes. Public elementary schools are operated by the municipalities under the supervision of the Administration. Financial assistance is given by the Administration where this is deemed necessary. Public schools above the elementary level are operated directly by the Administration. Private schools, including missionary schools providing secular education as stated in the answers to questions 224 and 225 of the Provisional Questionnaire, on pages 65 and 66 of the report, are required to operate within minimum standards established by the Administration. In order to qualify for textbooks and school supplies furnished by the Administration without charge, private schools must maintain academic standards equivalent to those of the public schools. Otherwise the missionary schools control and finance their own operations.

Question 36: No museums or public libraries in the proper sense exist in the Trust Territory to date. What steps does the Administering Authority propose to take to stimulate the establishment and growth of public libraries and museums? What use is made of such other instruments of mass education as the radio, the cinema, etc.? (China.)

Answer: As explained in the answer to question 239 of the Provisional Questionnaire, on page 76 of the report, the school libraries are open to the public. These are being augmented and expanded as funds are available and as the educational advancement of the people enables them to make use of such facilities. Until a much larger portion of the population becomes familiar with written non-indigenous languages, or until many more publications are printed in one or more of the local languages, it is considered that the establishment of public libraries, separate from the schools, will not be warranted. The maintenance of a museum for the

benefit of the indigenous inhabitants also does not appear warranted at this time.

The use of the radio, the cinema and other audiovisual aids to education is limited to the extent to which local conditions and installations permit. The problem of the maintenance of radio receiving sets and the maintenance and operation of radio transmitting facilities, combined with the existing language difficulties, make any extended use of radio as a medium for mass education impracticable at the present time. As noted in the answer to question 234 of the Provisional Questionnaire, on page 75 of the report, a limited number of educational films, particularly on health subjects, and vocational training films are used. The lack of electricity however, limits such use largely to the civil administration centres.

Question 37: There is as yet no official or unofficial agency for the dissemination of news or the recording of public opinion in the Trust Territory. Is there any plan for the establishment of a Press? (China.)

Answer: There is as yet no official or unofficial agency especially charged with responsibility for the dissemination of news or the recording of public opinion in the Trust Territory. There is no plan at the present time for the establishment of a Press in a commercial sense. The eight or more different languages used and the great distances between the islands make the preparation and wide distribution of anything approaching a newspaper in the metropolitan sense, extremely difficult. However, the High Commissioner is planning to forward news and information of interest to the indigenous inhabitants to the several civil administration centres for translation into the local language or languages of each district and further dissemination to the people through the medium of the mimeographed bulletins noted in the answer to question 139 of the Provisional Questionnaire, on page 46 of the report.

# (e) Togoland under British administration, 1948

# Document T/710

Information concerning the suggestions and recommendations made by the Trusteeship Council after examining the annual report on Togoland under British administration for the year 1947

[Original text : English] [26 June 1950]

Note dated 26 June 1950 from the United Kingdom delegation

In accordance with the request made by a member of the Trusteeship Council during the examination of the report on Togoland under British administration for the year 1948, the United Kingdom delegation has pleasure in circulating the enclosed information concerning the suggestions and recommendations made by the

Council after examining the report for 1947<sup>2</sup> [Trusteeship Council resolutions 83 (IV), 109 (V) and 110 (V), and General Assembly resolutions 323 (IV) and 324 (IV)].

With regard to the question of administrative unions, members of the Council are referred to the memorandum furnished by the Administering Authority to the Trusteeship Council (T/AC.14/30).

Information submitted by the United Kingdom delegation in connexion with the annual report on Togoland under British administration for the year 1947

## Political advancement

## General

1. It is regretted that the Trusteeship Council has experienced difficulty in performing its supervisory functions. This is partly due to the fact that the report

¹ See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the Year 1948, London: His Majesty's Stationery Office, 1949, Colonial No. 243.

<sup>&</sup>lt;sup>2</sup> See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the Trusteeship Council of the United Nations on the Administration of Togoland for the Year 1947, London: His Majesty's Stationery Office, 1948, Colonial No. 225.

on the Territory for 1947 was written solely in response to the Provisional Questionnaire and without a knowledge of the Council's particular interests. Every endeavour is being made to supply the fuller and accurate information which the Council desires and, where this is not possible, to supply reliable estimates. In some cases, such as the figures of scholarships awarded, it has not been possible to obtain this information for past years, but steps have been taken to revise the basis on which records are kept so that the information desired by the Council can be supplied in future.

- 2. Careful consideration has been given to the possibility of granting budgetary autonomy to the Territory, but it has been found that this could be achieved only at the expense of instituting a customs and fiscal frontier between the Gold Coast and the Territory. Clearly this would be so greatly to the Territory's disadvantage that it is not considered advisable to pursue this suggestion. The report of the Coussey Committee, it will be noted, recommends a considerable degree of financial devolution to regional and local authorities, and this should go some way to meeting the Council's wishes.
- 3. All services provided by the Gold Coast Government are common to the Gold Coast and Togoland and are described in the annual reports. The limited number of services common to other West African territories as well are now described, in response to the request contained in document T/293,<sup>2</sup> in section B of the annual report on the Trust Territory.

# Difference between Northern and Southern Sections

- 4. The Northern Section of the Trust Territory is relatively undeveloped because it suffers from a number of natural handicaps. Principal among these are climate, soil, water shortage and transport problems (distance from markets and natural features). To overcome these and other handicaps, a considerable amount of basic data is required. Techniques for assembling such data in a feasible and economic manner have in some cases only recently been developed, and the training of staff to carry out these techniques is not always very far advanced. This is particularly the case in regard to the survey of soil types.
- 5. Such a survey is an essential preliminary to the comprehensive economic development of the Northern Section. It has recently been possible to develop a form of reconnaissance soil survey which will provide the results required with the minimum of expenditure and delay. The Gold Coast is fortunate in having the services of a scientist of international repute in this field, but it is proving a matter of great difficulty to build up a staff to carry out all the surveys required and there is no immediate prospect of a full reconnaissance soil-survey in the Northern Section. Attention is invited to the more detailed statement on this subject on page 158 of the report on the Territory for the year 1948.

- 6. The urgent need to overcome these handicaps is fully realized and it will be necessary to take some risks —in the sense of proceeding with certain types of development without fully adequate basic data—in order that the Northern Section may be able to advance economically at a speed sufficient to enable it to take its place alongside the south in the advance now being made towards fully responsible government. In order to minimize the risks and to ensure that the planning and execution of economic development follows a reasonable pattern, a preliminary economic survey of the Northern Territories of the Gold Coast, including the Northern Section of the Trust Territory, is being conducted. More detailed surveys into particular subjects or areas may thereafter be necessary. To develop the Northern Section economically, it is important to bear in mind that it is linked, economically, politically, and socially, with the Northern Territories of the Gold Coast.
- 7. Before there can be any large-scale development, the soil must be conserved. Erosion is advancing into the Gold Coast from the north at the eastern end of its boundary with the Upper Volta (French territory). Conservation in this area is vital to the Northern Section as well as to the Northern Territories as a whole. A successful small-scale experiment has been conducted and an aerial survey is in progress with the object of providing the data on which to plan more extensive conservation measures. Some forest reservation is proceeding even though the results of the aerial survey have not yet been received, but more comprehensive measures will be possible when those results have been made available, when plans have been drawn up on the basis of the survey and when the necessary funds, staff and equipment have been secured. So far as can be foreseen, the acrial survey results will be available in 1950, but the initiation of field measures, in accordance with plans based on the survey, is unlikely to prove possible before 1951 at the earliest.
- 8. Plans have been completed for a large-scale scheme of mechanized farming on a co-operative basis elsewhere in the Northern Territories and steps are being taken to assemble the staff and equipment for the inception of the scheme. Results available after about the first five years of its operation may provide data for the inception of a similar scheme in the Northern Section if suitable soils can be found. In any event, the scheme in the Northern Territories involves the settlement of homogeneous groups on uninhabited land, and some of these groups may be drawn from the Northern Section of the Trust Territory.
- 9. The problem of providing adequate water supplies continues to receive the active attention which it has received in the past and a full programme of development has been drawn up and is being executed as fast as considerations of finance, staff and equipment permit.
- 10. The problems of transport and marketing are also being tackled. The emergence of co-operative marketing societies is being encouraged, as this would bring greater benefits to the inhabitants of the Trust Territory than does the existing system of marketing by middlemen who are not natives of the territory. The

<sup>&</sup>lt;sup>1</sup> See Gold Coast: Report to His Excellency the Governor by the Committee on Constitutional Reform, 1949, London: His Majesty's Stationery Office, 1949, Colonial No. 248.

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Fourth Session, Supplement No. 1, annex to resolution 48 (IV).

natural conservatism of the local inhabitants tends to make the process of co-operative development a tedious one with many set-backs. Road communications are being improved by works both of construction of new roads and of improvement of existing roads, but no adequate solution to the transportation problems of the Northern Section can be achieved until a cheaper form of transport is provided to link the Northern Section to its markets on the coast and its potential markets overseas. If the Volta were navigable as far north as Yeji, part of the Northern Section would be provided with cheap transport to markets. A hydro-electric project at Ejena (in the Colony), at present under examination by consulting engineers, would render the Volta navigable beyond Yeji and would be combined with a scheme of river transportation. If the consulting engineers recommend such a scheme and if their recommendation is carried into effect with the maximum dispatch, it would not be possible, so far as can at present be estimated, to operate any scheme of river transportation before 1955.

- 11. No reliable cash crop has yet been developed to counteract the people's preoccupation with subsistence farming. Bearing in mind the lack of basic data already referred to, it is thought that groundnuts and rice are possibilities. Apart from encouragement to the farmers to grow more crops, however, no effort is being made to develop these two crops on a large scale in the Trust Territory, nor is any such effort contemplated until the results of the mechanized agricultural scheme already referred to are available. Added encouragement is being given to the farmers to grow cash crops by the provision of a new incentive in the form of a government bulk-purchase scheme involving the guaranteed purchase, at a guaranteed price, of crops susceptible of long-term storage.
- 12. As stated in the report for 1948, to which reference has already been made, it is necessary to face the possibility that the utmost potential economic development in the Northern Section may still prove to be extremely limited. At present the stress must be laid on the provision of the essential rather than of the desirable. The essential needs of the Northern Section are the provision of an uncontaminated and regular water supply in proximity to every village and agricultural area, the eradication of debilitating diseases, the improvement of nutritional standards, and the replacement of the present apathy with a genuine enthusiasm for education and advance in all fields.
- 13. As regards public works and communications, provision for improvements has been made in the draft ten-year development plan of the Gold Coast, including the Trust Territory. This plan is at present under revision and the needs of the Northern Section of the Trust Territory are being borne in mind.
- 14. Education is dealt with below under the section dealing with educational advancement.

Suffrage and participation in organs of government

15. It will have been noted that the complete reconstitution of the Executive and Legislative Councils of the

Gold Coast is contemplated as a result of the Coussey Committee report and the statement of His Majesty's Government thereon.

- 16. The Executive Council never has been a body on which regional interests as such were specifically represented, the African members being chosen for their individual worth. Nor is it in accordance with the constitutional practice of most countries for seats on the principal policy-making body to be allocated on a regional basis. For this reason the Coussey Committee report, in a section which has received the general approval of His Majesty's Government, has not envisaged that any number of seats on the Executive Council would be reserved for inhabitants of Togoland or for inhabitants of any given geographical area.
- 17. A considerable enlargement of the central legislature is recommended in that report and, if the detailed recommendations of this Committee are accepted, Togoland would receive a greater number of seats than its population would strictly justify. As an interim measure while the new constitution is being worked out, one seat has been added to the present Legislative Council to enable the Southern Section of Togoland to be represented on the same scale of members to population as the other parts of the Colony and Ashanti. This has been made possible by the formation, at the express wish of the chiefs and people of the Southern Section, of the Southern Togoland Council which, in addition to other functions, will constitute an electoral body.
- 18. The Coussey Committee has recommended the setting up of three tiers of government—local authorities, regional administrations and a central legislature. In each tier the majority of members would be elected by a wide franchise, the qualifications differing slightly in each case, but for the central legislature primary and secondary elections would be the normal practice. No reason to disagree with these recommendations in broad outline is seen but the details have to be worked out locally.
- 19. It is not British constitutional practice that any part of the judiciary should be chosen by popular election. The appointments of magistrate and judge in the Gold Coast are made through the Governor by the Secretary of State and His Majesty the King respectively and are removable by them alone, and only in exceptional circumstances. No obstacle lies in the way of the appointment of suitably qualified natives of the Territory to these posts: in fact, nearly half the members of the judiciary and magistracy of the Gold Coast are Africans, none of whom, however, as yet comes from the Territory. The Governor appoints the panels of Native courts from the inhabitants of the area, and the recent reorganization of these panels in the Southern Section has resulted in their members being drawn from a wider range of the population.

<sup>&</sup>lt;sup>1</sup> See Gold Coast: Statement by His Majesty's Government on the Report of the Committee on Constitutional Reform, London: His Majesty's Stationery Office, 1949, Colonial No. 250.

### General conditions

- 20. Provision is already made in the laws of the Gold Coast by which the Governor in Council may prohibit the celebration, cultivation or practice of any custom or rite which is considered harmful (Cap. 77 in the Southern Section, Cap. 87 in the Northern Section) and certain fetish practices have in the past been prohibited under these provisions.
- 21. The position regarding child betrothal is set out in paragraph 123 of the report for 1948. There it is explained that while a form of child betrothal which is not generally harmful takes place in certain parts of the Territory, child marriage in the strict sense of the word does not exist. There is no evidence of "forced marriage" in the case of girls or of the pawning of children for debt, which has for many years been prohibited under the Criminal Code (section 445 (3)).
- 22. It is the view of the Administering Authority that, in general, prohibition does little to hasten the extinction of social practices which are not repudiated by a large proportion of the community, and that the most effective means of eliminating practices which may not be consonant with civilized thought lies in the expansion of general and Christian education.

## Standard of living

- 23. The Territorial Government is fully aware of the desirability of obtaining detailed information regarding the cost of living in the Trust Territory, and it is the intention of the Government to carry out cost-of-living studies in the next few years not only in Togoland but in the Gold Coast as a whole. The Government would not, however, go so far as to regard the information likely to be derived from such studies as an essential basis for a realistic policy designed to ensure the well-being of the population.
- 24. In pursuance of the need to obtain additional statistical information of all kinds, a fully qualified statistician was appointed to the Gold Coast Government Service in February 1948, with a view to the establishment of a statistical branch of the Secretariat on the most modern lines. Provision was made in the Gold Coast estimates for 1949/50 for the expansion of this branch by the appointment of nine additional senior officers, including four statistical officers. Some difficulty is being experienced in securing qualified persons to fill these posts, but as soon as staff is available, an extensive statistical survey of the Territory, including cost-of-living studies, will be undertaken. It is unlikely, however, that any reliable data will be available for a year or so.
- 25. In addition, there are special problems attendant upon all sociological research in an area with a social structure as complex and at the same time as fluid as that existing in West Africa today. A typical example is the problem of obtaining reliable figures for the cost of any particular goods to an average family, in view of the elaborate system of petty trading through which most goods pass before reaching the final consumer and

in which a very large proportion of the population takes part. In order to obtain reliable information on such matters, it may be necessary to employ regional field staff under the supervision of the statistical officers, and there will be consequent delays while this local staff is receiving training.

## Wages

- 26. The levels at which wages are established in Togoland under United Kingdom trusteeship as in the Gold Coast are conditioned by a number of factors, the chief of which are:
- (a) The supply of and demand for workers in industrial, commercial and agricultural undertakings;
- (b) The process of collective bargaining between workers' organisations and employers;
- (c) The rates prescribed for employees of the Government;
- (d) The minimum wage legislation embodied in chapter IX of the Labour Ordinance (No. 16 of 1948). 27. Intervention by the Government for the purpose of fixing minimum rates of remuneration in respect of non-government employees is provided for under the terms of the Labour Ordinance, which enables the Governor in Council to appoint a wages board when satisfied that the remuneration paid to any class of workers is such as to render it necessary.
- 28. The majority of wage earners in Togoland under United Kingdom trusteeship are employees of the Government, of the Native Authorities or of the cocoa farmers. Rates of wages paid to government workers and employees of Native Authorities are at the same level as those in the adjacent rural areas of the Gold Coast, and generally the remuneration of workers on the cocoa farms is at the same level as that which exists in the neighbouring areas of the Colony. These levels are considered to be fair and reasonable, having regard to the needs of the workers and the economic position of the Territory.

#### Corporal punishment

- 29. The laws in force in the Gold Coast and the Territory permit the award of corporal punishment for adults only for rape, robbery with violence and a strictly limited number of kindred offences.
- Where corporal punishment is awarded for the prison offences of mutiny, incitement to mutiny or gross personal violence, elaborate safeguards exist. Like all other prison punishments, it may be awarded only by a visiting committee after a prisoner has been tried for and found guilty of the offence in question. No prison officer has power to award corporal punishment. No sentence of flogging can be carried out without the sanction of the Governor. It is also required that the prisoner shall be passed as medically fit by a medical officer and that his punishment shall be inflicted in the presence of a medical officer. Similarly, where corporal punishment is awarded by the Supreme Court, it cannot be carried out unless the prisoner is declared medically fit: a medical officer must be present when it is inflicted.

31. In practice, the provisions relating to corporal punishment are seldom resorted to, and no sentences of flogging have been awarded or carried out in the Territory for many years. Nevertheless, although the use of corporal punishment is and always will be curtailed to a minimum, it is not yet considered desirable to remove from the statute book the power to award flogging in the very serious cases listed above, as such punishment is deemed a most necessary deterrent to the commission of such crimes.

32. The whipping with a light cane of boys under sixteen may be ordered for all serious crimes, but this punishment is decreasing as a result of establishment of probation services at Accra, Sekondi and Kumasi, and the Boys' Industrial School at Swedru. In 1946, 80 per cent of juveniles appearing before the magistrate's courts were sentenced to whipping with a light cane, but the figure was reduced to 20 per cent in 1947 and 9 per cent in 1948, when twenty-eight juveniles were so sentenced. It is hoped that the number of sentences of whipping will continue to be reduced as the probation and industrial school systems develop; and every effort will be made to curtail this form of punishment to a minimum. It is not considered desirable at present, however, to abolish the power to award such sentences, as it is likely that there will always be a few cases for which caning is the most suitable punishment.

## Health

33. The provision of adequate hospital facilities has received much attention, and the committee which is undertaking a revision of the ten-year development plan for the Gold Coast and Togoland has before it a recommendation that hospital beds should in future be provided on a minimum scale of one for every 2,000 of the population, as against the present provision of one bed for every 3,000 persons. To achieve this aim in the Southern Section, an extension capable of taking 20 beds is being made to the Ho hospital and it is hoped that a hospital containing 40 beds will shortly have been built at Hohoe. As a result of these two projects, there will be in the Southern Section, one hospital bed for every 2,100 of the population; this does not include a mission hospital that is likely to be built at Worawora.

34. It would not be practical to consider separately the provision of hospital facilities in the Northern Section without taking into account those in neighbouring parts of the Northern Territories, since hospitals must clearly be sited at places conveniently situated from the point of view of communications. It is obviously more convenient for patients from the northernmost section of the territory to attend the existing hospital at Bawku, just inside the Gold Coast, than to travel to the nearest hospital in the Trust Territory, which is at Yendi. Similarly, the most convenient place to construct the proposed new hospital for the southern part of the Mamprusi district (both the portion in the Trust Territory and that outside it) is at Gambaga. The construction of a hospital at Gambaga and an extension of Bawku hospital are therefore planned in preference to the construction of a hospital in the northernmost part of the Territory. In the Dagomba district there already exists a hospital at Yendi and it is planned to

expand this to provide 60 beds. When the work on these hospitals is complete, the provision of one hospital bed for 2,000 of the population should have been attained as against the present provision of one hospital bed to about 5,000 of the population. In the Krachi district, where there are only 30,000 people, scattered over a large area, no hospital is at present planned, but the proposed mission hospital at Worawora, on the border of the Krachi district will, when completed, serve the southern and eastern part of the district, while the existing government hospital at Salaga will continue to serve the north-western part of the district together with the small portion of the Gonja district in the Trust Territory.

35. In addition to the medical officers at Bawku and Salaga, there are now three medical officers stationed in the Territory.

36. Nurses are being trained by the Gold Coast Government as rapidly as possible and the nursing staff in the territory has recently been increased to 18 and will be increased further when the Hohoe hospital is completed. Facilities for training nursing staff are provided at the training college at Accra, and a second college will be provided when the new central hospital at Kumasi is built. In the meantime training on apprenticeship lines continues to be provided in hospitals designated for the purpose.

37. It is the policy of the Gold Coast Government that the maintenance and staffing of dispensaries other than those attached to hospitals shall be the responsibility of Native Authorities, with assistance from the central Government in the matter of training facilities and grants-in-aid for building. A government dispensary, however, still continues at Kete-Krachi. Native Authority dispensaries exist at Kajebi, Jasikan, Vakpo, Wurupong, Worawora, Banda, Abotoase, Grubi, Nakpanduri, Garu, Dain and Nkwanta, and mission dispensaries exist at Dsodje (which is just outside the Territory), Kpandu, Kpandai, and Saboba. A model health centre is to be established at Kpandu in the Southern Section and a second at Bimbilla in the Northern Section; these will be built at Government expense and managed by the Native Authorities. The Gold Coast Branch of the British Red Cross Society proposes to operate, from Hohoe as a centre, a mobile clinic for maternity and child welfare cases in the area. At Kpandu the Roman Catholic mission has an antenatal and child welfare clinic.

38. The trypanosomiasis and yaws teams referred to in section 181 of the annual report for 1948 have now dealt with practically the whole of the Northern Section, including Kete-Krachi, and the mass treatment of trypanosomiasis and yaws was started in the Ho district in 1949.

#### Health and education

39. Every effort will be made by the Administering Authority and the Gold Coast Government to increase budgetary allocations for educational requirements and other cultural needs as well as for the public health services, but such increases must take into consideration the economic resources, capital and recurrent, of the Territory and expenditure on development of other essential services.

The Northern and Southern Sections of the Trust Territory are discussed separately. In no realistic sense would it be proper to discuss them in any other way. Since educational development can only be built upon present attainment and is a cumulative process, a more advanced area can develop quantitatively more rapidly than a more backward one, where time is needed to gather momentum. In the Northern Section, advance must depend, inter alia, on the employment of teachers born in that area, because incomers will not be able to speak the local vernaculars. Even if a plentiful supply of non-indigenous teachers were to become available. and in spite of the great demand for education in the Gold Coast Colony and Ashanti, it would not be of much value to "inject" them into the educational system of the Northern Territories because of language difficulties.

#### A. Northern Section

- 41. It can be true in a quantitative sense only that education is still backward, the important point being that progress is being made according to a plan which provides for the maximum feasible progress. Also, educational development is commensurate with the general, and specially with the economic, development of the area.
- 42. Education in the Northern Section is almost entirely in the hands of local government (Native Authorities), assisted financially and administratively by the Gold Coast Government. The Native Authority day schools charge no fees, and nearly all children in the Native Authority boarding institutions have free education on a scholarship basis.
- 43. Progress made in the last twenty years is set out in table D below. In 1929, there was one infant-junior school, with thirty-seven pupils. In 1939, there were two infant-junior schools, with a total of 174 pupils. In 1949, there were fourteen infant-junior schools, with a total of 779 pupils, and two senior schools, with a total of 98 pupils. Although the rate of quantitative progress appears to be slow, it is in advance of the rate of progress in the Northern Territories Protectorate. The controlling factor is the rate at which teachers can be trained, this being limited by the fact that, up to the present, all teachers for the whole of the Northern Territories Protectorate, including the Trust Territory, have had to be recruited for training from the senior primary school at Tamale. Now that the Krachi senior school has reached standard VII, the number of teachers should increase, and the first fruits of this will show in 1952-1953.
- 44. Plans for advancement. In 1950, the staffs of existing schools will be increased by five teachers from the training college at Tamale, and two day-schools will be opened. In 1951, it will be possible to open as many as six days-chools; but this can be done only at the expense of the Northern Territories Protectorate as a whole. Three or four is the more probable and equitable number. In 1953, it is proposed to open a two-year post-primary teacher-training college at Yendi or Nakpanduri. The first teachers from this new college will be available for teaching in 1955 and, from that year

- onwards, the rate of expansion of infant-junior education should be approximately doubled.
- 45. At present, pupils from the Krachi and Tamale senior schools compete yearly for two Northern Territories Protectorate territorial scholarships for secondary education at Achimota. In 1951, secondary education will be available for pupils from the Northern Section of the Trust Territory in the large educational establishment conducted by the Education Department at Tamale.
- 46. No facilities exist at present for technical training; but a trade training centre is in course of erection at Tamale and it is the intention that it should be opened in 1951. These facilities will, of course, be available to pupils from the Trust Territory.
- 47. Senior education for suitable girls from the Northern Section of the Trust Territory will continue to be available at the senior girls school at Tamale.
- 48. It is important to mention that, in addition to the schools in the Northern Section of the Trust Territory, there are other schools in the Protectorate which have a large proportion of pupils from that Territory, as, for instance, the new senior school at Nalerigu.
- 49. Government scholarships abroad. There is already a generous scholarships scheme, but it will not be possible to award scholarships for university education to Natives of the Northern Section until some of them have successfully passed through the preceding stage of secondary education. Policies already in operation were drawn up with this objective in view.

## B. Southern Section

- 50. It is misleading to say that education is backward in this area. "Backward" is a relative term and can have meaning only when it is related to some standard. A study of the enrolment figures for the Southern Section reveals the following interesting facts.
- (a) A little over 21,000 pupils were enrolled in assisted and designated schools in 1949. This figure represents 11 per cent of the total population of the Territory. The comparative figure for the Gold Coast Colony and Ashanti (excluding Togoland) is 5.8 per cent.
- (b) In 1949, of all the children of school-going age in the Southern Section who could have been attending infant-junior schools had there been a sufficient number of these, the percentage of enrolment was 76 per cent. Similarly, the percentage for senior-primary schools was 24 per cent.
- 51. Thus, in every respect, the Southern Section of the Trust Territory is in a substantially better position than the Gold Coast Colony and Ashanti. The achievement in Southern Togoland is in fact very considerable and compares very favourably with that in various other parts of the world, not excluding a considerable number of sovereign States.
- 52. The great majority of the schools are managed by the educational units of the various Churches and missions. All are subject to inspection by officers of the Education Department. None are profit-making. The policy of the educational units conforms to that approved

by the Gold Coast Government on the advice of the Central Advisory Committee on Education, which is a statutory body. The application in detail of approved developmental policy is guided by the District Education Committees, which are statutory advisory bodies. It is thus incorrect to call these schools "private", even though they are not managed by the Gold Coast Government.

53. The schools are very largely financed by public funds. At the present time, about 80 per cent of the salary bills in assisted schools is paid direct from central Gold Coast Government funds. Further, all salaries in assisted and designated schools are guaranteed by the Gold Coast Government in accordance with the "Mangin report".1

54. In the Gold Coast, schooling cannot as yet be made available to every child; but the whole population, through direct and indirect taxation, contributes to the support of the schools. It would be manifestly unfair if those children who attend schools were to do so entirely at the community's expense. Only when universal primary education becomes possible from the financial point of view will it be just and fair to make it free of charge. Until then, those who receive the privilege of education ought to pay a supplementary contribution to its cost. The school fees collected amounted to about one-third of a total expenditure on the schools of approximately £77,400. As for the statement that fees are, in general, too high, the actual rates in the Ho district—a typical one—are as follows:

An assessment of the income of the people would be a difficult task. The fact that the majority of schools have waiting-lists for admission affords *prima facie* evidence that the parents concerned do not consider the school-fees to be beyond their means.

55. Each educational unit was requested by the Education Department, before the end of the war, to state its programme of development for a ten-year period and to estimate its cost, on the understanding that the requisite finance for approved schemes would be provided. The training colleges at Amedzofe and Hohoe are among the results of the Education Department's requests for development programmes and of its offer of finance for them. The Amedzofe training college cost £45,900, while that at Hohoe is estimated to cost £80,000. In both cases, the entire amount has been or will be provided by grants made under the United Kingdom Colonial Development and Welfare Acts.

56. It is wrong to imply that secondary education is entirely dependent on means. Pupils from the Territory are eligible for Education Department scholarships for secondary education, and 100 scholarships are provided each year for candidates from the whole of the Gold Coast, including the Trust Territory. They are of the value of £30 per annum for the duration of the course and they may be supplemented in cases of need by bursaries up to a value of £20 per annum.

Further, part of the funds at the disposal of the King Edward VII Memorial Fund Committee is devoted to supplementing the resources of secondary school pupils.

57. The fees in the assisted secondary boarding schools range from £37 10s. to £47 10s. per annum.

58. As regards mass and adult education, a social development team has been working in the Southern Section with the object of training leaders who will be able to stimulate village life generally. Instruction in the teaching of mass literacy by the Laubach system forms an important part of each social development course given by the team and, as a result, adult education classes have been started in a number of towns and villages. To follow up the work done at each social development course, and in order to ensure that the enthusiasm so engendered does not subside or take a wrong course, assistant mass education officers have been posted to the Southern Section.

59. The social development team has so far concentrated its mass education work in the Trust Territory. In this respect, therefore, the Trust Territory has fared much better than the Gold Coast Colony and Ashanti.

60. Post-primary classes: secondary and teacher training. In 1949, there were 266 persons from the Southern Section of the Trust Territory attending post-primary institutions (184 in teacher-training colleges and 82 in assisted secondary schools). The population of that area is 172,262, so this represents one in 650 of the population. Comparable figures for the Gold Coast Colony and Ashanti are: population, 2,839,312; post-primary pupils, 3,972 (1,512 in teacher-training colleges and 2,460 in assisted secondary schools); this is a proportion of one in 710 of the population.

61. Facilities for post-primary education are open to persons from the Trust Territory equally with those from the Gold Coast Colony and Ashanti. The figures quoted above prove that approximately the same proportion of the population of both areas is at present receiving post-primary education. It follows also that the quality of the senior primary schools in the two areas must be about the same, since about the same proportion of their pupils gain places in post-primary institutions. Entry to these institutions is by competitive examination, the same papers being set for the whole country.

62. As regards the provision of facilities for postprimary education at institutions situated within the Trust Territory, there are already in existence two teacher-training colleges, one at Hohoe and one at Amedzofe. The former is conducted by the Roman Catholic mission; its enrolment in 1949 was fifty-one. The latter is conducted by the Ewe Presbyterian Church; the 1949 enrolment was 120. Both colleges provide the two-year course, training teachers for infant-junior schools in rural areas. A secondary school was opened in temporary buildings at Ho in January 1950. It had an enrolment of thirty pupils and a teaching staff of three, consisting of the principal (European-American), a graduate, and two African undergraduates. fees are £43 per annum, including board and tuition. The temporary accommodation was prepared and initial equipment provided at a cost to the Gold Coast Govern-

<sup>&</sup>lt;sup>1</sup> See Report of the Committee on the Scale of Emoluments Applicable to Teachers in Non-Government Institutions, 1947, printed by the Government Printing Department, Accra, Gold Coast.

ment of some £4,000. The site for permanent buildings is being surveyed. These buildings are expected to cost between £200,000 and £240,000, and the money for the construction of all of them will be found from Gold Coast Government funds. Eight Ewes are at present undergoing training as graduates for the staff of this school, and they should become available for teaching during the next four or five years, pari passu with the development of the school to its full enrolment of 350.

63. Government school to its full enrolment of 350. 63. Government scholarships abroad. There is a generous scholarship scheme for studies in the university colleges of West Africa and in the United Kingdom. Candidates from the Trust Territory are admitted to these scholarships on exactly the same terms as those from the Gold Coast Colony and Ashanti.

## TABLE A

Percentage enrolment in primary schools in the Trust Territory (Southern Section) and the corresponding areas of the Gold Coast, 1948

Area	Population	Enrolment in p schools	Percen- tage	
Gold Coast Colo- ny and Ashanti, excluding Trust		Assisted schools Designated	79,723	2.81
Territory		schools	85,016	3.0
		Total	164,739	Total: 5.8
Trust Territory (Southern Section)		Assisted schools Designated	12,893	7.5
,		schools	6,159	3.6
		Total	19,052	Total: 11.1

3.3

3.5

Infant-junior (other) ...

### TABLE B

Comparative enrolment in primary schools in the Trust Territory and the corresponding areas of the Gold Coast, December 1948

	Gold Coast Colony and Ashanti, excluding Trust Territory	Trust Territory, Southern Section	Gold Coast Northern Territories Protec- torate	Trust Territory, Northern Section
Population	2,839,312	172,262	870,575	206,354
Enrolment				
Infant-junior schools (assisted and designated)	120,581	15,692	2,832	654
Senior-primary schools (assisted and designated)		3,360	364*	55
Infant-junior (other)	92,982	5,978	_	47
Total				
Allkinds	257,721	25,030	3,196	756
Infant-junior-senior schools (assisted and designated)		19,052	3,196	709

 $<sup>\</sup>mbox{*}$  Includes 23 pupils from the northern and 3 from the southern part of the Trust Territory.

Table C

Enrolments shown in Table B expressed in terms of percentage of population for each area, 1948 census

	Gold Coast Colony and Ashanti, excluding Trust Territory	Trust Territory, Southern Section	Gold Coast Northern Territories Protec- torate	Trust Territory, Northern Section		Gold Coast Colony and Ashanti, excluding Trust Territory	Trust Territory, Southern Section	Gold Coast Northern Territories Protec- torale	Trust Territory, Northern Section
Infant-junior schools (assisted and desig-					Total			0.37	0.37
nated	4.25	9.1	0.33	0.32	All kinds	9.1	14.5	0.57	0.57
Senior-primary schools (assisted and designated)	1.55	1.95	0.042	0.027	Infant-junior-senior schools (assisted and designated)		11.0	0.37	0.34
T factory	2.00	1.00	0.042	0.027	designated)	5.8	11.0	0.37	0.94

Table D

Enrolment in primary schools in the Trust Territory (Northern Section) in 1929, 1939 and 1949

0.023

		1929			1939			1949				
Kinds of school	Number		Enrolment		Number		Enrolment		Number	Enrolment		!
	of $\overline{}$ of $\overline{}$ schools $\overline{}$	Girls	Total	of schools	Boys	Girls	Total					
Infant-junior (government and government-assisted)		33	4	37	2	167	7	174	12	616	166	732
Designated							_		_		_	
Non-assisted and non-designated		_		_				_	1	38	9	47
Total	1	33	4	37	$\overline{2}$	167	7	174	13	$\overline{654}$	125	779

N.B. Figures in this table are based on revised figures.

Enrolment in primary schools in the Trust Territory (Northern Section) in 1929, 1939 and 1949

			1929				1939				19 <b>4</b> 9	
Kinds of school	Number		Enrolment		Number		Enrolment		Number of		Enrolment	
	of schools	Boys	Girls	Total	of schools	Boys	Girls	Total	schools	Boys	Girls	Total
Broughtt forward	1	33	4	37	2	167	7	174	13	654	125	779
Senior-primary (government and government-assisted)		_	_	_	_			_	2	98	_	98
Designated	_				_	_				_	<del></del>	
Non-assisted and non-designated							_		_	_	_	_
Total	·					_			2	98	_	98
GRAND TOTAL	1	33	4	37	2	167	7	174	15	752	125	877

# Document T/711

Information transmitted by the Administering Authority in respect of the 1948 census of the Gold Coast and Togoland under British administration

> [Original text : English] [27 June 1950]

1. The information given below in respect of the 1948 census of the Gold Coast, with particular reference to Togoland under United Kingdom trusteeship, does not pretend to be detailed and is concerned only with salient features; it would be quite impossible in the time available to give the full details of the Census Commissioner's report. The census report, with full tabulated figures, will be published within the next few weeks and copies will, of course, be forwarded to the Trusteeship Council.

#### GENERAL

#### Population 1 4 1

2. The census was taken in the early part of 1948, and the population enumerated for the whole Gold Coast, including the Trust Territory, was 4,118,450. This represents an increase of 954,882, or 30.15 per cent of the 1931 population of 3,163,568. The percentage increases from 1921 to 1948 are shown hereunder.

Area	Increase in population (expressed in percentages)				
	1921 to 1931	1931 to 1948			
The Gold Coast	3.76	1.77			
The Colony	3.48	1.81			
Ashanti	4.23	2.44			
The Northern Territories	4.03	1.27			
Togoland under United Kingdom trustee-					
ship	5.63	1.78			
Areas administered with the Colony	4.40	2.20			
Areas administered with the Northern					
Territories	6.68	1.47			

3. The average density of population for the whole Gold Coast is 44.8 persons per square mile. In Togoland, the density is 29.4 persons per square mile. The figures for the Southern and Northern Sections respectively are as follow:

#### Southern Section

Population: 172,575 (172,530 Africans and 45 non-Africans).

Average annual increase in population since 1931: 2.20 per cent.

Area: 2,464 square miles.

Density of population: 70 persons per square mile.

#### Northern Section

Population: 210,193 (210,187 Africans, of whom 106.658 were males and 103,529 females, and 6 non-Africans).

Average annual increase in population since 1931: 1.47 per cent.

Area: 10,577 square miles.

Density of population: 19.9 persons per square mile (17.3 in part of Dagomba, 21.7 in part of Gonja, 9.4 in Krachi and 66.4 in part of Mamprusi).

#### Tribal divisions

4. Under the heading, "Tribal Divisions", the Census Commissioner remarks:

"One tribe in particular, the Ewes, is showing a very definite tendency to penetrate into other parts of the country. Although 48 per cent of Ewes were counted in Keta /Ada and another 27 per cent in Ho, yet there were 20,531 in Accra district, 4,435 in Ahanta-Nzima, 13,894 in Akwapim-New Juaben, 21,668 in Birim, 7,434 in Cape Coast, 53,030 in Volta River, 6,587 in Ashanti. In the distant districts of Wasaw-Aowin and Sefwi the numbers fell to 1,946 and 339, while only 2,598 had found their way to the Northern Territories, with 1,600 of these in the neighbouring district of Krachi. There is evidence here of extensive westerly migration."

#### Education

5. Of the 4,111,680 Africans enumerated in the entire Gold Coast, 98,935 were stated to have reached school standards III to VI inclusive, and 64,717 to have reached standard VII or higher. These figures represent 2.4 per cent and 1.6 per cent, respectively, of the total population, a total of 4 per cent. The corresponding figures for Togoland are shown hereunder.

Area	School standards attained (expressed in percentages of the population)				
	Standards III to VI	Standard VII or above			
Togoland	2.2	0.9			
Ho Dagomba (part) Gonja (part) Krachi Mamprusi (part)	4.8 0.07 1.09 0.49 0.05	1.8 0.03 0.04 0.31 0.02			

6. The Census Commissioner in his report has made the following comment:

"It is noteworthy that the Togoland standards are so high. As already stated, the Southern Section or Ho district has the third highest percentage in the Gold Coast and although the most northern parts conform to the low Northern Territories standard [0.21 per cent], the intermediate section, Krachi, has a percentage of 0.8, which is almost four times the average for the Northern Territories, in which it is included."

7. It must be noted that these are "education", not "literacy", figures.

## Housing

8. The total number of houses in Togoland was 54,900, with a total number of inmates of 155,009. The corresponding figures for the whole Gold Coast are 483,701 and 1,808,981 respectively. There is, therefore, as the Census Commissioner remarks, no evidence of serious overcrowding by present-day standards in West Africa.

## **Occupations**

9. The figures for occupations pursued by male members of the population show the following:

Occupation	Number of persons	Percentage of population
Cocoa growing	9,618	8.1
Skilled work	9,984	8.4
Trade, etc	4,016	3.4
Unskilled work	7,992	6.8
Miscellaneous	86,790	73.3

#### DISTRICTS

10. Brief details are provided below concerning the administrative districts.

## Southern Section

Ho administrative district

11. The population figures for the Ho district are shown hereunder.

Population: 172,575 (172,530 Africans, of whom 87,239 were males and 85,291 females, and 45 non-Africans).

Average annual increase in population since 1931: 2.20 per cent.

Area: 2,464 square miles.

Density of population: 70 persons per square mile.

- 12. The principal town is Ho (population, 5,852). Fifteen other towns or villages had a population of over 1,500, the largest being Hohoe (5,636 inhabitants) and Kpandu (4,040 inhabitants).
- 13. The district was formed from Akpini State (population, 33,846), Asogli State (population, 44,342), Awatime State (population, 14,950), Buem State (population, 45,114), and eight divisions—namely, Anfoe, Gbi, Goviefe, Likpe, Nkonya, Santrokofi, Tsrukpe and Ve—which were not administered by a Native Authority. The total population of these eight divisions was 34,278.
- 14. Since the census, the division of Tsrukpe has been added to Akpini State, Goviefe has been added to Asogli State and a new State of Atando has been created to embrace the divisions of Gbi, Likpe and Ve. The new Atando State had a population of 17,914, Akpini State a population of 34,696 and Asogli State a population of 45,164.
- 15. The principal tribes are the Ewe, numbering 137,093, and Asante, numbering 12,697. Although all but eight of the recognized tribes were represented in the district, only the Ewe and Asante tribes numbered as many as 5,000 members. The only ones to approach this figure were the Kotokoli tribe, with 4,726 members, and the Akwapim tribe, with 3,678 members.
- 16. Of the males aged 15 years and over, 8,710, or 16.7 per cent, were engaged in cocoa growing. It is estimated that 3,000 women were also so employed, making a total of 11,710 persons. 791 men were recorded as weavers, 361 at Kpetoe and Afegame and 132 at Adaklu Abuadi and Kordiabi. 425 women described themselves as makers of pottery at Kpandu. Coffee is grown in the district, but the number of persons engaged in this industry was not recorded.

Northern Section (including districts also forming part of the Northern Territories Protectorate, Gold Coast)

## Dagomba administrative district

17. The population figures for the Dagomba administrative district are shown hereunder.

Population: 224,506 (224,392 Africans, of whom 114,110 were males and 110,282 females, and 114 non-Africans).

Average annual increase in population since 1931: 1.38 per cent.

Area: 9,611 square miles.

Density of population: 23.4 persons per square mile (18 and 36 in the census districts of East and West Dagomba respectively).

- 18. The principal towns are Tamale (population, 16,164), and Yendi (population, 7,694). Eleven other towns or villages had a population of over 1,500, the largest being Savelugu (population, 5,376).
- 19. The district was formed from Dagomba Native Authority (population, 203,362) and Nanumba Native Authority (population, 20,227).

- 20. The principal tribes are the Dagomba (154,681 members), Konkomba (44,277 members) and Chokosi (9,506 members). There were also 3,561 Basare, 2,477 Moshi, 1,269 Nigerians and 1,061 B'Moba.
- 21. Tamale is the administrative centre of the Northern Territories and a commercial centre. Outside this town there is little industry but farming (not cocoa).

## Gonja administrative district

22. The population figures for the Gonja administrative district are shown hereunder.

Population: 84,415 (84,404 Africans, of whom 43,057 were males and 41,347 females, and 11 non-Africans).

Average annual increase in population since 1931: 3.62 per cent.

Area: 14,469 square miles.

Density of population: 5.8 persons per square mile (9 and 4 in the eastern and western parts respectively).

- 23. This district is by far the greatest in area of any in the Gold Coast, with the lowest density, since it covers the greater part of the very sparsely populated strip (about 3 persons per square mile) which spreads south-eastward from the Bamboi-Bole-Wa road in the west to the Afram plains and the Volta river.
- 24. The principal towns are Salaga (population, 3,156), and Bole (population, 1,813), but Prang, with 3,232 inhabitants, had a larger population. One other town, Kpandai, had a population of over 1,500.
- 25. The district was formed from Gonja Native Authority (population, 74,092), Mo Native Authority (population, 1,822), Prang Native Authority (population, 4,308) and Yeji Native Authority (population, 4.182),
- 26. The principal tribes are the Gonja (46,124 members), Lobi (7,333 members), Konkomba (5,551 members), Dagomba (3,656 members) and N'Chumuru (2,099 members). There were also over 2,000 Hausa and Mamprusi and 1,452 Basare.
- 27. There is little industry other than farming (not cocoa).

## Krachi administrative district

28. The population figures for the Krachi administrative district are shown hereunder. The population is smaller than in any other district and, except for Gonja, the density is the lowest.

Population: 31,603 (31,601 Africans, of whom 16,490 were males and 15,111 females, and 2 non-Africans).

Average annual increase in population since 1931: 4.47 per cent.

Area: 3,380 square miles.

Density of population: 9.4 persons per square mile. 29. The principal town is generally known as Kete-Krachi, a town made up of Kete (population, 1,741), Kete-Krachi (population, 83) and Krachikrom (population, 198), making a total population of 2,022. One other village, Apaso, had a population of over 1,500.

30. The district coincides with Krachi Native Authority (population, 31,601).

- 31. The principal tribes are the Asante (13,831 members), N'Chumuru (3,807 members) and Konkomba (3,034 members). The Adele (1,628 members) and Adjuati (1,472 members) are found hardly anywhere else in the Gold Coast. There are also 1,600 Ewes and 1,439 Kotokoli.
- 32. Of the males aged 15 years and over, 793, or 7.6 per cent, were engaged in the cultivation of cocoa. It is estimated that 300 women were also so employed, making a total of 1,093 persons.

## Mamprusi administrative district

33. The population figures for the Mamprusi administrative district are shown hereunder.

Population: 531,130 (531,078 Africans, of whom 261,434 were males and 269,644 females, and 52 non-Africans).

Average annual increase in population since 1931: 0.79 per cent.

Area: 6,376 square miles.

Density of population: 83.3 persons per square mile (209 in Frafra, 120 in Kusasi, 92 in Navrongo and 28 in Zozugu, or Gambaga, the four census districts into which the district was divided).

- 34. The principal towns are Gambaga (population, 1,952), and Bawku (population, 6,888).
- 35. The district was formed from Builsa Native Authority (population, 51,215), Kassena-Nankanni Native Authority (population, 91,051) and Mamprusi Native Authority (population, 388,812). The last named is the largest Native Authority contained within a single administrative district and is exceeded only by Kumasi Native Authority, which is spread over four administrative districts and has a population of 390,268.
- 36. The principal tribes are the Frafra (165,879 members), Kusasi (90,879 members), Nankanni (59,125 members), Builsa (51,826 members), Mamprusi (46,230 members), Kassena (30,221 members), B'Moba (29,852 members), Busanga (22,063 members) and Konkomba (5,829 members). There were also 13,145 Moshi and 5,525 Fulani.
- 37. The 366 men describing themselves as cultivating cocoa had doubtless been so engaged in other parts. The district contains a higher proportion of other farmers than any other in the Gold Coast.

# Religion

- 38. In the census report for 1931 it is stated: "In previous censuses, the return for the religions of the people had been collected from the individuals concerned, but the results were considered so unsatisfactory that it was decided that the figures for the present census should be obtained from the various mission bodies functioning in the country." For the 1948 census a similar system was adopted after consultation with the missions.
- 39. The 1931 report contains a very full account of the history and progress of the several missions and of the great work they have performed in the development and education of the people.

	1931			1948			
	The Gold Coast	The Gold Coast	The Colony	Ashanti	Northern Territories	Togoland	
	A.M.E. Z	Ion Mission					
Total	5,478	6,062	5,375	687	_	_	
Baptized children		2,155	1,949	206	_		
Adults, full members	_	3,121 786	2,737 689	384 97	_	_	
	Assemblies (	of God Miss	ion				
Total		3,217	374	669	1,539	635	
Baptized children		1,369	145	250	739	235	
Adults, full members		599 1,249	116 113	343 76	$\begin{array}{c} 140 \\ 660 \end{array}$	400	
C	никси от Е	ENGLAND MISS	SION				
Total	18,459	34,406	28,276	6,130			
Baptized children	_	4,152	3,683	469	_		
Adults, full members		$26,040 \\ 4,214$	21,134 3,459	4,906 755	-	_	
1	METHODIST C	CHURCH MISSI	on				
Total	99,207	144,775	113,390	30,160	75	1,150	
Baptized children	_	55,225	43,176	11,479	25	545	
Adults, full members Adults under instruction		$82,901 \\ 6,649$	65,561 $4,653$	16,765 1,916		525 80	
Pr	RESBYTERIAN	CHURCH MIS	SION				
Total	50,167	100,511	83,207	17,304		_	
Baptized children		55,424	45,252	10,172	_		
Adults under instruction		31,937 13,150	26,580 11,375	5,357 1,775	_		
Prese	BYTERIAN, EV	we, Church	MISSION				
Total	14,637	42,993	16,587	168	324	25,914	
Baptized children	_	15,679	2,352	117	157	13,053	
Adults under instruction		25,495 1,819	$13,778 \\ 457$	23 28	$\begin{array}{c} 121 \\ 46 \end{array}$	11,573 1,288	
Rox	IAN CATHOLI	c Church Mi	SSION				
Total	85,087	309,390	164,849	57,586	36,394	50,561	
Baptized children		252,843	24,073	35,325	28,832	14,484	
Adults under instruction		56,547	( 116,641 24,135	22,261	7,562	33,488 2,589	
Worldwid	e Evangeliz	ZATION CRUSA	ADE (W.E.C.)				
Total	_	73			51	22	
Baptized children Adults under instruction		$\begin{array}{c}\\ 1\\ 72 \end{array}$			1 50	 22	
A	HMADIYYA M	OVEMENT MIS	SSION				
Total	3,110	22,572	16,197	4,250	2,125		
Children	-	13,543	9,718	2,550	1,275		
Adults		9,029	6,479	1,700	850		

- 40. The extent to which the principal missions are expanding in the Gold Coast is shown in the table. The total Christian population in 1931 was returned as 283,911, while in 1948 it was 641,427, an increase of nearly 126 per cent.
- 41. The 1931 figures were stated to be not quite complete and the same applies to 1948, one or two very small missions having made no return.
- 42. The number of Moslems returned by the authorities of the Ahmadiyya movement does not, of course, in any way represent the numbers of Moslems in the country. There is no central Moslem organization from which figures could be obtained and the number returned by the movement relates solely to converts to the mission. These increased from 3,110 in 1931 to 22,572 in 1948.
- 43. The remainder of the population, numbering nearly three and a half millions, may be presumed to be animists.

## Document T/L.61

Replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

[Original text : English] [15 March 1950]

## I. GENERAL

Question 1: Since the recommendations and suggestions of the Trusteeship Council arising out of its examination of the annual report for 1947<sup>1</sup> were not formulated until 1949, it was not to be expected that an account of the action taken on them would be included in the present report.<sup>2</sup> Would the special representative nevertheless care to give some indication of the action which may have been taken in the meantime? (Philippines.)

Answer: Some of the recommendations and suggestions, together with the views expressed by the Administering Authority on them, are indirectly mentioned in the report of the Visiting Mission (T/465).<sup>3</sup> Detailed comments will be set out in the annual report on the Territory for 1949.

Question 2: Are fuller details of the 1948 census (page 160 of the annual report) yet available and can they be supplied to the Council? Do they reveal any important or interesting population trends? (China.)

Answer: It is regretted that further details of the 1948 census are not yet available.

#### II. POLITICAL ADVANCEMENT

Question 3: What are the essential differences between the legislation applied to the southern parts of the Gold Coast, including Southern Togoland, and the Northern Territories, including Northern Togoland? Why are separate legislative processes required? (Philippines.)

Answer: In general there are no essential differences, but legislation may require to be enacted specifically for the Northern Territories, as for any other part of the Gold Coast, because of local circumstances. The separate legislative processes are a matter of historical growth which have been embodied in the existing Constitution.

Question 4: One of the unique features of French liberalism in the administration of French Trust Territories—the Cameroons under French administration, for instance—is its development of a sense of unity or common identity among the people of the Trust Territory. Is there such similar development in the Trust Territories under British administration, and if so what steps have been taken in that direction? Please explain fully your answer one way or the other. (Philippines.)

Answer: In the experience of the Administering Authority, historical, geographical and ethnical reasons provide a strong obstacle to the development of any sense of unity and common identity among the people of Togoland under United Kingdom trusteeship as a whole. It is the policy of the Administering Authority to do all in its power to foster a sense of unity along the lines of natural association between all parts of the Gold Coast, and it is its view that only within this larger framework can a sense of unity be achieved.

Question 5: The annual report emphasizes again a point made several times by the Administering Authority in the past, namely, that the administration of Togoland is not a financially self-supporting proposition, and the inference is that the Gold Coast Administration spends more money in the Territory than it derives therefrom in the way of taxes and other revenues (see Foreword, p. iii). Does this mean that the United Kingdom Government has delegated to the Gold Coast Government its financial responsibilities, as Administering Authority, for the development of the Trust Territory, and that, in effect, the so-called deficit in the administration of the Trust Territory is borne, at least largely, by the taxpayers of the Gold Coast? Is there any apparent resentment on the part of the people of the Gold Coast that their budget has to carry the Trust Territory? Furthermore, since normal expenditures in Togoland must necessarily be limited by the amount of funds available from the Gold Coast budget, to what extent does the United Kingdom Government, in view of its responsibility as the Administering Authority, intervene with financial assistance in order to ensure the development of the Trust Territory under the terms of the Charter and the Trusteeship Agreement? Are colonial welfare grants made specifically to Togoland, or are they allocated only to and through the Gold Coast Government? (Philippines.)

<sup>&</sup>lt;sup>1</sup> See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the Trusteeship Council of the United Nations on the Administration of Togoland for the Year 1947, London: His Majesty's Stationery Office, 1948, Colonial No. 225.

<sup>&</sup>lt;sup>2</sup> See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the Year 1948, London: His Majesty's Stationery Office, 1949, Colonial No. 243.

<sup>&</sup>lt;sup>3</sup> See Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2.

Answer: The Territory is administered as an integral part of the Gold Coast, which carries the annual deficit. There has been no noticeable resentment on the part of the people of the Gold Coast, but there are signs that the excessive and unreasonable demands of certain elements in the Territory may lead to a closer scrutiny by the people of the Gold Coast of the funds spent in the Territory.

Financial assistance is provided by His Majesty's Government in the form of colonial development and welfare grants. These are allocated by His Majesty's Government to the Gold Coast and, in planning their expenditure, the Gold Coast Government takes full account of the needs of the Trust Territory.

Question 6: An argument advanced against the administration of the Trust Territory as a single unit, or at least a single sub-unit of the Gold Coast, is the matter of ethnic differences between the north and south (Foreword, p. iii). These differences also exist between the north and south of both the Gold Coast and Togoland under French administration. The French authorities, however, do not seem to have found ethnic differences a hindrance to the administration of their sphere of Togoland as a single unit, and presumably the British authorities in the Gold Coast do not wish to keep the north and the south forever separated by ethnic diffe-What exactly are the difficulties in applying a single system of administration, and what steps are being taken to overcome them, in order to avoid the further "Balkanization" of Africa? (Philippines.)

Answer: The representative of the Philippines is referred to the reply to question 4 and to the clear evidence of the difficulties of administering the Territory as a single unit which are set out in the Visiting Mission's report (T/465).

Question 7: The following appears in the Foreword to the annual report, p. iii: "The smallness and poor resources of the Territory, its lack of a natural outlet to the sea and the affinities of the people have inevitably linked it with its larger and more developed neighbour, the Gold Coast. Its people are by no means homogeneous, and both ethnically and historically their affinities run east and west with the people over the Gold Coast frontier rather than north or south through the Trust Territory. This tribal division of the Territory is aggravated by the fact that closer European contact and more favourable climatic and soil conditions in the south have resulted in a more advanced economic and social development in the Southern Section of the Trust Territory than in the Northern Section." In view of the foregoing facts, does not the integration of the Northern and Southern Sections of the Trust Territory in the Northern Territories and the Gold Coast Colony respectively, which themselves have different policies and have reached different stages of development, further accentuate the differences between north and south, make them more and more thoroughly amalgamated and "scrambled" with the Gold Coast, and thus, make it harder and harder to develop the Trust Territory (north and south) as a single unit towards self-government or independence? Under these conditions, how can the distinct status of Togoland as a Trust Territory be preserved not only in name but also in fact? (Philippines.)

Answer: The representative of the Philippines is referred to the answers to questions 6 above and 11 below.

Question 8: Is there any demand among the people of the Trust Territory for a separation, complete or partial, of administration, budget and legislature from those of the Gold Coast? Is there any movement in favour of a territorial council for Togoland as a whole? What are the powers of the new council established for Southern Togoland? (Philippines.)

Answer: There has been no demand from the people of the Trust Territory as a whole for separation, complete or partial, of the administration, budget or legislature from those of the Gold Coast. An element in the south has advocated a separate territorial council for Togoland but has received little support from the people.

The functions of the Southern Togoland Council are defined in section 29 of Ordinance 7 of 1949 as "deliberating upon matters affecting the welfare and interests of persons in the Southern section", in addition to any duties and powers conferred by any other ordinance (for instance, the appointment of a representative on the Cocoa Marketing Board, or the appointment of a representative on the Legislative Council.) It has no legislative powers.

Question 9: It is noted on page iii of the Foreword and also on page 12 of the annual report on the Territory for 1948 that the Administration has agreed in principle to consider the desire of the inhabitants of Southern Togoland to have a separate regional council, which in turn would elect Togoland representatives to the Gold Coast Legislative Council. Can further information on this development be given? Is it intended to develop a full-scale regional organization with administrative and budgetary decentralization? Will the new council have legislative powers? (China.)

Answer: The representative of China is referred to the answer to the previous question. This territorial council, which has now been established, corresponds to similar advisory and deliberative bodies in the Gold Coast and has no administrative or budgetary powers.

Question 10: In the last paragraph on page 133 of the report, mention is made of "territories administered by the Gold Coast Government". Please name said territories. (Philippines.)

Answer: "Territories" is used to indicate the various areas of the Gold Coast, namely, the Colony, Ashanti, the Northern Territories and Togoland.

Question 11: Article 2 of the Trusteeship Agreement designates His Britannic Majesty as the Administering Authority for the Territory, responsibility for the administration of which will be undertaken by His Majesty's Government. Under article 3, the Administering Authority undertakes to administer the Territory so as to achieve the basic objectives of the International Trusteeship System and for that purpose article 5 vests him with "full powers of legislation". Under article 12, "the Administering Authority shall . . . continue and

extend a general system of elementary education designed to abolish illiteracy". This duty to promote the political, economic, social and educational advancement of the inhabitants is qualified in article 10 as an "overriding duty". From these provisions, it seems obvious that His Majesty's Government has undertaken direct responsibility for the legislation and administration of the Territory. In actual practice, however, this direct responsibility seems to have been subdelegated to the Gold Coast Government which, as the report now shows, has virtually taken the place of His Majesty as the Administering Authority. The Trust Territory has thus become one of the "territories administered by the Gold Coast Government" (page 133 of the report); "an appropriation ordinance is passed by the Legislative Council" of the Gold Coast Government (page 75), and the rates of taxes payable by the Territory to the Gold Coast Government "are determined by the legislature" of the Gold Coast (page 77, section 59). To aggravate the situation, the subdelegated administering authority (the Gold Coast Government) has in turn subdelegated many of its normal delegated functions, such as those connected with agriculture, dispensaries, roads and education, to the primitive, undeveloped Native Authorities of the Northern Section of the Territory (page 58). In view of the foregoing, the following questions call for answer:

- (a) How can His Majesty's Government justify, on constitutional grounds, the delegation or surrender of its direct powers and duties of administration and legislation over the Territory to a mere colony? Is not this surrender a breach of the trust and faith which the United Nations placed in His Majesty's Government when, by reason of power, experience and influence, His Majesty was designated as the Administering Authority for the Trust Territory?
- (b) In the field of political development, the Territory not only has no legislative, administrative or budgetary autonomy, but also has no representation whatever in the Gold Coast Legislative Council, Executive Council, or in any of the high branches of government. There is no suffrage in any form in the Territory. Togoland under French administration, just across the border, not only has all these but even has representation in the French National Assembly, the Council of the Republic and the Assembly of the French Union. Given the common background of Togoland under British and Togoland under French administration, will the special representative explain the reasons why political progress is possible in one but not—or at best is slow—in the other?
- (c) In the field of education, except for the inadequate grants-in-aid given by the Gold Coast Government, the responsibility for educational development assumed by the Administering Authority under the terms of the Trusteeship Agreement has virtually become a matter of private initiative. The Territory, which has been under British administration for the past thirty years, has not a single government-operated school even to this date (section 219 of the annual report). "The missions . . . manage the entire educational system of the Southern Section . . ." (page 110), whereas in the Northern Section the governmental

function of education has been left entirely in the hands of Native initiative which, lacking both experience and financial resources, is foredoomed to failure. Will the special representative explain whether the Administering Authority's surrender of its primary responsibility and initiative with regard to education has anything to do with the backwardness of the educational development of the Territory, where in the Northern Section only 762 out of a population of 210,114 are enrolled in schools, or only . 36 of 1 per cent of the population? Does the Administering Authority believe that this fully measures up to the standard of His Majesty's Government and that this is all that His Majesty's Government can do? (Philippines.)

Answer: (a) The representative of the Philippines is reminded of the provision in article 5 (a) of the Trusteeship Agreement and of the statement made by the representative of the United Kingdom, Mr. Ivor Thomas, before Sub-Committee 1 of the Fourth Committee in December 1946. A copy of the statement is appended as annex I. The draft agreement was approved on that basis.

- (b) The pace of political development in Togoland under United Kingdom trusteeship is linked with that of the Gold Coast, which is recognized as being politically one of the most advanced territories in tropical Africa. The representative of the Philippines is referred to paragraphs 43 to 50 of the Visiting Mission's report (T/465) for details of the proposed constitutional reforms as they affect the Trust Territory.
- (c) The representative of the Philippines is referred to paragraphs 105 to 110 and to the three concluding paragraphs under section B of chapter IV, part two, of the Visiting Mission's report (T/465). Progress in education in the Northern Section is being made in accordance with a plan which provides for the maximum progress possible. Thus in 1929, there was one infant-junior school, with 37 pupils; in 1949 there were 14 infant-junior schools, with a total of 779 pupils, and 2 senior schools with 98 pupils. The output of teachers is a limiting factor but there are plans for rapid and stable progress. In the Southern Section, the percentage of enrolment in infant-junior schools of all children of that group was 76, a figure which compares favourably with the position in most tropical African territories.

Question 12: Can the special representative give an indication of the impact of the Gold Coast on the affairs of the Trust Territory? For instance, would it be true to say that the majority of Africans in the more important posts in the Government, the trading companies, small business, and so forth, are inhabitants of the Gold Coast rather than Togoland? Is this resented by the inhabitants of Togoland? What are the relationships in general between the people of the Gold Coast and those of Togoland? Is there any noticeable influx of Gold Coast Africans into Togoland? What form does it take, and what is the attitude of the Togoland people towards it? (Philippines.)

Answer: The representative of the Philippines is referred to question 4 in document T/442¹ regarding

<sup>&</sup>lt;sup>1</sup> See Official Records of the Trusteeship Council, Sixth Session, Annex.

the numbers of inhabitants of the Trust Territory in the Civil Service. No figures are available as to the number of Gold Coast inhabitants employed by trading companies. Small businesses are for the most part conducted and "staffed" by indigenous inhabitants. There is no resentment by the inhabitants except that expressed by certain persons in respect of education appointments; the representative of the Philippines is referred to the concluding sentences under section C of chapter I, part two, of the Visiting Mission's report.

The relationship between the people of the Gold Coast and those of Togoland is one of the greatest friendliness and freedom. There is no noticeable influx of Gold Coast Africans into Togoland.

Question 13: What part have the people of Togoland played in the revision of the Gold Coast Constitution (page 55 of the annual report)? What views did they express about the future place of the Trust Territory in relationship to the Gold Coast, and to what extent have these views been taken into account? Did the Administration indicate any principles which should be followed as to the place of Togoland in the new Constitution? (Philippines.)

Answer: Both sections of the Territory were visited by sub-committees of the Committee on Constitutional reform, and memoranda were submitted to the committee from bodies within the Territory. The views expressed to the committee concerning regional administration in so far as the Trust Territory is concerned are stated in paragraphs 300 to 306 of the committee's report; a copy of these paragraphs is appended as annex II.

The Administration did not in any way indicate any principles which should be followed as to the place of Togoland in the new Constitution. In this connexion, however, it is relevant to quote paragraph 299 of the committee's report and paragraph 17 of the statement by His Majesty's Government; the relevant texts are also included in annex II.

Question 14: Noting that almost all the administrative districts and Native Authority areas of Northern Togoland form an indivisible part of those of the Northern Territories of the Gold Coast, it may be asked whether the existence of the Trust Territory boundary, which appears to cut through them in an arbitrary way, has any practical significance. Are the people of Northern Togoland aware that such a frontier exists? Does it make any difference to the working of the Native Authorities, to which much of the responsibility for local administration is delegated? (See pages 3 and 4 of the annual report.) (Philippines.)

Answer: The Trust Territory boundary of the Northern Section makes no difference to the working of the Native Authorities, since the principles on which local administration is based are identical on both sides of the boundary. The people of the Northern Section are aware that such a frontier exists and have asked that it should be abolished; the representative of the Philippines is referred to paragraphs 18 to 25 of the Visiting Mission's report (T/465).

Question 15: On page 14, section 7, of the annual report, it is stated that although all legislation of general

application to the Gold Coast Colony and Southern Togoland is enacted by the Legislative Council, the power of the Governor to legislate for the Trust Territory separately is preserved and can be used if special legislation is required. How often do such cases occur? Can some examples be given of legislation applied especially in this way? Is there any procedure for consultation with representatives of the Trust Territory? (China.)

Answer: The representative of China is referred to the answer to question 3 above. In practice, the number of cases where the Governor has legislated for the Trust Territory separately is very small indeed. Recent examples are the Native Authority and Native Courts Ordinances (Southern Section of Togoland under United Kingdom trusteeship), enacted in 1949. There is a procedure of consultation with representatives of the Trust Territory; reference is invited for example, to pages iii and iv of the Foreword to the annual report. In addition, copies of all draft bills as published in the gazette are sent to Native Authorities and territorial councils, which discuss and comment on them.

Question 16: On pages 52 and 53, section 19, of the annual report, in an account of the police organization in the Territory, it is shown that detachments of the Gold Coast police force have the primary responsibility for internal order. It is stated of this force, in general, that its members are recruited from Gold Coast peoples, including Natives of the Trust Territory. It seems desirable that the police on duty in the Territory should be largely, if not entirely, recruited from among its own people. Does the Administration agree that this is so? If so, what steps have been taken to post Togoland-born policemen to the Trust Territory, and what results have been achieved so far? (China.)

Answer: It is not the specific policy of the Administration to post Natives of tribal and other regions to the areas in which they are recruited. It is necessary that arrangements for recruitment and posting should remain elastic, and it is not considered desirable to lay down any hard and fast rule.

Question 17: The Foreword to the report makes mention on page iii, of the setting-up of the Anglo-French Standing Consultative Commission for Togoland, which "reviewed the measures taken to co-ordinate Anglo-French activities in the social, economic, political and cultural fields". On page 17 of the report, it is said: "The two Governments recognized that the partition by a frontier of these territories was the source of certain difficulties. They considered, in particular, that a more uniform progress could be achieved if the two Administering Authorities were to work out suitable means of coordinating their activities in the social, economic, political and cultural fields." It is noted from page 18 of the report that the contemplated measures to be taken on the matter were as set forth under the following headings: economic measures: fiscal measures and cultural measures. The political aspect of the case, namely, the removal of artificial frontiers, was not at all considered. Why? If, as the two Governments recognize, the artificial frontier is the source of many difficulties in the uniform social, economic, political and cultural developments of the inhabitants, and since the Governments concerned are both committed to a common objective of promoting the best interests of the inhabitants and of developing them towards self-government or independence, what objections are there to removing the frontier altogether and putting the two Trust Territories under a single or unified administration by one or both Governments? Kindly explain fully. (Philippines.)

Answer: The word "political" refers to purely local internal matters, such as the status of chiefs and taxation by local authorities. At the third meeting of the Consultative Commission, on a question raised previously as to the competence of the Commission, the co-Chairmen stated that they had been authorized by their respective (metropolitan) governments to make the following statement:

"The two Governments having studied this matter, agreed that it should be made clear to the Commission that no readjustment of the political status affecting other peoples of Togoland and based solely on the claims of the Ewes could be considered. Furthermore. any readjustment in respect of the Ewe territories alone would imply the creation of a small political unit on its own, which is contrary to the policy that the French and British Governments are pursuing and, in the view of the British and French Governments, to the true interests of the African populations concerned. The two Governments are, moreover, of opinion that the greater part of the grievances of the Ewe people can be satisfied by economic, fiscal and cultural measures; and the two Governments will do their utmost to see that all the necessary measures are taken."

The question raised by the representative of the Philippines was not, therefore, within the competence of the Commission to discuss and is a matter of policy to be considered by the two Administering Authorities.

Question 18: The annual report, on page 58, states that "many functions which are normally exercised by the central government have, in the Northern Section, already devolved upon the Native Authorities . . . They provide staff for, and administer, such branches of government as water supplies, agriculture . . . maintenance of roads, taxation, building . . . dispensaries, education". If, as the report eloquently shows, the north has only primitive economy and the stage of development is even much more backward than the south, why should there be such devolution of these basic functions of government, which precisely are in such dire need of the vigorous initiative and intense financial assistance of the Administering Authority? a similar devolution of similar governmental functions in the Southern Section, and if not, why not? If the inhabitants must after all take the initiative and work out their own salvation, what need would there be for integration in the Gold Coast or even yet for trusteeship? (Philippines.)

Answer: At the present stage of general development reached in the Northern Section, it is the policy of the Government to foster local initiative by entrusting to Native Authorities the relatively simple services so far available. The costs are practically all reimbursed by the central government or are the subject of grants-in-

aid (see page 182 of the annual report, under "Revenue", heads 7 and 8). Where, as is more often the case in the south, larger scale development has been attained, some of these services are provided and operated on a scale which can be undertaken only by the central government. The devolution of the exercise of such responsibilities in both sections is a fundamental principle of training for local self-government.

Question 19: In what respects do the Native Authority Ordinance and the Native Courts Ordinance of the Gold Coast Colony, now to be introduced in Southern Togoland, provide a "more advanced pattern" of Native administration? (See the Foreword, page iv, and also page 12, of the annual report.) (China.)

Answer: The Native Authority Ordinance provides for wider representation on, or constitution of local authorities: a more elastic and speedy procedure for dealing with disputes of a local constitutional nature (for instance, concerning the election of chiefs, etc); the maintenance of local government when conditions arise which might hinder or stultify continuance; the establishment of a deliberative and advisory body on which Native Authorities are represented (i.e., the Southern Togoland Council), thus ensuring for the whole area the benefit of frequent discussion and interchange of suggestions; the definition of the position and powers of Native Authority police; and the establishment of Native Authority prisons. The provisions as to Native courts are now separated from those concerning general administration as such, and every effort is made to ensure that, as far as possible, those courts are not composed of members of Native Authorities, especially not of chiefs, whose position qua chiefs has sometimes been rendered difficult by their position as members of courts. The whole scope of court procedure has been clearly defined in a separate ordinance, and the activities of courts are now subject to the supervision and advice of a judicial adviser, who is an experienced administrative officer and a qualified member of the legal profession. The previous overlapping and superfluity of courts have been remedied, courts are now graded, and in general the machinery for the administration of local justice has been brought more into line with present day advances.

Question 20: It is noted that a further group of Native Authorities in Southern Togoland has now been amalgamated into a single Native Authority, but that the arrangement differs from the earlier amalgamations in that, instead of having a permanent paramount chief, it will have a periodically elected president (page 12 of the annual report). Since this appears to be a step away from tradition and towards a more democratic form of leadership, it would be interesting to know whether the idea of a periodically elected president is favoured, and could be introduced, in the case of the other amalgamations? (China.)

Answer: This is a matter for Native Authorities themselves to consider, and one other Native Authority has in fact made such representations, but the chiefs and people of the area concerned are divided about it.

Question 21: The report mentions (page 61, section 23) that an improvement in the staff position of some departments has made it possible to increase the number of

officers of the Gold Coast Government stationed in Southern Togoland, and that the establishment of administrative officers has been brought up to strength. must be noted, however, that the administrative staff for the whole Territory appears to consist of only five persons, namely, the district commissioners at Yendi, Kete-Krachi, Kpandu (where there is also an assistantcommissioner) and Ho. It is stated that the administrative service is primarily responsible for the general administration of the Territory, for the welfare of its inhabitants and the supervision of all activities of the Native Authorities (page 57). This seems to be a very large responsibility to be shared among only five men. Are they in fact sufficient in number to be able to give the Territory all the attention it needs, especially in the training of the people in self-government? How much time do they devote to the supervision and assistance of the Native Authorities? Has any thought been given to the appointment of Africans as administrative officers? (Philippines.)

Answer: Five administrative officers are normally sufficient to give the Territory adequate attention (assuming that they are not overburdened or kept to their desks by having to spend a disproportionate amount of their time on the compilation of returns and on paper work). They devote most of their time to the supervision, guidance and assistance of the local authorities.

Africans have in fact been appointed as administrative officers. The policy of the Gold Coast Government is to Africanize as rapidly as possible the whole senior service in all departments.

Question 22: The wide responsibilities of the administrative officers have been mentioned in a previous question. It is noted (page 58 of the annual report) that they are also responsible for most of the engineering work in Southern Togoland, such as the maintenance of roads and bridges. What qualifications do they possess for such technical work? (Philippines.)

Answer: Administrative officers exercise a supervisory capacity in respect of minor works and they have the assistance of skilled technical officers and junior personnel. Major works are undertaken by contractors or by technical departments of Government.

Question 23: The report states (page 65, section 29) that although administrative officers (district commissioners) exercise power as magistrates, the duties of magistrate are normally performed by a professional lawyer appointed as district magistrate. Does this mean that a district magistrate is permanently stationed in the Territory? If not, how often does he serve there? (China.)

Answer: A district magistrate, who is a qualified member of the legal profession, was stationed in the Southern Section of the Territory during 1948. So far as staff permits, this is a permanent arrangement.

Question 24: On page 54, section 20, the report mentions that at the time of the disturbances in the Gold Coast in February 1948, there was a "minor disturbance" at Hohoe in Togoland. The Commission of Inquiry into the Gold Coast disturbances found a number of serious underlying causes: for example, political

frustration among educated Africans, failure of the Government to realize that the influence of the chiefs was waning, dissatisfaction with the lack of African participation in policy making and with the slow rate of Africanization of government services. The commission's report has led to the working out of far-reaching political reforms (see page 55). Were these also the causes of the disturbance at Hohoe? The annual report also states that renewed efforts have since been made to find employment for unemployed ex-servicemen, who had been an element in the disturbances. What have been the results of these renewed efforts? (Philippines.)

Answer: The "minor disturbance" at Hohoe was caused by infiltrating agitators and local hooligans. The people of the area and of Togoland completely dissociate themselves from this incident.

In 1949, 166 applications for employment were made by ex-servicemen and 117 were found posts. The remainder did not reappear and they either left the Territory or found employment themselves.

### III. ECONOMIC ADVANCEMENT

Question 25: The report states (page 71, section 39) that an Economic Development Committee representative of the whole of the Gold Coast is responsible for co-ordinating plans for economic development. It is made clear that on this committee and its sub-committees, regional interests are not represented as such, and presumably Togoland has no representation at all. Is it correct to imply that, in matters of development, Togoland is not treated as a separate unit whose requirements are reviewed and planned for on a territorial basis, but is treated rather as an extension of the various administrative areas of the Gold Coast? Does this policy apply also to all fields of government activity, including normal budgeting for health, education, public works, etc.? (Philippines.)

Answer: Consideration is given to Togoland on the basis of the over-all needs of the Gold Coast. It gets the same attention as the Colony, Ashanti and the Northern Territories, the actual approved projects being carried out on a basis of priorities. This is general policy.

Question 26: What have been the results of the investigation into the possibility of harnessing the Volta river for hydro-electric purposes? (See page 70, section 38, of the report.) Does a private company intend to undertake this work? What is the name of the company, and by whom is it financed? What "other uses" of the river, for which an official survey is planned are envisaged? (Philippines.)

Answer: This investigation is still going on. Surveys are now being undertaken by the Gold Coast Government through a British firm. No decision has been reached as to whether the work will actually be undertaken and by whom. Among the "other uses" in mind are large-scale irrigation and the navigability of the river Volta to the sea.

Question 27: The efforts of the Administering Authority to separate the revenue and expenditure figures

for Togoland and those of the Gold Coast (see pages 73 and 74 of the report) are noted and appreciated as far as they go; but it must be noted that the Administering Authority itself emphasizes that the figures are only approximate. Certain questions arise from them.

- (a) In view of the approximate and in some respects artificial nature of the statistics, is it not being rather too categorical to draw from them the conclusion that expenditure on the administrative and social services of the Territory greatly exceeds the revenue derived from the Territory?
- (b) By what formula has Togoland's share of such items as the Governor's salary and the overhead costs of Gold Coast departmental services been worked out?
- (c) If the Trust Territory were not integrated in the Gold Coast, would the Gold Coast budget be relieved to the extent of the whole, or even a substantial part, of the sum of £625,540 shown as the estimated expenditure on the Territory?
- (d) Why is the Territory debited with £5,000 for "air services", when there are no air services in it apart from emergency landing strips?
- (e) Is the relatively large sum of £21,210 for customs and excise due mainly to the maintenance of customs posts on the border with Togoland under French administration?
- (f) The largest item of expenditure shown is that of £150,000 for "miscellaneous services", consisting mainly of increased salaries and wages, including arrears. To what extent will this be a recurring item of expenditure?
- (g) What public relations activities are carried on in Togoland, requiring an expenditure of £2,200?
- (h) To what extent is the Supreme Court, for which expenditure is shown as £7,070, used by inhabitants of the Trust Territory?
- (i) Could a breakdown be given, now or in the future, of the main items of expenditure, such as agriculture, education, medical, miscellaneous, police and prisons, public works and social welfare, showing how much is actually spent in the Territory and how much represents the Territory's share of the overhead at Accra and elsewhere in the Gold Coast? (Philippines.)
- Answer: (a) Figures and experience show that expenditure at present greatly exceeds revenue.
- (b) The proportion of 10 per cent is taken for most services because they equally affect the Gold Coast and Togoland as a whole, and 10 per cent is roughly the proportion of the population of Togoland to that of the whole of the Gold Coast and Togoland. It is actually a fraction higher than the exact proportion, since the special attention given to Togoland affairs makes it necessary to spend a higher percentage of time on them.
- (c) It would be relieved of a large part of the estimated expenditure.
- (d) The figures originally given for the financial year 1947/48 were a provisional estimate, and the more detailed consideration given to them some months ago has resulted in some adjustment, for instance, a reduction in estimated expenditure on customs of some £6,000, on police, £9,000, on administration, £3,500, on

prisons, £6,000, on air services, £500 (for actual maintenance costs, which were increased to £1,230 in 1948/49 and 1949/50).

- (e) Please see above; the amount has now been adjusted to £15,210. This covers costs of salaries, travelling, etc., of personnel employed on the frontier between the two Trust Territories and the proportion of overhead costs of headquarters (Accra) personnel.
- (f) The general item "miscellaneous services" will certainly recur, but it is impossible to forecast whether the amount will be the same in future years.
- (g) Public relations activities in Togoland include the recurrent cost of the touring cinema vans (personnel, films, equipment, records); the free issue of the Gold Coast Bulletin (some 1,500 to 2,000 copies weekly) and pamphlets on various matters.
- (h) Exact figures are not available of all the criminal, civil, appeal and land cases involving inhabitants of the Territory.
- (i) As far as practicable, a breakdown will be given; future figures will incorporate actual expenditure in the Territory, but in certain cases it will be impossible to give exact figures for the Territory's proportionate share of many communal services (for instance, there are no schools for nurses, there are no warders, sanitary inspectors, mental asylums, etc., etc.) and of general administrative costs.

Question 28: In answering question 59 of the Provisional Questionnaire, the Administering Authority notes (page 78 of the annual report) that in the Southern Section the Native Authorities have power to graduate the amount of the annual rate of the direct tax according to occupation or some other criterion of a person's ability to pay. It is added that in practice they have decided to retain flat rates, though Native Authorities in nearby parts of the Colony have fixed graduated rates of tax. Could the Administering Authority give further information on the causes for this decision, as well as on the desirability of, and the prospects for, the adoption of graduated rates in Togoland? (United States of America.)

Answer: The statement in the report that "Native Authorities in nearby parts of the Colony have fixed graduated rates of tax" may be misleading; no real graduation is made according to income, but some graduation is made according to position (for instance, for a chief, a divisional chief, a counsellor, an elder and so on).

The graduated tax according to income would be more equitable, but the imposition of such a tax would involve a detailed survey which the local authorities are not in a position to undertake.

Question 29: Why, unlike the Cameroons Development Corporation, is the Gold Coast Cocoa Marketing Board not liable to income tax? (See page 85 of the annual report.) Is it not considered that this exemption from tax deprives the Territory of a fair return from the exploitation of its own production? If income tax were paid by the Board, would not the Territory's share of the revenue materially improve the financial situation of the Territory which, according to the Administering Authority, is being run, so to speak, at a loss to the Gold Coast Government? (Philippines.)

Answer: It is considered right to exempt cocoa marketing boards because they are intended to operate as non-profit-making bodies over a period of years. If their surplus on operations in any one year were treated as profit, it would be impossible for them to carry out their primary function of ensuring greater stability in prices as between one year and another by building up reserves in times of good prices and paying out of such reserves in times of slump. The actual price paid to the grower will of course come into the reckoning of his personal income tax liability, if any, but the basic principle is to regard the marketing boards as trustees for the growers en bloc, holding funds temporarily in reserve.

Question 30: The report states on page 85 that the Gold Coast Cocoa Marketing Board held, in 1948, net funds amounting to over £36 million in the form of profits accumulated through buying cocoa at fixed seasonal prices and selling at the normally higher world prices. It is stated, however, that owing to the uncertainty of the market, the Board has not found it possible to allocate funds for further developments at present. To what extent has this situation altered in the meantime? Are any development projects yet planned for Togoland? (China.)

Answer: The situation has altered to the extent that, whereas in the year 1947/48 the Board had a net surplus on operations of some £24 million, in the year 1948/49 there was a net deficit on operations of some £134,000.

No such development projects have yet been planned for Togoland, but during the year 1948/49, the Board decided to make a grant of £1 million to the Gold Coast University College to assist that body in establishing a chair of agriculture and its ancillary sciences. The establishment of that chair should assist the cocoa industry in the future to a large extent and enable it to find ways and means of increasing output and quality and improving the position of the Gold Coast (and the Trust Territory) as the major supplier of the world's cocoa.

Question 31: To what extent have forest reserves been created in the Territory? (See page 92, section 90.) Is there any opposition to this policy on the part of the inhabitants? (China.)

Answer: The representative of China is referred to section 82 of the annual report for 1948. There is no opposition to the policy of reservation.

Question 32: The report states, on page 68, that it was estimated that 21,000 tons of cocoa would be shipped from Togoland during the 1948/49 main crop season. At the fixed price of £121 per ton, this must represent a payment to the cocoa farmers of some £2,500,000. Can some indication be given of the number of cocoa farmers and their average incomes? What taxes do they pay apart from the indigenous head tax of a few shillings a year? Is there a great disparity between the incomes and living standards of the cocoa farmers and those of other Africans, for instance, peasant farmers and wage earners? (Philippines.)

Answer: It is difficult to give the exact number of cocoa farmers, though an average basis for the whole of the Gold Coast is about one farmer for every 1 to 2 tons

of cocoa produced. Data supplied by the Department of Agriculture show that during 1947/48, the average income of a cocoa farmer north of Hohoe was some £250; south of Hohoe, £105. Cocoa farmers pay no direct taxes other than the tax mentioned in the question; they contribute indirect taxation through import duties on certain commodities.

There is an inevitable disparity between the income and living standards of cocoa farmers and such persons as are quoted in the question, but it is difficult to say how great it is.

Question 33: It is noted in the answer (page 115 of the annual report) to question 168 of the Provisional Questionnaire, that the principal work of co-operative societies in the Territory is the marketing of produce for export, but that all these societies have recently started to deal in consumer goods and that the foundation of several pioneer consumer societies was being discussed. Have any particularly difficult problems regarding the organization, operation and management of the consumer co-operatives developed? (United States of America.)

Answer: No particular difficulties are being encountered, but the members themselves are approaching this branch of co-operative activity with justifiable caution, since they realize that they have to compete with the already established and efficient distribution services of the commercial firms.

#### IV. SOCIAL ADVANCEMENT

Question 34: The experiment described in the answer (page 125 of the annual report) to question 201 of the Provisional Questionnaire, regarding the use of mobile social development teams in the Southern Section of the Territory, is most interesting. Can the Administering Authority give any further information on the results of this experiment? Are similar experiments to be made in the Northern Section of the Territory? Were records kept of this project in order that the valuable experience obtained by the Administering Authority might be made available to other governments, private organizations, and the United Nations and its specialized agencies? (United States of America.)

Answer: A full account of the work of the social development team operating in Togoland and among the Ewes will be given in the annual report for 1949, but in view of the interest evinced in this branch of social welfare, the opportunity is taken of incorporating this account now as annex III to these answers.

It is not intended to introduce the mass education technique in the Northern Section at the present time.

Full records have been kept of all who attended the courses but it is too early yet to assess the results of the experiments. When records are complete, they will be made available to interested governments and organizations.

Question 35: Is the customary diet of the indigenous inhabitants undergoing any change in the sense of becoming more balanced? In particular, what efforts are being made to deal will the meat and fish deficiency

which are the main dietary deficiencies throughout the whole Territory? (United States of America.)

Answer: Lectures and talks on nutrition were given to social welfare workers, pupil nurses and others, and it is proposed to hold an annual school in nutrition whose students will be able to give all parts of the country some knowledge of the essentials of an adequate diet. A system of mobile nutrition units is also to be instituted which will have the same object. School children are being taught the basic principles of diet.

In the Northern Section, cattle farming is being expanded through the medium of Native Authority cattle farms. In the Southern Section, the encouragement of pig breeding has met with a good response. The possible development of river fisheries is mentioned in the annual report. Sheep, goats and poultry are important factors of diet, and the people themselves are paying more attention to increasing the production of such livestock for local use.

Question 36: It is noted on page 108 of the report that no newspapers are published in the Territory. What laws or regulations govern the publication of newspapers in the Territory, and by whom are such laws or regulations prescribed? (Philippines.)

Answer: The laws and regulations governing the registration of newspapers in the Territory are the same as for the Gold Coast and are contained in Cap. 103, Laws. The laws were made by the Gold Coast legislature. A copy is being made available to the representative of the Philippines.

Question 37: The report, on page 212, gives what are described as samples of the recently increased wages. It must be pointed out, however, that those wages appear to be exactly the same as those given in the annual report for 1947 (page 130), in which it was explained that recent salary revisions in the Gold Coast had affected all wage levels. Has there been no further upward movement in wages? (Philippines.)

Answer: This referred to the increases in 1947 which were recent in relation to the year of the report, i.e., 1948. There were no increases in 1948, but a 15 per cent increase was made in 1949.

Question 38: The report states (page 212) that the amount of daily paid labour in the Territory is negligible, apart from some 1,900 persons employed by the Government and the Native Authorities. The government wage rate in Southern Togoland is shown as 2s. 6d. (about 35 United States cents) a day. However, there is a large seasonal labour force of up to 25,000 in the cocoa areas. Since all the cocoa farms are held by Africans, the employers are obviously all Africans. What wages do they pay? What check is kept on this labour by the Administration, from the point of view of wages and working conditions? (Philippines.)

Answer: The system of employment varies and falls under the categories listed hereunder.

(a) Employment on commission system. A commission fluctuating from 3s. to 5s. on each load of 60 lb. is payable as wages to the labourer in charge of a farm who elects to work under this system. The rate is fixed according to the prevailing price during the season.

- (b) Abusa system. Under this system, there are a number of cases where the actual farm (and not necessarily the produce yielded) is divided into three parts; thus the caretaker or labourer in charge of the farm gets a one-third share of the entire farm as his personal property, the farmer retaining the other two-thirds. But the general practice under the Abusa system is to pay the caretaker or labourer as wages a one-third share in cash or in kind of the actual produce realized or yielded.
- (c) Annual contract system. Contract rates vary from £15 to £20 according to the working ability and skill of the labourer concerned. There are, however, a number of cases (comparatively small) where young men between the ages of 16 and 18 are employed under this system for payments of between £12 and £14. Contract agreements are in the main made verbally, but invariably in the presence of two or three witnesses, one of whom must be the local tribal headman of the employee concerned. Written contract agreements are encouraged but are very rare.

Under categories (a) and (b), the engagement is virtually permanent and largely depends on the yielding capacity of the farms concerned. Working apparatus, boarding, lodging and clothing are supplied free of charge by the farm owners to the labourers in cases where the system of employment renders this concession necessary. Cases of dispute arising out of non-payment of wages, etc., are dealt with by the district commissioners and labour officers in their executive capacities, but where necessary, court actions are instituted by the officers of the Labour Department before the local magistrates.

Labourers engaged in carrying cocoa are paid according to distance and the time taken: an average rate is about 3s. per day, provision being made for the return journey.

#### V. EDUCATIONAL ADVANCEMENT

Question 39: In answering question 221 of the Provisional Questionnaire, the Administering Authority points out (page 136 of the report) that there is a Central Advisory Committee on Education to advise the Education Department of the Gold Coast Government on educational matters in the Colony, Ashanti and Southern Togoland. It is noted that although this committee does not include anyone indigenous to the Trust Territory, it includes the Principal of the Ewe Presbyterian Training College, which is in the Territory. No comparable committee seems to exist for the Northern Territories of the Gold Coast, including Northern Togoland. Would the Administering Authority comment on the feasibility and desirability of including an indigenous Togolander on the Central Advisory Committee on Education and of developing an advisory body or bodies on education in the Northern Territories of the Gold Coast and Togoland? (United States of America.)

Answer: There is in fact a statutory and representative Board of Education for the Northern Territories which has made rules relating to such educational matters as

subjects of instruction; inspection; registration of teachers; grants; records to be kept; management, etc.

The Southern Togoland Council has already been invited to nominate a representative to sit on the Central Advisory Committee on Education.

Question 40: What proportion of the students at Achimota College and other institutions of higher learning in the Gold Coast are from Togoland? Is the Administering Authority satisfied that qualified students of Togoland are taking adequate advantage of the opportunity to attend institutions of higher education in the Gold Coast? (United States of America.)

Answer: The following figures, taken from document T/442 are given here for ease of reference:

	Enrol	Enrolment				
Institution	Students from Togoland	Total number of students	Percentage of students from Togoland			
Achimota School Achimota Training Col-		449	4			
lege	3	103	3			
the Gold Coast		90	1			

It is considered that qualified students of Togoland are taking adequate advantage of the opportunity to attend institutions of higher learning in the Gold Coast.

## ANNEX I

Statement made by Mr. Ivor Thomas on 1 December 1946 before Sub-Committee 1 of the Fourth Committee of the General Assembly on the "integral part clause" in the Trusteeship Agreements for the Cameroons and Togoland

- 1. The United Kingdom delegation considers that there are special reasons why this provision is justifiable and necessary in these two Trusteeship Agreements. (The point does not arise in respect of Tanganyika.)
- 2. In explaining these reasons I should like to get away from the atmosphere of drafting and phraseology; to get behind the words and consider the policy. I think that if I do this, the Sub-Committee will be in a better position to judge whether it can recommend approval of our present text or whether some better text can be substituted. My Government would certainly not wish to haggle over phraseology provided that essential considerations of policy are satisfied. So I propose to explain to the Sub-Committee, as shortly as I can while doing justice to my argument, what it is that we want to be able to do under this provision in regard to these two areas.
- 3. It may perhaps reassure the Sub-Committee and remove possible misunderstandings if I first explain some of the things which we do not mean by the present text.
- 4. First, we do not claim and never have claimed British sovereignty over these territories. The Prime Minister, when announcing to Parliament last January the intention of His Majesty's Government in the United Kingdom to place Togoland and the Cameroons under trusteeship, stated explicitly that these are not British colonies. In fact, our jurisdiction in them, in terms of our own constitutional law, is derived from the Foreign Jurisdiction Act, 1890, and not from any conception of

British sovereignty or possession. That position will not be altered by the transfer from mandate to trusteeship.

- 5. Secondly, when the Mandate and the Trusteeship Agreement speak of administration as an integral part of the Administering Authority's territory, we do not mean by that that the Cameroons and Togoland are to be administered as integral parts of the United Kingdom. What we mean is that the Cameroons is administered as an integral part of Nigeria and that Togoland is administered as an integral part of the Gold Coast. A single glance at the map will show why this is necessary.
- 6. Thirdly, when we speak of applying the laws of the Mandatory or Administering Authority, subject to such modifications as may be required by local conditions, we do not mean the laws of the United Kingdom. What we mean here is the laws of Nigeria and the Gold Coast made by the Legislative Councils of the two Territories in Lagos and Accra, bodies which already have a majority of Africans on them. It is only on very rare occasions that a law of the United Kingdom is extended to any non-self-governing territory, and then it is usually a law dealing with international relations. I hope that this explanation will be sufficient to remove any possible suspicion that these words are included as a cloak for annexation.
- Why then do we want these provisions? Because when the mandate for these territories was conferred upon the United Kingdom in 1919, the instruments of mandate contained a categorical and positive instruction that each of those areas should be administered as an integral part of the neighbouring territory. That was not a permissive clause. It was a definite instruction, and it is because of that instruction that, as mandatory Power, we were at liberty to apply the laws of the neighbouring territory to the mandated areas. It is easy to see from the map that the Allied Powers which allotted the mandate, and the Council of the League which confirmed it, did this quite deliberately because it was in fact the only possible way in which the political, economic and social advancement of these territories could be assured, and indeed the only way in which they could be administered at all. They cannot exist as isolated units. They are narrow strips of territory, in places not more than ten or twenty miles wide. The British mandated area of the Cameroons is completely divided into two entirely separate areas. They are not self-contained by any natural definition, geographical, ethnic, economic or anything else.
- What is the existing situation with regard to the administration of these territories? In fact, we have carried out the instructions in the mandates with the full knowledge and approval of the Mandates Commission of the League of Nations. We have administered the British Cameroons as an integral part of Nigeria and Togoland as an integral part of the Gold Coast. two mandated territories do not even form separate provinces, but sections of them in each case form parts of certain provinces of Nigeria and the Gold Coast. There is no other way in which the administration could effectively be carried on. At the same time, of course, we have, as the records of the Permanent Mandates Commission show, fully and faithfully applied to the British Cameroons and to British Togoland the conditions laid down in the mandate. This has been our policy for more than a quarter of a century, a policy which was a condition of our undertaking the mandate. We have now reached the point where, in each territory, there is a comprehensive legislative system covering the mandated as well as the other areas in a single constitu-

tional whole. To change that policy now would be a retrograde step to the gravest disadvantage of the inhabitants of the territories in every way.

9. Discussions in this sub-committee have shown that every single representative round this table and every single representative in the Fourth Committee itself attaches as much importance to the obligation to promote political development as to any other provision in Chapters XI and XII of the Charter. Under the Trusteeship System, it will be our duty as Administering Authority to promote the political development of these two territories by every possible means. British policy looks forward to the day when Nigeria and the Gold Coast will attain self-government as African States governed by Africans. The British Government has just taken a most important step forward in both territories—the creation of an African majority in both Legislative Councils and the development of representative machinery in those Legislative Councils aiming at the representation of all areas in them. It is by the extension of this process that the Africans of Nigeria and the Gold Coast will eventually reach the stage at which they will govern themselves. Both British Togoland and the British Cameroons have a place in these two constitutional machines, and their African inhabitants, along with their fellow Africans in Nigeria and the Gold Coast, will in this way progress along the road towards self-government. But if they are not to be regarded as integral parts of Nigeria and the Gold Coast, it is impossible to see how their political development can be provided for in any satisfactory way. retention of the principle that they should be administered as an integral part of the two territories is essential to the fulfilment of the obligation, under the Charter, to promote their political development.

That, then, is the policy which, on international authority, we have been steadfastly pursuing for twentyfive years. That is the policy which must continue. As I have said, the United Kingdom Government does not want to haggle about phraseology, but those who drafted the mandate gave great thought to its terms and it has stood the test of time. We ourselves, when drafting the Trusteeship Agreements, considered whether it would be possible to improve upon the wording, but were forced to the conclusion that the original wording was the best that could be devised. It is possible that this sub-committee might be able to hammer out some new texts, but I am bound to confess than in my view some very positive evidence would be required to prove that the existing text is unsatisfactory. After all, if the object is to continue a policy which has been in force for twenty-five years, surely the best thing is to continue the terms of the instrument on which it is based. Then there can be no doubt as to the continuity of policy.

11. In the light of this explanation, I hope that those delegations which have put forward amendments to this Article will feel able to withdraw their amendments.

#### ANNEX II

A. Extract from the report of the Committee on Constitutional Reform in the Gold Coast

Position of Togoland under United Kingdom trusteeship

299. One major problem which we encountered was the question of the number of regional administrations which should be established. This issue was complicated by the peculiar position of that part of Togoland under United Kingdom trusteeship. It is our considered view that the Trusteeship Council of the United Nations may be expected to favour either the formation of one administration for the whole of Western Togoland, or alternatively, the retention of the present affiliations of the Northern and Southern Sections. We consider, however, that the powers exercised by His Majesty's Government by virtue of the terms of the Trusteeship Agreement 1 are such as to permit the implementation of any reasonable proposals which may be advanced, irrespective of possible adverse opinion which may be expressed in the Trusteeship Council.

With regard to the Northern Section of Togoland under United Kingdom trusteeship, we have been advised that a plebiscite is now being undertaken in the Krachi district in order to determine whether that area should continue to be administered as part of the Northern Territories, or alternatively, whether it should "move south" to join with the Colony. We have been informed, unofficially, that every indication points to the fact that the inhabitants of Krachi wish to be joined with the Colony, but we feel that no recommendation as to the future of the area can properly be put forward until the result of the plebiscite has officially been made Excluding Krachi, however, the balance of the Northern Section has such strong connexions with the Northern Territories Protectorate that we are of the opinion that it should be included in the regional organization of the Protectorate.

301. As for the Southern Section, whether or not including Krachi, as the result of the plebiscite might indicate, we had considered that the various States/ Native Authorities lying to the east of the river Volta, including those now forming part of the Colony proper (excluding that part of Akwamu State east of the river and also the Guan territories, but including the area of the Tongu Confederacy west of the river) should be constituted into a separate regional administration. The advantages of this proposal appeared to be that it would more closely associate the Ewe States of the Gold Coast proper with those of Southern Togoland, which we understood to be in accordance with the desire of the inhabitants. It would also provide what appeared potentially to be a reasonable administrative unit, with approximate population, including Krachi, 470,000. Furthermore, it seemed to us that the subtraction of those States now included in the Colony proper might, in certain circumstances, permit a more workable regional administration to be established in that Territory. We must add, however, that this proposal was opposed by representatives from Asogli, Atando and Buem, who argued that the Southern Section of Togoland under United Kingdom trusteeship, including Krachi, should form a separate unit. counter-proposal, envisaging the creation of a small unit of approximately 140,000 persons, economically far from being self-supporting, we regarded as unsound. We were therefore faced with two alternative possibilities, either to proceed with our original recommendation, or to make no special provision for Southern Togoland beyond associating it with the organization recommended for the Colony proper, as might appear most convenient from an administrative point of view.

302. In reaching a decision upon this point, we have been influenced by certain factors. In the first place, it appears that the opposition of the aforementioned representatives was to some extent inspired by the campaign undertaken against the regional administra-

<sup>1</sup> Vide article 5 (a) of the Trusteeship Agreement.

tions in some quarters. In the second place, it seems that they had not wholly understood the purposes of the regional administrations, and that their attitude, to a certain extent, had been conditioned by a lack of knowledge as to the future position of the Krachi area, with which they naturally wished to be associated. Of greater force is our belief that their fear that they would be the victims of exploitation as a result of our proposal is unwarranted. We have also to bear in mind the desirability, for economic reasons no less than for the general development of the area, of rejecting the counter-proposal which had been put forward.

303. We have therefore seen no valid reason for departing from our original suggestion, which is that the various States /Native Authorities lying to the east of the river Volta, whether at present forming part of the Colony proper or of the Southern Section of Western Togoland, excluding that part of the Akwamu State to the east of the river, and also the Guan territories, but including the area of the Tongu Confederacy west of the river, should be constituted into one regional administration.

## Position of the remaining territories

304. With regard to the remaining territories of the Gold Coast, bearing in mind not only tribal and geographical factors but also administrative convenience, we consider that one regional administration should be established in each of the three main existing territorial divisions of the country, namely, the Northern Territories, Ashanti and the Gold Coast Colony. The Northern Territories, for this purpose, shall include the Northern Section of Togoland under United Kingdom trusteeship, but shall not necessarily include Krachi. The Colony shall exclude that area which will form part of the Transvolta—Southern Togoland region.

# Position of Krachi

305. We further recommend that the position of Krachi should be decided in the light of the result of the plebiscite to which reference has already been made, the area being included, as may appear appropriate, in either the Northern Territories or the Transvolta—Southern Togoland region.

306. We believe that these recommendations will meet with the approval of the inhabitants of the areas concerned.

B. Extract from the statement by His Majesty's Government on the report of the Committee on Constitutional Reform in the Gold Coast

#### Regional administration

17. In paragraphs 299 to 303 of the report, the Committee proposes that a regional administration should be established for the area described as "Trans-Volta—Southern Togoland", consisting of certain areas of the Gold Coast Colony east of the river Volta and the Southern Section of Togoland under United Kingdom trusteeship, with the possible addition of the Krachi district. The Committee itself records in paragraph 301 that this recommendation was opposed by representatives from certain parts of Southern Togoland, and, both for this reason and because of the special position of the Trust Territory, I must examine the proposal with particular attention. The decision to be taken on it must clearly depend on the interests of the people concerned, and in determining where those interests lie I have no doubt that you will consider, in consulta-

tion with the accredited representatives of the people, what arrangement is likely to be most effective in promoting the political, economic and social development of the area. I will go into the matter further when you are in a position to let me have your recommendations and when the considered views of the people of the area are known. Meanwhile I hope that it will be possible to arrange in the immediate future for the representation of the Southern Section of Togoland on the Legislative Council and that, as an interim arrangement pending the setting-up of constituencies as the Committee recommends, an electoral body will be constituted for this purpose in the area. I shall also await any recommendations which you may wish to make on the question whether the Krachi district should be included in the Southern Section of Togoland.

#### ANNEX III

Report on the work of the social development team operating in Togoland

- 1. An experimental social development team was formed in October 1948, with a view to establishing a technique of mass education suitable for West Africa.
- 2. There was a tendency amongst Africans, it was felt, to regard social service work not as the responsibility of every educated citizen, but as something done exclusively by full-time, salaried employees of the Social Welfare Department. The technique of mass education was an attempt to present social service as something which could be attempted by all—by clerks, junior government officials, storemen, Native Authority employees, as well as teachers.
- 3. Short, intensive courses of training, presenting social service in as interesting a manner as possible, and designed for the ordinary educated man and woman who might be induced to volunteer their services, had to be organized. In order that such training might be available to those who otherwise would never have had such an opportunity, it was necessary that the courses should be held in outlying centres. Thus a mobile team of instructors, trained to work as a unit, was formed.
- 4. The activities which were chosen for presentation were first aid and hygiene, music, discussion group work, village drama, physical recreation, civics, women's activities and mass literacy campaigns in the vernacular.
- 5. In a phrase, the object of the courses was the training of potential community leaders. Throughout, the emphasis was not on bringing knowledge to the ignorant, but on inspiring service amongst the educated few.
- The courses lasted twelve to fourteen days and in general achieved their objective. It may be inquired why so short a period as a fortnight was chosen to give instruction in so varied a programme. If any longer period had been taken, it would have been impossible for clerks, storemen, educated farmers, Native Authority employees, junior government officers, etc., to attend. If the value of such a short course of instruction is questioned, it may be stated that those who enrol for these courses are generally those who are already interested in one or more of the activities listed. The object is to open eyes to new possibilities, to demonstrate new methods of popular presentation, and to evoke interest and enthusiasm in the community where the trained voluntary leader will commence or develop his work.

- 7. At each of these courses, some scores or even hundreds of illiterates presented themselves, under the misunderstanding that the idea was to teach illiterates to read there and then. They were never turned away. Those of the team's instructors who were not engaged in lecturing or demonstrating to those attending the proper course were assigned the task of teaching those illiterates how to read by the Laubach method. The advantages of retaining the interest of local illiterates during the courses were great. When it came to getting the "students" to practise the Laubach method, the human material was there at hand; the illiterates joined with enthusiasm in the games and singing, and a general atmosphere of optimism and good feeling was engendered in the local community.
- 8. Preliminary training was carried out at the School of Social Welfare, Accra. In the discussion group work, a modified form of the technique of the Army Bureau of Current Affairs was employed, emphasis being placed on clear thinking rather than upon subject content. In village drama, the teams were shown how to take a simple theme of social import and to dramatize it. In physical recreation, the idea was to present physical training as something essentially enjoyable, spectacular and stimulating; games were also demonstrated such as could be played with locally improvized equipment in any village. In first aid, the accent was on positive health measures allied to simple remedial treatment for commonplace accidents in the "bush".
- In music generally, it was intended to build upon existing institutions, such as the church choir; and the potential value of the "singing bands" as a social institution cannot be overestimated. Many of the exceptionally beautiful songs of Mr. Amu, the distinguished Ewe musician and representative of his people, were specifically featured. The Gold Coast police bandsmen, apart from accompanying the community singing, visited on request the numerous village and school bands, which are a characteristic of life in Togoland, not only helping them with the technique of instrument playing, but also offering advice on the composition of a band, care of instruments and practice technique. In literacy, the latest method of Dr. Laubach was employed; here much of the preliminary work had been done by a small group of Ewe students at Achimota. The primer used was an exercise in co-operation, an African artist designing the illustrations, the Survey Department producing the blocks, and the Achimota press printing the pamphlet; the finished result was as effective a primer as could be produced anywhere in any vernacular; with its aid, women have been taught to read simple sentences within twelve days.
- 10. One point was stressed in the training, no less than in the actual work in the field. Whilst each member of the team had been selected for his or her technical expertise, corporate participation in each and every activity was demanded: all took part in the physical training, in the singing, in the literacy work, and in drama. Only thus could the team build within itself the idea of community effort.
- 11. Togoland under United Kingdom trusteeship was chosen for this experiment. A tradition of craftsmanship, a love of music, and a growing sense of tribal cohesion were amongst the reasons that persuaded the social development officer to select this area.
- 12. Amongst those who inspected the work of the team was Monsieur G. Bonnet, Director of Education, Togoland under French administration.

- 13. As a direct result of what he had seen, Monsieur Bonnet recommended to the Government of Togoland under French administration that a similar experiment in mass education should be conducted in that Territory. At a meeting in Accra on 12 April 1949, attended by the Director of Education, the Director of Social Welfare and the Social Development Officer for the Gold Coast, and by the Director of Education for Togoland under French administration, it was agreed that a joint experimental scheme of mass education should be carried out by an Anglo-French team. That decision was confirmed by the Governors of the two Territories at a meeting of the Consultative Commission held at Lomé on 23 April 1949.
- 14. Accordingly, on 20 June 1949, there assembled in Accra the representatives selected by the two Governments. As before, those selected on the Gold Coast side were chosen from various government departments and missions. The joint team received training, on similar lines as the first experimental team, at the School of Social Welfare.
- 15. The first course conducted by the joint team was at Palimé, in Togoland under French administration, from 11 to 23 July. It was an unqualified success. Over 200 educated men and women came from all parts of the Territory (and some from Dahomey) to attend; they comprised many men in responsible positions, including headmasters and one deputy to the Assemblée représentative.
- 16. The second course of the joint scheme was given immediately after the Palimé course. The village of Vo Koloenu, near Hohoe, and particularly the Ewe Presbyterian Senior School, proved to be eminently suitable for a social development course. A spirit of co-operation and a notable atmosphere of friendliness permeated the course from beginning to end. One hundred and seventy-five educated men and women attended the main course. In addition, 250 women registered for the women's class of handicrafts; of these, 83 took the literacy course.
- 17. While at Koloenu, members of the team visited a large night class for illiterates in Kpandu and introduced the technique of the Laubach system to the teachers, giving the initial lecture to the members of the classes.
- 18. The third course was held at the Ewe Presbyterian Mission in Ho. One hundred and ninety-nine educated men and women registered for the main course; many women took instruction in knitting, sewing and crochet. The class was too big for the assistant welfare officer and her assistants to handle and extra help was obtained from the Mother Superior of the Roman Catholic girls' school, Ho, who gave full-time help for eight days of the course. The third group, the illiterates, consisted of 108 youths, men and women.
- 19. The Laubach literacy technique was introduced to literates capable of teaching, and a literacy class started at the Ho leper settlement. Another literacy class was started in Kpetoe.
- 20. The last course of the four agreed on by the Consultative Commission was to be held at Lama-Kara, but owing to an epidemic of meningitis in that area, the site of the course was changed to Blitta, the terminus of the central railway of Togoland under French administration. Many of those who would have attended the course at Lama-Kara were brought to Blitta.
- 21. Prior to the opening of the Blitta course, a reduced British team joined a French team which had been in training at Atakpamé.

- 22. The technique of the Laubach literacy system was not included in the Blitta syllabus, as it had been found impossible to prepare literacy material for the Cabrai or Bassari languages in the time available. A system of French taught during the war to colonial soldiers was taught to the illiterates during the course.
- 23. At the request of the French Governor, the Blitta course was predominantly a French course and administrative arrangements were made by the French authorities. However, every possible assistance was provided on all course activities.
- 24. A total of 239 (mainly Cabrais, but some Bassaris, Ewe Kotokolis and others) attended the course.
- 25. At the conclusion of the series of courses held in conjunction with the French authorities, it was decided to organize a series of courses designed to further the work commenced by the mass education team operating in Togoland under United Kingdom trusteeship. A series of pamphlets designed to take the student from the primer stage to full literacy was written and published.
- 26. In addition, a scheme for producing readers at a reasonable cost was worked out in conjunction with the Presbyterian Churches Literacy Committee. Arts and crafts were stressed and a series of exhibitions organized to demonstrate the value of the local craftsman and to produce a sense of pride in craftsmanship. The results have been encouraging and two assistant welfare officers have been posted to Togoland under United Kingdom trusteeship to assist and encourage local development on the lines already initiated.
- 27. There have not been wanting signs of a distinctly encouraging nature, in that a reasonably high percentage

of those who attended the courses are taking an active part in developing community activities. Some concrete examples may be given. At Kpandu, the Akpini Youth Society has inaugurated night classes for illiterates. At Amedzofe, first aid and needlecraft work for women have been added to literacy in the activities started by a small group of persons who attended the Kpedze course.

28. At present, there are over a hundred literacy classes established and although they vary greatly in membership, they do represent a new outlook of service to the community.

29. To keep in touch with people who have been trained on mass education courses, a newsletter service has been established carrying news of mass education activities in Togoland and giving in detail the work of the most advanced groups.

No very dramatic results are expected, as we are working within existing social institutions. The aim has not been to create a new organization but to invigorate and broaden the base of the existing activities. A school may endeavour to extend the scope of its physical recreation to include former schoolboys and illiterates, or to relate the teaching of civics to some project of mass education; a women's guild, organized by the church, may include child care and needlework; a singing band may extend its activities beyond that of providing limited financial assistance for a funeral; a literary society-or even a new political group-may strive to think objectively on the lines of a discussion group. These results are modest and probably unspectacular, but they do represent a new attitude of mind which must be the precursor of any action on the part of the community to raise its standard of living.

# (f) Togoland under French administration, 1948

#### Document T/L.69

Replies of the special representative of the Administering Authority to written questions of members of the Trusteeship Council

[Original text : English and French] [23 March 1950]

#### I. GENERAL

Question 1: On page 15 of the annual report it is stated that as yet civil registration is not compulsory throughout the Territory. In view of the existence of forty-three civil registry centres, would it be possible for the special representative to provide the Council with information on birth and death rates, as well as other demographic data, in representative communities or districts of the Territory? (China.)

Answer: Two hundred and twenty-two new civil registration centres were established in 1949, bringing the total number of centres in which registration of deaths and births is compulsory up to 265. Nevertheless, demographic data taken from the civil register

¹ See Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1948. would be very incomplete, and it would be better to give the Council those of the mobile health and preventive medical service, taken from a census of 416,148 persons.

Average annual birth rate: 49.9 per 1,000.

Average annual death rate: 18.2 per 1,000.

Average annual death rate by age groups, per 100 deaths: under 1 year: 25.5; 1 to 14 years: 27.4; 14 to 45 years: 23.7; over 45 years: 23.8.

These statistics relate to six health districts of the Territory: Mango, Lama-Kara, Sokodé, Bassari, Atakpamé and Palimé.

#### II. POLITICAL ADVANCEMENT

Question 2: In the Cameroons under French administration, one of the most salutary features of French liberalism is the development of a sense of oneness, or common identity, among the inhabitants of the Territory. Is there a similar development in Togoland under French administration, and if not, why not? What steps have been taken to encourage or discourage such a development? (Philippines.)

Answer: In Togoland and the Cameroons alike, steps have been taken to generate some sense of unity. Togoland, like the Cameroons, has a Representative Assembly for the whole of the Territory and responsible for manag-

ing the Territory's own affairs. Subject to local custom, which must be respected by virtue of the United Nations Charter and the Constitution of the French Union, the whole Territory of Togoland is subject to the same law and the same administration. The conditions for the awakening of a collective consciousness are therefore just as favourable in Togoland as in the Cameroons.

It is doubtful whether the sense of oneness in the Cameroons is more marked than in Togoland. This feeling undoubtedly exists, but should not be exaggerated. It is as yet confined to a very small number. Its general development is hindered by racial antagonisms and differences of custom, civilization and ways of life, especially between the peoples of the north and those of the south, due to differences in the nature of the country, climate and products. The Administering Authority considers that in this respect the two Territories placed under its trusteeship are in an entirely comparable situation.

The existence of a uniform system of public law for the whole of each of the Territories, a single system of local administration under the guidance of the representative of the central authority and, above all, a single Representative Assembly, give these very diverse peoples a common framework which should in the long run have an effect on their attitude, weaken their traditional antagonisms, and little by little make them aware of their collective interests.

Question 3: Pending a final determination of the nature and effects of the membership of the Trust Territory in the French Union, and in order to allay misgivings entertained by some members of the Trusteeship Council and the Representative Assembly of the Territory on the matter, is the French Government willing to give the Council definite legal clarification and to make a formal commitment that the status of the Territory as a Trust Territory, as well as its freedom of separate evolution towards self-government or independence, is in no manner compromised by its membership of the French Union? (Philippines.)

Answer: This question is outside the competence of the special representative, and will be dealt with in the Council by the representative of France. It may, however, be useful to recall the terms of the letter sent by the French Government to the Secretary-General of the United Nations on 31 May last on the administration of the Territories under French trusteeship. The following passage should furnish the representative of the Philippine Government with all the desired information concerning the French Governments' attitude towards this matter:

"In the particular matter of political emancipation, it goes without saying that at the end of the trusteeship, the inhabitants of the Trust Territories will be entitled, if they so wish, to pursue their aspirations outside the French Union. It should, however, be noted that the French Union system provides opportunities of development capable of satisfying the desire of a population either to be united with France in a single community on a footing of complete equality of rights and duties, or to gain national autonomy or independence as a State in free association with the French Republic by virtue of a treaty."

Question 4: Is the Representative Assembly consulted on questions of a political nature? Are members of the Assembly free to raise such questions for discussion? (China.)

Answer: The Representative Assembly has in fact often been consulted on political questions. The members of the assembly may open discussion on all questions which fall within their deliberative or consultative powers, as defined in section III of the decree of 25 October 1946. A perusal of the long lists of powers set forth in articles 35 and 37 of the decree will show that those powers are so extensive as to cover practically all questions of local politics.

Article 44 of the decree of 25 October, however, contains a proviso. The article states that the assembly, through its chairman, may submit directly to the Minister for Overseas France such observations as it sees fit to make in the interests of the Territory, except on political problems, and also its opinion on the conditions and needs of the various public services. In the bill to set up a territorial representative assembly for Togoland, which is to supersede the decree of 25 October 1946, that proviso has been left out. It seemed wise to insert it in the text of 25 October 1946, since it was to govern an assembly still in its infancy. It was important, at the outset, to guide the assembly towards concrete matters of administration and finance and away from sterile discussions of principle which could harm its reputation and deprive its members of practical experience.

The Administering Authority considered that after some years' experience, that proviso might be abolished.

Question 5: It is noted that a bill to modify and extend the powers of the Representative Assemblies of Togoland and the Cameroons under French administration has been presented to the Assembly of the French Union by the deputy from Togoland and that, at the time of the writing of the annual report, that bill was before the National Assembly. In view of the Trusteeship Council's recommendation that the powers of the Representative Assembly should be extended progressively,1 particularly in the field of legislation, information is requested in respect of the content and the present status of this bill. In particular, what specific extension of the powers of the Representative Assemblies of the two Territories is envisaged in this bill? is the philosophy behind the prohibition of discussion of political matters by the Representative Assembly? Does not the prohibition seem like muzzling the only elective organ of the people? (Philippines.)

Answer: The proposal for a law establishing an electoral system and laying down the composition, duties and powers of the Representative Assemblies of Togoland and the Cameroons, introduced by Messrs. Aku, Houphouet-Boigny, Coulibaly Ouezzin, Kaboret Zinda, Mamadou Konate and the members and associates of the communist group, as well as the Government bills on the same subject, will be communicated to the Trusteeship Council separately. Those texts are designed to extend the powers of the Representative Assemblies

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

of the two Territories. The proviso concerning political questions, which was explained in the answer to the previous question, has been left out of the bill which is to supersede the decree of 25 October 1946.

It will rest with Parliament to pass judgment on the differences between the Government bills and the proposal submitted by Mr. Aku, some of his colleagues and the members and associates of the communist group. It may, however, be stated at this very point that both the Government and Parliament favour a progressive extension of the powers of the Representative Assemblies in the two Trust Territories.

Question 6: At its fourth session, the Trusteeship Council noted 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. What steps have been taken in this respect by the Administering Authority? It is noted that, under the decree of 3 January 1946, the councils of notables were to be replaced by conseils de circonscription (district councils), and that in 1948, the Administration submitted to the Representative Assembly a bill establishing conseils de circonscription. Those bodies were to be elected by universal suffrage and were to be consulted on all administrative, financial, economic and social questions concerning the *circonscription*. It is further noted that the Representative Assembly expressed its uninamous opposition to the bill. Information is requested on the reasons for this opposition on the part of the Representative Assembly. What further action does the Administering Authority contemplate in respect of this question? In the absence of the conseils de circonscription, do the councils of notables continue to function despite the fact that they were to have been superseded by the conseils de circonscription? (Philippines.)

Answer: The councils of notables exist and continue to be consulted, especially when the budget is being drafted. They have not, however, been renewed since the war. The decree of 3 January 1946 providing for the administrative reorganisation of the Territories laid down that those councils should be replaced by conseils de circonscription (district councils) and it has therefore not been considered necessary to alter their composition.

A draft order setting up district councils was laid before the Representative Assembly during its regular session in March and April 1948. The councils were to have been elected by universal suffrage in two stages; they were to have superseded the councils of notables with much wider powers, and they were to have been consulted on all financial, economic, social and administrative matters concerning the district. The Representative Assembly unanimously rejected the draft. The delegates stated that they would not adopt it until the status of the indigenous *chefferies* had been reorganized.

The indigenous administration has recently been reorganized in agreement with the Representative Assembly; the draft order concerning district councils will therefore be laid before it afresh at its next session.

It may be mentioned that the complaint formulated in petition No. 6 from the office of the Representative Assembly that the Government draft was "undemocratic" was never put forward during the debates. Those debates, moreover, were very short, speakers merely regretting the delay in reorganizing the status of the chiefs. Further, the draft order attached to the petition is not the text which was introduced in the assembly, but a preliminary draft. The proposal laid before the assembly did not provide for appointed councillors, and it is difficult to accuse that text of being undemocratic.

Question 7: In the report for 1917, it was stated that a proposal outlining the organization of conseils de circonscription (district councils) had been prepared by the Ministry of Overseas France and submitted to the Representative Assembly on 24 December 1947. At the fourth session of the Trusteeship Council, the special representative stated  $(T/252)^3$  that the first draft of that proposal had been rejected by the Representative Assembly. Would the special representative give details of the proposal, especially those objected to by the Representative Assembly, and indicate its present status? (United States of America.)

Answer: See the answer to question 6.

Question 8: Is the canton a traditional unit of political organization throughout the Territory or has the Administering Authority in certain instances created such units as a means of facilitating administration? In the event that the canton is of recent origin, do lesser chiefs recognize the chefs de canton whose status has little or no basis in customary law? Since happily suffrage now exists in the Territory, does not the Administering Authority feel that an elective chefferie would be a logical step in the further development of the people towards self-government? (Philippines.)

Answer: The cantons, especially in the southern part of the Territory, do not in general represent traditional units, and in most cases they have certainly been established to facilitate the work of the Administration. Nevertheless, in creating these territorial units, regard has always been had to the ethnic distribution of the population.

Generally speaking, in the north of the Territory, the chefs de canton have always been recognized by the village chiefs. In the south, success has not been so complete and depends principally on the qualities of the chief. Recently, in consequence of many complaints, the cantons in the Anécho cercle have been abolished.

It would certainly be democratic and progressive to hold elections, but that would conflict with the oftrepeated wishes of the chiefs, who desire to hold their prerogatives by virtue of custom only.

Question 9: After the examination of the report for 1947, the Trusteeship Council welcomed the Administering Authority's policy of taking progressive measures to bring about universal suffrage which the Council

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

<sup>&</sup>lt;sup>2</sup> See Rapport annuel du Gouvernement français aux Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1947.

<sup>3</sup> See Official Records of the Trusteeship Council, Fourth Session, Annex.

thought could be applied in the first instance to the election of the proposed new types of regional councils and municipal commissions. Information is requested on the steps that have been taken not only with regard to the extension of the right of suffrage but also with regard to applying it to the election of regional councils. If the councils of notables still exist, what possible difficulties or objections could there be to giving them more powers and having them elected by suffrage and thus making them real foundation stones for self-government? (Philippines.)

Answer: The councils of notables still exist, but the draft order concerning district councils is to be laid before the Representative Assembly again at its session in March and April 1950. It would therefore be advisable to await the assembly's decision. The question of the notables will not be reopened unless the plan to set up district councils is again rejected.

Question 10: In describing the status of the Territory and its inhabitants, the Administering Authority notes (page 13 of the report) that the number of registered voters rose from 7,963 in 1947 to 12,793 in 1948. Of the latter, 419 were registered in the first electoral college (French citizens), which elects six members of the Representative Assembly, and 12,374 were registered in the second electoral college (Africans) which elects twenty-four members of the Representative Assembly. Could the special representative indicate: (a) the total number of persons in each category eligible to become voters; (b) the measures which are being taken, or contemplated, to encourage those eligible who are not on the rolls to register, and (c) any other steps which are being taken to provide more widespread experience in the responsibilities of representative government? (United States of America.)

Answer: (a) I am unable to give a precise answer to the first question. The number of registered voters does not by any means indicate the total strength of the electorate as shown by the categories of persons entitled to vote. Those electors are not registered automatically. That would be impossible. They have to apply to have their names registered or erased from the rolls. The electoral rolls are brought up to date each year. The electors, of whom many, in spite of publicity, were ignorant of their rights, are rapidly becoming aware of those rights. The best proof of this is the progress noted every year. The number of registrations rose from 7,963 in 1947 to 12,793 in 1948, 13,130 in 1949, and 16,830 in 1950.

(b) Each time the electoral rolls are prepared, the people are informed, by notices in the Journal officiel, the newspapers and on posters, of the period during which they may register. This year the Commissaire de la République reminded the commandants de cercle of the need to inform the chiefs and the population of the conditions and dates for registration on the electoral rolls.

The new registration form to be used this year includes a column listing all the categories of persons who are entitled to vote. This, on the one hand, will enable the subdivisional heads to inform voters direct of their rights and duties, and, on the other, will make it possible to answer the first question accurately. (c) The Administration is relying largely on the creation of the district councils to enable the mass of the population to acquire greater experience of the responsibilities of representative government.

Question 11: It is noted (page 13 of the report) that electoral rolls are revised annually, even when no elections are held. Is it possible to know how many new electors in the second college were added to the rolls in 1949? (China.)

Answer: Five hundred and seventeen new names have been added to the rolls of the second college. In 1950, 3,329 new electors had their names added to the electoral rolls of the second college.

Question 12: It is noted (page 53 of the report) that a court at Palimé is composed entirely of Africans. What further concrete steps are contemplated with a view to increasing the participation of indigenous inhabitants in the judiciary? (China.)

Answer: Twelve new customary courts composed entirely of indigenous inhabitants were set up in 1949. The Administration is considering the establishment of new customary courts wherever possible. Instructions have recently been issued to the Territory that Togolanders who are not French citizens may be admitted to the Cour d'assises as jurors. Moreover, Togolanders holding a law degree may, if they wish, become magistrates. Up to the present they have preferred to practise at the bar.

Question 13: Has any attempt been made to systematize and codify customary law? (China.)

Answer: The indigenous penal code, which was abolished in 1946 and superseded by the French penal code, was an attempt at codifying African customs. As a matter of fact, customs vary from tribe to tribe and even within the same tribe, principally in civil matters. Moreover, they are undergoing rapid and constant change as a result of the evolution which is taking place in the sphere of morals and as a result of increased education. It would be foolish to hinder that development by crystallizing it in a written code.

Question 14: How has the introduction of the French penal code worked out in the Territory and how have the indigenous inhabitants reacted thereto? Please explain fully. (Philippines.)

Answer: The French penal code was introduced into the Territory by statute in 1946. Its application involves no problems or difficulties. Moreover, the criminal law in force in Togoland is by no means a mere copy of the metropolitan penal code. Many of the articles of the code have been frequently amended or added to in order to adapt them more closely to local requirements. Examples are articles 264, 302, 312 and 341, which respectively prohibit the practice of witchcraft, magic and trade in human remains, cannibalism, adultery by a woman married in accordance with custom and desertion by such a woman of her home and husband, and agreements for the sale or pledge of persons. Article 240 should also be mentioned; it refrains from providing a penalty for bigamy in the case of a marriage contracted in accordance with custom.

The fact that the plea of extenuating circumstances is allowed in French law and that provision is made for a stay of proceedings make it possible to adjust the penalty to fit the crime in each individual case.

The guarantees of impartiality and freedom contained in the French code are a decided improvement on the arbitrary treatment and favouritism of the traditional procedures, a fact which the Togolanders have fully realized.

Solid proof of the acceptance of French law by persons subject to it is afforded by the statistics. Out of 961 persons summarily convicted by criminal courts throughout the Territory in 1948, only twenty-nine appealed.

#### III. ECONOMIC ADVANCEMENT

Question 15: The total revenue of the Territory for the fiscal year ended 31 May 1949 was estimated at 567,526,432 francs, while the total expenditure for the same period was estimated at 489,026,424 francs. Does this mean that the Territory is self-supporting and if not, why not? Besides the estimated expenditure of 489,026,424 francs, were there any other sums spent in the Territory by way of grants-in-aid for the development programme, etc., by the Administering Authority or any of its agencies for the year 1948, and if so please give the amounts involved, by whom and under what conditions given, and for what purpose. (Philippines.)

Answer: Side by side with the local budget, there has existed in the Territory, since 1947, a "FIDES" budget (Fonds d'investissement pour le développement économique et social des territoires d'outre-mer: Investment fund for the economic and social development of Overseas Territories), which permits the carrying-out of the annual programmes which form an integral part of the ten-year plan.

The assets of that fund are made up as follows:

- (a) About half consists of non-repayable grants from the French State on which the Territory pays no interest;
- (b) The other part consists of advances made by the central Treasury subject to repayment in thirty years, beginning five years after the date of the loan.

The interest is 1 per cent, plus a commission of 1 per cent payable to the Treasury.

Expenditure during the financial year 1947/48 (30 June 1947 to 1 July 1948) amounted to 42 million francs CFA. During the financial year 1948/49, it reached 129 million francs CFA. The total credits allotted for that period were 489,200,000 francs CFA, and credits not spent were carried over to the next financial year. From 1 July 1949 to 15 October 1949, the value of authorizations to enter into commitments amounted to 195 million francs CFA and actual payments to 55 million francs CFA.

The general aims of the FIDES plan are:

- (a) Systematic utilization of natural resources;
- (b) development of public equipment;
- (c) protection of public health and development of education.

The tables on pages 110 and 111 of the report for 1948 give the details of the work carried out during the financial year 1947/48.

Question 16: In answering the questions on public finance, the Administering Authority states (page 94 of the report) that when the Administration presented the budget for 1949 to the Representative Assembly, it pointed out the dangers of too great dependence on customs duties, which were subject to commercial fluctuations, and asked for an increase in direct taxes. The assembly, though preferring indirect taxes, agreed to double the head tax and local taxes. Would the special representative describe the new tax schedule in more detail, commenting especially on the advantages to the Territory as a whole of these new taxation measures and their effect on the various income groups? (United States of America.)

Answer: The taxation system was not changed in 1948; only the rate of personal tax was raised. That rate may be changed each year by the Representative Assembly when voting on the budget. Even with that increase, direct taxation represents only 8.8 per cent of the whole budget, while sales taxes accounted in 1948 for 66.3 per cent of the budget. There is no doubt that such a disproportion between direct and indirect taxes would be very unfortunate in an economic crisis. Any slackening of trade would throw the budget out of balance.

From 1931 to 1934, because of the world economic depression, the Administration had the greatest difficulty, for that same reason, in balancing the budget, and the 1934 financial year could not have been closed without a large advance from the metropolitan Treasury.

The advantage of the step that has been taken is precisely that it has diminished the disproportion between direct and indirect taxes and has thus lessened—albeit only slightly—the danger of a failure to balance the budget in an economic crisis.

In spite of two devaluations of the franc and a considerable rise in the purchase price of products, the personal tax had not been raised for many years. Taxpayers have therefore been easily able to bear this increase.

Question 17: In answering the questions on commerce and trade, the Administering Authority notes (page 72 of the report) that the decree of 24 August 1947 restoring customs barriers between Togoland under French administration and adjoining French territories, was unanimously opposed by the Representative Assemblies of Togoland and Dahomey. As a result, land trade between Togoland under French administration and adjoining French territories was left entirely free. The Trust Territory has found it necessary, therefore, to make its customs charges conform, in so far as possible with those of French West Africa. Would the special representative indicate what advantages accrue to the Trust Territory by this arrangement? (United States of America.)

Answer: The Territory has derived no advantage from this measure. It has merely lost customs receipts—not a considerable sum compared to the tax collected on goods imported by sea. Only the border populations have benefited by this abolition of the customs

barrier, which has encouraged trade in local produce between the two territories.

Question 18: In view of the opposition to forest classification voiced by the inhabitants of the Territory and the Representative Assembly in 1947 (T/252), what is the policy of the Government in respect of this question at the present time? (China and Belgium.)

Answer: The Administration cannot change its policy in this matter. There appears to be no doubt whatever about the necessity for replanting and conserving the few forest areas remaining in Togoland. It is to be hoped that the population and its representatives in the assembly will one day understand that the common good must come before private interests.

Question 19: In answering the questions on agriculture, the Administering Authority notes (page 128 of the report) that 1948 was a bad year for food crops. While this situation was largely the result of bad weather, another major factor was the shift of many farmers from corn to the more profitable manioc. Also manioc was sold for export rather than used to produce flour (gary) for local consumption; however, it was believed that the drop in manioc prices towards the end of the year would return production to a better balance. What measures are contemplated to minimize such upsets in the equilibrium of agricultural production? (United States of America.)

Answer: The steep rise in the price of tapioca in 1948, from 23 francs at the beginning of the year to 45 and even 55 francs in September and October, was the cause of a corresponding increase in the price of manioc flour (gary) and of its shortage on the markets for a brief period.

To bring down prices of manioc flour, the Administration introduced in the assembly, during its session in September 1948, a draft order imposing a special tax on tapioca of 8 or 10 francs (I quote the figures from memory). That draft also provided that the tax should no longer be levied if the purchase price received by the producer fell below 30 francs a kilo. The assembly would not be guided by the Administration, and would only agree to a tax of 2.50 francs per kilo. As the tapioca market slumped at the end of the year, that order had to be rescinded.

That situation was a very exceptional one, due to speculation in a product quite unobtainable in Europe on account of the war. At the moment the situation is reversed. The export of tapioca has been stopped for several months.

Question 20: Are measures being taken to ensure the adequate storage of food supplies? (Belgium.)

Answer: The food reserves accumulated each year under the order of 27 November 1942 in the northern part of the Territory are kept in granaries or silos of the same type as those used by indigenous inhabitants to store their crops. Those granaries store food well. They are placed under the supervision of the chiefs.

Question 21: The annual report, on pages 140 and 141, describes the methods used by fishermen of the coastal area. Does the Administering Authority consider it desirable or necessary to encourage them to improve

on their traditional methods of obtaining, processing and marketing fish? (China.)

Answer: It hardly seems possible to introduce new methods of sea fishing in Togoland, as there is no harbour on the coast and the passage over the bar is difficult. The fishermen can use only very small vessels, which restricts their methods. The processing and sale of fishery products depend on the demand in the markets in the southern part of the Territory, where smoked or dried fish is much prized. As the catch is seasonal, it is not possible to consider installing salting or preserving plants.

Question 22: Noting that the Trusteeship Council, at its fourth session, recommended that the Administering Authority, by means of grants, loans and other forms of assistance, should encourage and enable indigenous inhabitants to take a full part in industrial development, information is requested as to the measures taken along these lines. (Philippines.)

Answer: The meagre industrial possibilities of the Territory have been repeatedly mentioned to the Trusteeship Council. An industry cannot be created without a source of power and raw materials. Togoland has no coal, waterfalls, mines or even timber. The Territory's economy is essentially agricultural, and it therefore has nothing but a small industry for processing agricultural produce.

The sociétés indigènes de prévoyance (indigenous provident societies) have been provided with coffee driers, palm-nut crushers and maize mills.

The common fund of the provident societies grants loans at low interest to members desiring to modernize their plants. The governing board of the fund has issued this year, for instance, loans amounting to 1,200,000 francs CFA; and has reserved approval and ordered inquiry into security in regard to a number of applications for loans amounting to 1,500,000 francs CFA.

Question 23: Does the Administering Authority envisage an expansion in the railways of the Territory or does it plan to maintain them as they are at present and to concentrate instead on expansion and improvement of the road system? (Philippines.)

Answer: No provision has been made for expanding the railways of the Territory. For some time it was even proposed to abolish them. The existing railway is sufficient for the needs of Togoland, but its stock is very badly worn, as no renewal was possible during the war, and needs to be replaced; the tracks need strengthening and the shops refitting. The ten-year plan provides for credits of 1,291 million francs CFA. Orders for material amounting to 258 million francs CFA have already been placed and the material is now being delivered.

With regard to the road system, the main emphasis of the works programme is laid on improvements: reducing the roads to easier gradients, widening them, strengthening and solidifying the material of which the roads are made and replacing temporary bridges by bridges made of iron and cement.

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

The total credits provided in the ten-year plan for these works amount to 1,233 million francs CFA. Work has started and good progress is being made.

#### IV. SOCIAL ADVANCEMENT

Question 24: The Trusteeship Council, after examining the report for 1947 and finding indigenous wage rates low and seldom above the minimum subsistence level, recommended a special study of wage rates and standards of living of the inhabitants and urged that positive action should be taken to raise and improve them. Kindly indicate what action has been taken and what results have been obtained in this respect. (Philippines.)

Answer: At the present time, wages are determined in Togoland either by collective conventions or, in the absence of these, by orders issued by the Commissaire de la République on the proposal of the inspector of labour and after consultation with the Labour Advisory Commission. Collective conventions and orders merely fix minimum wages below which workers may not be recruited. Real wages depend on several factors: the labour market, the prosperity of the firm, the skill of the worker, and the like.

Two collective conventions and one agreement, all of which have been amended several times, are in force:

- 1. The collective convention of 20 September 1946 laying down general rules for the employment of European workers by commercial undertakings in French West Africa. That convention was signed at Dakar (SO/AOF 19 October 1946) and was extended to Togoland without amendment with effect from 15 April 1947 by order of the Commissaire de la République No. 311/APA of 25 April 1947.
- 2. The collective convention of 9 November 1946 and the agreement of the same date concerning African employees and workmen in trade, private undertakings, industry, banks, insurance companies and shipping companies.

A seniority bonus of 5, 10 or 15 per cent, according to whether the worker has served five, ten or fifteen years in the same undertaking, is always added to the minimum wage.

Some employers have instituted output bonuses for their workers (cotton and kapok ginning factories), family allowances (Banque de l'Afrique occidentale), and retirement funds (Banque de l'Afrique occidentale, Maison John Holt). In addition, most undertakings give gratuities at the end of the year. The amount of these varies considerably.

An order of 8 February 1947, last amended on 12 February 1949, classified day employees of districts, services and administrative offices of the Territory and fixed minimum wages for them. A seniority bonus was added to those wages, as to those of day employees of private undertakings.

Minimum wages for unskilled domestic servants, laundry workers, seamstresses and dressmakers were dealt with by an order of the *Commissaire de la République* dated 12 February 1949. These workers also

receive a seniority bonus based on the period of their service, including military service.

Mention should also be made of order No. 393/R of 4 May 1948, fixing the wages of auxiliary African staff of the cercles, services and offices in the Territory. Those persons have received the successive increases awarded to civil servants.

At the recent revision of wages of African employees and workmen in private undertakings (additional agreement of 31 December 1948), employers' and workers' organizations agreed to fix 2,714 francs a month as the minimum subsistence level for African employees and workmen of category 1, comprising skilled labourers, watchmen, illiterate orderlies, illiterate sales assistants, carters and assistant labourers. On the basis of that figure, the minimum wage of employees and workmen in category 1 was fixed by the persons concerned at 2,835 francs a month. That minimum subsistence level was based chiefly on the staple diet of the indigenous inhabitant and his minimum requirements.

The collective convention and agreement of 9 November 1946, and order No. 117/P of 8 February 1947, classified the workers to which they applied in a number of categories according to the importance of their duties and their degree of skill. It should be noted that unskilled labour is outside those categories, which all begin with the skilled labourer or assistant labourer (category 1). Each category has a minimum wage.

At the end of 1949, minimum basic wages were as follows:

Unskilled labour: 72 francs a day, or 1,872 to 2,167 francs a month of 26 or 30 days respectively;

Skilled labour in private undertakings: 2,835 francs per month;

Skilled labour in the Administration: 2,600 to 3,000 francs per month;

Domestic servants: 1,600 to 2,000 francs per month. If the wage of an unskilled labourer, which is 72 francs per day or 1,872 francs per month on the basis of a twenty-six day month, is taken as the index number 100, the wages of other categories progress as follows:

1 - 9		
	Monthly wage	Index ratio
Domestic servants	2,000	106.87
Collective convention		
Skilled labourer or assistant labourer (category 1)	2,835	151.44
Office employee or ordinary labourer (category 2)	3,400	187
Skilled employee or labourer (category 3)	4,250	227
Highly-skilled employee or labourer		
Category 4 Category 5 Category 6 Unclassified	5,100 6,500 9,450 14,350	272.44 347.22 504.80 766.56
Administration		
Day employee		
Category 1 Category 2 Category 3 Category 4 Unclassified , , , , ,	2,600 3,120 4,160 5,044 9,100	138.89 166.67 222.22 269.40 486.11

On account of the shortage of produce resulting from the war and reconstruction requirements, prices have everywhere increased constantly since 1945. Togoland has been no exception. In 1948 particularly, however, prices in the Territory rocketed because of the heavy devaluations of the franc carried out in January and October. The rise extended progressively to local products.

At the present time, even in Africa, wages are an important factor in the cost of production. The wage rates as linked perforce to output, which at the moment is still very poor.

Question 25: In answering the questions on labour conditions, and elsewhere in the report, it is indicated that the adoption of a labour code for the Territory becomes more and more necessary for healthy progress. In the report for 1947, reference was made (page 179) to the decree of 17 October 1947, instituting a labour code for French overseas territories "the application of which is only temporarily suspended". Would the special representative describe the status of this code and comment on the prospects of its application in the Territory? (United States of America.)

Answer: The draft labour code, which was cast in the form of a decree, could not be put into force because rules on the subject could be enacted only by statute. Such, at any rate, was the unanimous feeling of the Overseas Territories Committee of the National Assembly.

Both the substance and the form of that decree were subjected to numerous criticisms. The most serious were that the local assemblies set up at that time had not been consulted; and that such an important text should be brought before the Assembly of the French Union, which was to hold its first meetings at that time.

The draft is at the present time before the National Assembly. It consists of a synthesis of earlier studies and texts. It was submitted to the Assembly of the French Union and to the Economic Council for their opinion, and from 2 February to 9 March 1949 lengthy debates on it took place in the Assembly of the French Union. In the light of those discussions, the Government compiled the consolidated text which was presented on 12 April 1949 in the National Assembly.

The Government is anxious to conclude the matter as soon as possible and has already represented to Parliament the urgent necessity of a debate on that draft, which at the moment is being examined by the appropriate committees of the National Assembly.

Question 26: During the fourth session of the Trusteeship Council, it was noted that there was no labour code applicable to the Territory. It was further noted that the French Parliament was working on labour legislation designed to meet the situation resulting from the absence of a suitable labour code. Could the Administering Authority give some indication as to the present status of this legislation? (Philippines.)

Answer: See the answer to question 25.

Question 27: It is noted on page 76 of the report for 1948 that the Administration of the Territory wishes

to see the indigenous provident societies (sociétés indigènes de prévoyance) replaced by producers' and consumers' co-operatives. Have any such co-operatives been established thus far? If so, could details on their number, scope and membership be provided? (China.)

Answer: The Administration is always pleased to see producers' co-operatives set up, to replace progressively the indigenous provident societies. Model statutes of producers' and consumers' co-operatives have been drawn up and widely distributed. Up to the present, however, co-operators have been wholly lacking. A timid attempt at forming a copra producers' co-operative has, it appears, now been abandoned.

Question 28: It is noted that the report for 1948, on pages 205 to 207, mentions the existence of four sleeping sickness centres, whereas the report for 1917 lists seven such centres. Is the decrease in these facilities attributable to improved conditions? (China.)

Answer: Sleeping sickness is actually decreasing rapidly and might even be said to be on the way to extinction. Out of 510,503 persons examined by the field teams of the mobile hygiene service or by the permanent centres, only 150 new cases have been diagnosed. Moreover, out of 3,433 old cases examined during the year, only sixteen were found to be virus carriers. The total number of patients carrying the parasite is therefore only 166.

The rate of new infection is therefore 0.02 per cent and the virus carrier rate 0.03 per cent.

Question 29: The annual report for 1947 states on pages 188 to 189 that, of an estimated total of 10,000 lepers in the Territory, 660 of them were segregated in the leprosy centres of Akata and Kolowaré and that the construction of three new centres at Tsévié, Pagouda and Dapango was envisaged for 1948. It is noted, however, that the annual report for 1948, on pages 203 and 205, lists a total of 519 beds in the two established centres, presumably 141 less than in 1947. Could the special representative explain this decrease in the number of patients? It is further noted that there is no mention of the three centres planned for 1948. Have these been completed? (China.)

Answer: The segregation centres are neither hospitals nor concentration camps. The number of lepers in those centres is extremely variable. Under French law no leper can be compelled to live in confinement. The Kolowaré centre, in particular, is a proper indigenous village with its own chief and cultivated ground. The lepers are free to move about and the medical service confines itself to coming and treating them regularly. It is, moreover, difficult to speak of the number of beds in such a centre. Able-bodied lepers live as they please, either in huts with their families or several patients in a hut.

The 1947 figures seem to indicate the numbers which these centres can admit, but the compiler is not very definite, because he mentions about 350 cases. The report for 1948 is more specific and gives the average number of patients treated regularly.

Three new centres had been planned by the health service. When the Representative Assembly adopted

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fourth Session, Supplement No. 4.

the ten-year plan, only one, that at Lama-Kara (Pagouda) was retained. If I remember rightly, its construction is provided for in the budget for 1951/52.

Question 30: It is stated on page 195 of the annual report that the budget for medical and health services provided 360,000 francs for uncertificated African midwives (matrones autochtones). Can the special representative provide information as to whether these midwives are given some training as well as medical supplies? What was their total number in 1948? (Philippines.)

Answer: These midwives take training courses in the maternity hospitals and, after some months of instruction and practice under supervision, become capable of conducting a normal confinement in a correct and hygienic manner. They are thus skilled workers and receive a regular salary. They are responsible for bringing expectant mothers for antenatal examination and for seeing that the infants are regularly examined. Some of them are authorized to attend simple confinements either in the home or in "lying-in annexes" (maternités annexes), which were set up for them experimentally and have proved satisfactory. They are given outfits and some dressings to enable them to work under suitable conditions. In 1948, forty-two midwives were employed in the maternity hospitals of the Territory.

Question 31: In view of the high incidence of malaria in the Territory (according to page 209 of the report for 1948, 66,505 cases were detected by the services of mobile hygiene among 197,914 people visited during the first six months of 1948, a percentage of 33.6), what measures has the Administering Authority adopted in order to combat this disease both from a curative and preventive standpoint? Is the achievement of malaria control in at least a part of the Territory envisaged? (Philippines.)

Answer: On page 186 of the report for 1947, an account is given of the whole anti-malarial policy which the administration of the public health service of the Territory intends to follow.

The only effective prevention consists in destroying colonies of larvae. In 1948, the mobile hygiene service inspected 55,369 huts in the bush and destroyed 21,561 colonies. At Lomé, in 1948, the municipal hygiene service inspected 21,153 houses and destroyed 1,031 colonies. Particular attention was given to the Lomé lagoon. Numerous colonies were destroyed in the quarries on the north shore of the lagoon. Flooded areas were oiled regularly once a week (1,000 litres of heavy oil and 100 litres of paraffin were used for this purpose). A substantial allocation has been made in the ten-year plan for filling in the lagoon. Work is to start in 1951; it will be long and costly, but if it is successful the town of Lomé will be made healthy.

#### V. EDUCATIONAL ADVANCEMENT

Question 32: It is noted (page 227 of the report) that there are about as many public as there are private schools in the Territory. Is there any noticeable difference in the quality of instruction given in public and in private schools? What about in the quality of

teachers? What with regard to charges made to pupils, such as tuition fees, if any? If there are differences, what are the reasons therefor and what steps are being taken to remedy the situation? (Philippines.)

Answer: There is no appreciable difference between private and public schools in the quality of their teachers or teaching. Indigenous teachers proceed to the schools of the Catholic mission from the teachers' training college of Togoville; to the Protestant mission from the Bible school at Atakpamé, and to the official schools from the teachers' training college at Atakpamé. The curricula and leaving examinations are identical.

The instruction given in the schools is also identical. Private schools are required to follow the same timetables and curricula as the official schools; they are subject to the same inspection, and the school leaving certificate awarded at the end of the primary studies is the same for all pupils.

Primary education is free of charge, the only difference being that in the private schools equipment has to be paid for by the pupils, whereas in the public schools it is provided free. The difference is minute and no steps have been taken to abolish it.

Question 33: It is noted that the term classe is used in the description of school facilities. What is meant by this term and what is the relationship of the cours to the classe? Are they equivalent or may there be several cours per classe? (China.)

Answer: A classe is a group of pupils placed under the direction of the same master. A cours is a group of pupils following the same curriculum. In country schools, there are two cours in each classe; in town schools, each classe usually has one cours only. A country school with three classes, covering the complete primary course, is arranged as follows: classe 1 comprises the first and second preparatory cours; classe 2 comprises the first and second elementary cours, and classe 3 comprises the first and second intermediate cours. The second intermediate cours is the preparatory cours for the primary school leaving certificate.

Question 34: It is stated on page 222 of the annual report that schools consisting of three classes seem to offer the best means of extending education throughout the Territory. How many years of schooling would a child attending a school of this size receive? Would the full primary course be available? What would be the number of teachers staffing such a school? (Philippines.)

Answer: Schools consisting of three classes cover the full primary course. As a rule, the primary course lasts six years; in practice, many pupils have to take at least one classe a second time during the course, and the average duration of the primary course may therefore be estimated at seven years.

A school consisting of three classes has three teachers or pupil teachers (moniteurs).

Question 35: The report shows (page 227) that enrolment in primary schools in 1948 was 24,601, while secondary schools had an enrolment of 507, or a total enrolment of 25,108 for both primary and secondary schools. The total population was given for 1948 at

970,983 (page 9). Granting 20 per cent of the population to be of school age, the school age population would be 194,196. The total enrolment in all schools of the Territory would thus be only 12 per cent of the school age population. What plans have been formulated to take care of the 88 per cent of the population of school age which cannot now be accommodated in schools? Is the present development programme adequate to cope with the situation? (Philippines.)

Answer: The population of school age was estimated in 1948 at 145,500. Pupils enrolled in all schools in the Territory represented 17 per cent of the school age population.

At the beginning of the scholastic year in October 1949, 38,265 pupils were enrolled, or over 25 per cent of the school age population.

The school development programme formulated in the FIDES (Fonds d'investissement pour le développement économique et social) ten-year plan allows for the building of schools for seventy-five new classes in two years. Thirty-six schools are now under construction, and work on the lycée at Lomé is to be undertaken without delay.

The missions are doing their part, and the Catholic mission has just opened a secondary school at Lomé.

The new buildings have resulted in an increase in the number of pupils of from 18,693 in 1947 to 38,265 in 1949; the number has been more than doubled in two years. The Administration of the Territory intends to continue that effort and expects to have provided accommodation for almost the whole school-age population before the end of the plan in 1957. From this year onwards, starting from the beginning of the next school term in October 1950, education will be compulsory in the town of Lomé.

Question 36: Could the special representative provide information as to school attendance in the Territory, particularly in respect of the average percentage of attendance among children enrolled in primary schools? If this information is not available for the Territory as a whole, are there partial figures which might provide some indication? (China.)

Answer: The percentage of attendance is very high and may be estimated at 90 per cent. Penalties are imposed for all absence without due cause and may, if absences are too frequent, extend to expulsion.

Question 37: It is noted that French is the language of instruction in the schools of the Territory. In the smaller village schools, which sometimes consist of a single class, do students become sufficiently well grounded in the language as to be able to retain it after they have left school? (China.)

Answer: Schools with one classe have three cours. Pupils attend them for three to five years and can become sufficiently well grounded in elementary French to retain it after they leave.

Most schools with only one *classe* are new and are to be the nucleus of schools with three *classes* covering the full primary course.

Question 38: Please outline in brief the kinds or categories of public primary schools in the Territory, giving

the number of schools for each class or category. It is noted (p. 227) that in 1948, eleven public primary schools were opened. What categories of primary schools were they, that is, how many years of primary education do they offer? (Philippines.)

Answer: There is only one category of public primary school. The rule is that all primary school courses must lead up to the school leaving certificate.

The eleven schools opened in 1948 have three *classes* each, and the length of the course is from six to eight years (see the answer to question 34).

Question 39: Would the special representative be able to provide an approximate percentage breakdown of the official primary schools of the Territory in terms of the number of years of schooling offered? In other words, what percentage offers the full primary course, etc.? (Philippines.)

Answer: I have not the data enabling me to reply to this question. The information can be provided in the next report.

Question 40: In view of the fact that only 624 pupils obtained their primary school leaving certificates in July 1948 (page 232 of the report), is it to be assumed that relatively few schools in the Territory offer the full primary course leading to this certificate? (Philippines.)

Answer: Only the number of candidates can give an approximate idea of the number of pupils completing the full primary course. In 1948, the number of pupils taking the school leaving certificate examination was 1,340, and in 1949 it was 1,861. The figure of 624 pupils passing the examination affords ample proof of its severity and value.

Question 41: What would be the average number of years of schooling received by the 24,601 children attending primary schools in 1948? Approximately what percentage of the children who enter school complete the full primary course? (Philippines.)

Answer: The proportion of pupils completing the full primary course in official schools is 65 per cent.

Question 42: The annual report for 1948 states on page 223 that vocational school facilities will be enlarged when industry in Togoland demands more skilled workers. On the contrary, the annual report for 1947 states on page 178 that the Sokodé vocational school cannot produce enough skilled workers to meet the demand. On page 185 of the annual report for 1948, it is stated that Togoland needs more skilled labour, that the actual number of technicians supplied by the Missions, Administrative Services and the Sokodé vocational school is insufficient to develop the country. Moreover, it is stated on page 157 of the same report that Togoland, because it is small and underpopulated, cannot supply the skilled labour necessary for the execution of the ten-year development plan and that provision should be made for the acquisition of equipment and technical personnel. How can the first statement be reconciled with the subsequent ones? Would it not seem logical to increase vocational education in view of the necessity of importing skilled labour? (China.)

Answer: The contradiction is really only apparent. The Sokodé vocational school does not train skilled labourers or, to put it more accurately, pupils obtaining the diploma of that school will not work as labourers when they leave, and all seek posts as overseers or foremen.

Technical education is now being reorganized. It will include:

- (a) Apprenticeship centres, training skilled labourers;
- (b) A technical college (the former Sokodé vocational school), which will supply foremen and overseers;
- (c) A special section of the Lomé lycée, which will prepare for the technical *baccalauréat*, a diploma will entitle students to compete for admission to engineering schools.

The present shortage of skilled labour is chiefly due to the size and number of the works being undertaken simultaneously under the ten-year plan. The difficulty is only temporary. The industrial potential of the Territory is very small, and it will be necessary to estimate its requirements precisely and aim at quality rather than quantity. In any event, the Administration fully intends to develop vocational training.

Question 43: The annual report states on page 222 that about sixty pupils are enrolled at the Sokodé vocational school; on page 232, the number is put at fifty. Whatever the case, does this give an output of skilled workers sufficient to take care of the development of a country of almost one million people? (Philippines.)

Answer: The vocational school trains overseers and foremen and not skilled labourers. The latter are trained at present by public and private undertakings (e.g., railway workshops, garages and building concerns) and also by indigenous craftsmen, especially in the southern part of the Territory.

Question 44: It is noted that teacher-training courses are given at Atakpamé, where thirty-one students were enrolled in 1948, and that the Administering Authority plans to open a teachers' training school at Lomé in 1951. In view of the progressive expansion of education in the Territory, as well as of the fact that a considerable number of teachers, principally in the mission schools, are unlicensed, could the special representative state to what degree the present teacher-training programme is supplying the Territory's needs, and whether an acceleration of this programme might not be given consideration? (United States of America.)

Answer: It should be noted, first, that the figure given relates only to official education. In any event, the training of thirty-one teachers is not sufficient to meet the needs of that education. For the last school reassembly, it was necessary to recruit, by competition, some sixty pupil teachers to staff the large number of classes which had to be opened. Two intensive courses of professional training were established at Lomé to train those pupil teachers to instruct very young children. The Lomé teachers' training college was to have opened in 1951, but will be opened by October 1950. Apart from seconded European teachers, there are at the moment, in the Territory, 104 male and female

teachers and 197 male and female pupil teachers for 301 classes.

Question 45: In answering the questions on adult and community education, the Administering Authority enumerates several measures taken and planned in the field of mass education. It is noted elsewhere in the report (page 153) that the government radio station at Lomé made experimental news broadcasts in two local languages, as well as in French. These broadcasts were discontinued in October 1948. Would the special representative explain the means used to evaluate this experiment, the reasons for its discontinuance, and the prospects for further developments in this field? (United States of America.)

Answer: The experimental broadcasts gave interesting results. The number of listeners who collected round the loud-speaker set up in the chief square at Lomé, and their sustained attention, showed that those programmes interested the population.

The Administration discontinued them purely for lack of funds. The equipment, which was not suitable for programmes of that kind, needed replacing and three broadcasters had to be paid.

Question 46: More information is desired on the programme of courses for adults described on page 223 of the report. Are these staffed on a purely voluntary basis or are teachers assigned specifically to this programme? Are the courses offered in rural districts as well as in towns? Is there any concrete and systematic plan for the reduction of illiteracy through mass education? (Philippines.)

Answer: The general curriculum of adult courses laid down by the Department of Education includes, as compulsory subjects, reading, writing, arithmetic and hygiene. The detailed curricula, on the other hand, are drawn up in each school district and often differ very widely from each other. Some adult courses are given in the vernacular. During this year, 4,975 persons took adult courses.

The courses are staffed entirely by fully qualified teachers. They are given in rural districts as well as towns—everywhere where there is a school and a sufficient number of adults wish to enrol.

No plan has as yet been formulated for the reduction of illiteracy through mass education. The two initial courses organized at Blitta and Palimé are chiefly experimental. They are to be repeated during the next school holidays.

Question 47: The annual report for 1948, on page 223, states that the library of the *Institut français d'Afrique noire* has 1,900 books and 450 periodicals and that a circulating library would function when the equipment arrives. Are there any other libraries in the Territory? Is there any provision for regional school libraries as a means of maintaining permanent literacy among those reached by the illiteracy campaign? (Philippines.)

Answer: There are some libraries attached to associations and clubs, but they are private and reserved for members. Regional schools also have school libraries, the volumes in which are available to pupils and former pupils.

#### Document T/676

Population studies in Trust Territories : note by the Secretary-General

[Original text : English] [26 May 1950]

The Economic and Social Council on 6 August 1919 adopted resolution 235 (IX) which takes note of the report of the fourth session of the Population Commission (E/1313).

The relevant chapter of that report reads as follows:

"VII. Studies on the population of Trust Territories

"The Commission took note of the report of the Secretariat on the progress of the studies on the population of Trust Territories (E/CN.9/W.26)² and was gratified to learn that two additional studies would shortly be completed.³ The Commission urges that these two studies should be published as soon as they are ready. The Commission further urges that studies on the remaining Trust Territories should be undertaken as quickly as practicable and that those studies should take into account, as far as data are available, the relevant economic and social factors, including living conditions, as well as the demographic factors in the areas concerned."

# Document T/712

Social advancement in Trust Territories: letter dated 26 June 1950 from the Assistant Director-General of the International Labour Organisation addressed to the Secretary-General concerning migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants

[Original text : English] [30 June 1950]

On behalf of the Director-General, I have the honour to acknowledge receipt of the letter (TRI 130/7/01) of 1 May 1950 from Mr. Ralph J. Bunche, Acting Assistant Secretary-General, Department of Trusteeship and Information from Non-Self-Governing Territories, transmitting a copy of the resolution adopted by the Trusteeship Council on 28 March 1950 [resolution 127 (VI)], together with a copy of the General Assembly resolution 323 (IV) concerning social advancement in Trust Territories, and drawing attention to paragraph 4 of the

Trusteeship Council resolution, which requests the expert advice of the International Labour Organisation on the problems of migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants.

I have the honour to inform you that the Governing Body of the International Labour Office, at its 112th session (June 1950), took note of these resolutions of the General Assembly and the Trusteeship Council. In this connexion, the Governing Body took note of the following arrangements which have been made by the Director-General concerning ILO activities in regard to penal sanctions and migrant labour.

In regard to penal sanctions, the Director-General proposes as a first step to approach States Members concerned with a view to securing details of their current law and practice, together with indications of the difficulties which prevent ratification of the Penal Sanctions (Indigenous Workers) Convention, 1939. In regard to migrant labour, the Director-General proposes to carry further the International Labour Office studies of the matter in the course of a mission by ILO officials to various territories in Africa this summer, and to lay a report on the subject before the ILO Committee of Experts on Social Policy in Non-Metropolitan Territories in the course of 1951.

I shall not fail to keep you informed of further developments in this regard.

(Signed) C. W. Jenks Assistant Director-General.

#### Document T/L.111

Argentina : draft resolution on improvement of nutrition in Trust Territories

[Original text : English] [20 July 1950]

The Trusteeship Council,

Recognizing that dietary deficiencies constitute a serious obstacle to the social and economic development of the inhabitants of the Trust Territories,

Sharing the concern of the Administering Authorities regarding the existing nutritional standards,

Noting that scientific research concerning nutrition has recently undergone considerable changes, and

Noting in particular that studies have been undertaken regarding new and economical methods of ameliorating or eliminating such deficiencies in the dietary conditions in tropical areas,

Invites the Administering Authorities to explore, in co-operation with competent scientific bodies, the possibility of utilizing modern methods in the improvement of nutritional standards among the inhabitants of Trust Territories.

<sup>&</sup>lt;sup>1</sup> See Official Records of the Economic and Social Council, Fourth Year, Ninth Session, Supplement No. 7.

<sup>&</sup>lt;sup>2</sup> Western Samoa, Tanganyika and Ruanda-Urundi.

<sup>3</sup> Tanganyika and Ruanda-Urundi.

# AGENDA ITEM 7

# Revision of the Provisional Questionnaire

#### Document T/L.95

Report of the Committee on the Questionnaire

[Original text : English] [11 July 1950]

- 1. At the 8th meeting, the Council, acting in accordance with the decision taken at the 6th meeting of the fourth session, established a Committee on the Questionnaire, composed of the representatives of Belgium and the Dominican Republic. The committee was charged with the task of undertaking a preliminary examination of the revision of the Provisional Questionnaire  $(T/44)^1$  and of reporting its findings to the Council during the seventh session.
- 2. The committee examined the question of the form of the annual reports on the administration of the Trust Territories. It considered that the Council might suggest to the Administering Authorities that all annual reports should be presented in narrative form; that they should follow, as far as possible, the table of contents annexed to this report, and that each report should contain a detailed index with references to pages or paragraphs of the report in which answers to each question of the Provisional Questionnaire could be found.
- 3. With regard to the procedure for the revision of the Provisional Questionnaire, the committee decided to make the recommendations which appear hereunder.
- (a) A committee on the Questionnaire, composed of four members, shall be appointed. This committee shall undertake the revision of the Provisional Questionnaire with a view to eliminating all duplications and ambiguities, taking into account all comments and suggestions made by the Economic and Social Council and its commissions, the specialized agencies and the members of the Council, and the suggestions set forth in documents T/54,² A/C.4/SR.34³ and T/63 made by members during the second session of the General Assembly.
- (b) In order to facilitate the work of the committee, the Secretariat shall prepare a working paper which shall include all suggestions and comments so far made, and also its own suggestions as to the proposed revision of the Questionnaire.
- (c) The committee shall submit its report to the Council at the beginning of the eighth session.

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<sup>&</sup>lt;sup>1</sup> See United Nations Publications: Sales No. VI.A.1947.1.

<sup>&</sup>lt;sup>2</sup> See Official Records of the Trusteeship Council, Second Session, First Part, Annex.

<sup>&</sup>lt;sup>2</sup> See Official Records of the General Assembly, Second Session, Fourth Committee, 34th meeting.

#### STATISTICAL APPENDIX

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### AGENDA ITEM 10

# Question of an international régime for the Jerusalem area and the protection of the Holy Places

### Document T/700

Letter dated 20 May 1950 from the Coptic Orthodox Archbishop for Jerusalem and the Near East addressed to the President of the Trusteeship Council

> [Original text : English] [13 June 1950]

Apostolic blessings be unto you.

Jacobus, by the grace of God the Coptic Orthodox Archbishop of Jerusalem and the Near East at Jerusalem, writes this to Your Excellency and prays God that He may preserve your life and bestow upon you the health and strength that you may do His will and that He may enlighten you in order that the Holy Land may be saved from its present chaos, especially so in respect of Jerusalem, the Holy City whose future you were chosen to study.

You are undoubtedly aware that the Egyptian Coptic Orthodox Church is fully represented in this part of the world and has its community and properties in the Holy Land, besides its prevailing rights and privileges in Jerusalem and in the Holy Sepulchre church.

We have always followed, with deep interest, your steps in the meetings of the Trusteeship Council in the course of discussing the future of Jerusalem, its laws and its constitution, and have always prayed God to direct your steps in the right path.

Now, some two months ago, we heard that your respected Council had invited representatives of the Greek Orthodox, Roman Catholic and Armenian Orthodox communions to attend the meetings of the Trusteeship Council during its session in Geneva and to comment there on the contents of the proposed constitution for Jerusalem.

We feel sure we stand on the same footing as any other community regarding the representation of the Christian faith in the Holy Land. Should your Council discuss, in its coming session, the prevailing rights and privileges of the church of the Holy Sepulchre, we must draw your attention here to the fact that the Copts enjoy the same rights and privileges as any other Christian community. I therefore find that if it were necessary to invite representatives of other communities to

attend the meetings of the Council, it is equally necessary that I, or any other representative chosen by His Beatitude, the Pope of Alexandria, should also be invited to attend.

We address this to you for fear that you may receive wrong information about our rights, and we request that we may attend meetings of the Council on the same footing as those other representatives of the abovementioned communities who we hear have proceeded from Geneva to Lake Success for the June meetings of the Council.

For further explanation, we beg to inform you that our rights inside the Church of the Holy Sepulchre and Gethsemane are all subject to the *status quo* which was valid during the Turkish régime and the British mandate, and which we do not desire to change, for we have inside the church of the Holy Sepulchre our properties, prayers, oil lamps, feasts, customs, including day and night censing and the procedure included in the *status quo* during the official and unofficial feasts.

We submit this for your perusal, and we are prepared if necessary to attend your Council in its meetings for the discussion of the Holy City, the church of the Holy Sepulchre and the Holy Places in general.

In conclusion, we pray God that He may direct you and enlighten you to do what is good for His Holy City.

(Signed) JACOBUS
Coptic Orthodox Archbishop
for Jerusalem and the Near East,
Jerusalem

#### Document T/L.85

#### Belgium and France: draft resolution

[Original text : French] [13 June 1950]

The Trusteeship Council,

Having received the request of the General Assembly concerning an international régime for the City of Jerusalem contained in resolution 303 (IV) of 9 December 1949.

Having approved on 4 April 1950 a Statute for the City of Jerusalem  $(T/592)^1$  in accordance with that resolution.

Having entrusted to its President the mission of transmitting to the Governments of Israel and Jordan the text of the Statute and of requesting their full co-operation,

Having received no reply from the Government of Jordan and an expression of views from the Government of Israel as a result of which it appears that neither government is prepared to collaborate in the implemen-

tation of the Statute as approved by the Trusteeship Council,

Decides to submit to the General Assembly the attached report<sup>2</sup> together with copies of the Statute as approved by the Council, the reports of the President, Mr. Garreau, to the Council,<sup>3</sup> the reply of the Government of Israel dated 26 May 1950,<sup>4</sup> which includes certain new proposals, and all other pertinent documents.

#### AGENDA ITEM 15

# Adoption of a report to the General Assembly concerning the draft trusteeship agreement for the former Italian colony of Somaliland

#### Document T/704

Letter dated 5 April 1950 from the Deputy Minister for Foreign Affairs of Italy addressed to the Secretary-General concerning the transfer of powers in the Territory of Somaliland

[Original text : English] [22 June 1950]

On the instructions of Count Sforza, Minister for Foreign Affairs, who is at the moment absent, and pursuant to his letter of 22 February 1950, I have the honour to inform you that, by agreement with the Government of the United Kingdom of Great Britain and Northern Ireland, 1 April 1950 has been fixed as the date for the regular transfer of powers in the Territory of Somaliland, and that as from that date the Government of the Italian Republic will assume responsibility for the administration of Somaliland.

(Signed) Giuseppe Brusasca

# Document T/705

Letter dated 25 April 1950 from the United Kingdom delegation to the United Nations addressed to the Secretary-General concerning the transfer of powers in the Territory of Somaliland

[Original text : English] [22 June 1950]

I have the honour to refer to the letter No. TRI 130/1/011 of 4 April from the Acting Assistant Secretary-General of the Department of Trusteeship and Information from Non-Self-Governing Territories, on the subject of the termination of the authority, in the former

Italian colony of Somaliland, of His Majesty's Government in the United Kingdom, and to transmit to Your Excellency herewith, as anticipated in the last sentence of Dr. Bunche's letter, a copy of the Proclamation issued by the Chief Administrator of Somaliland.

(Signed) Alexander CADOGAN

# PROCLAMATION ON THE TERMINATION OF BRITISH ADMINISTRATION

Whereas for the purpose of enabling the Government of Italy to undertake the provisional administration of the Territory in accordance with the recommendation of the General Assembly of the United Nations which was embodied in a resolution adopted by the said General Assembly on the 21st day of November, 1949, provision was made by an Order-in-Council bearing date of the second day of March, 1950, entitled the Somalia (Termination of Administration) Order-in-Council, 1950, for the authority of His Majesty to determine, as from such date as should be proclaimed in the Territory;

And whereas by an exchange of Notes dated 21 March 1950 between His Majesty's Government and the Government of Italy, it was agreed that the authority of His Majesty should determine and that the provisional administration of the Territory by the Government of Italy should begin from such date as so proclaimed;

Now therefore the Chief Administrator proclaims:

- 1. This Proclamation may be cited as the British Administration (Termination) Proclamation, 1950.
- 2. As and from the first day of April, 1950, the authority of His Majesty in Somalia shall determine.

Mogadishu, 30 March 1950.

The Chief Administrator, Somalia.

<sup>&</sup>lt;sup>1</sup> See Official Records of the General Assembly, Fifth Session, Supplement No. 9, annex II.

<sup>&</sup>lt;sup>2</sup> Document T/L.84. This draft report, as amended at the 10th meeting, is published in the Official Records of the General Assembly, Fifth Session, Supplement No. 9, paras 1 to 14.

<sup>&</sup>lt;sup>a</sup> Documents T/457, Add.1 and Add. 2 and T/681 and Corr.1, published in Supplement No. 9, annex I and annex III respectively.

<sup>4</sup> Contained in document T/681.

# AGENDA ITEM 16

# Arrangements for a visiting mission to Trust Territories in East Africa in 1951

#### Document T/724

#### Note by the Secretary-General

[Original text : English] [11 July 1950]

- 1. The Secretary-General invites the attention of the Trusteeship Council to the desirability, for budgetary reasons, of indicating at this session its intentions with regard to visiting missions in 1951.
- 2. On the basis of the established practice of rotation of visits among the Trust Territories, the Trust Territories to be visited in 1951 would be those in East Africa.
- 3. A tentative sum of \$50,000 has been included in the budgetary estimates for 1951 against the cost of a visiting mission during that year.
- 4. For budgetary purposes, the following information will be required prior to the fifth session of the General Assembly:
- (a) The Territories to be visited and whether visited by one mission, by more than one mission, or by subdivisions of a single mission;
- (b) The approximate duration of the visit or visits, and
  - (c) The numerical size of the mission or missions.
- 5. In this connexion, the Council may wish to give some consideration to the question of a possible visiting mission to Somaliland once the Trusteeship Agreement for that Territory has been approved by the General Assembly.

# Document T/724/Add.1

# Supplementary note by the Secretary-General

[Original text : English] [19 July 1950]

- 1. In accordance with the request made by the Council at its 27th meeting, some rough estimates of the cost of visiting missions to East Africa with varying itineraries and composition are transmitted hereunder for the information of the Council.
- 2. The approximate cost of each of the following visiting missions, with one exception, as noted, is estimated on the basis of two months in East Africa and one month at Lake Success for the purpose of writing the reports. The figures given for Secretariat staff in each estimate include a finance officer and a stenographer.

3. Visiting Mission to Tanganyika and Ruanda-Urundi Composition: Four members and a secretariat of six.

Estimated cost: \$49,525

4. Visiting Mission to Tanganyika, Ruanda-Urundi and Somaliland

Composition: Four members and a secretariat of six.

Estimated cost: \$55,125

\$63,550 (three months in East Africa, one month at Lake Success)

Visiting Mission to Tanganyika

Composition: Four members and a secretariat of five.

Estimated cost: \$12,300

6. Visiting Mission to Ruanda-Urundi and Somaliland Composition: Four members and a secretariat of four.

Estimated cost: \$46,275

- 7. Two visiting missions on a joint basis, going out at the same time, establishing a common headquarters, and sharing one finance officer; one mission visiting Tanganyika and the other visiting Ruanda-Urundi and Somaliland.
  - (a) Composition of Visiting Mission to Tanganyika:
    Four members and a secretariat of four.
    Estimated cost: \$40,250
  - (b) Composition of Visiting Mission to Ruanda-Urundi and Somaliland: Four members and a secretariat of three.¹

Estimated cost: \$44,050

- (c) Estimated cost of finance officer (to be shared by the two missions): \$2,050
- (d) Total estimated cost of two missions on joint basis: \$86,350
- 8. The costs estimated above will be lower to the extent that the visiting missions are composed of members drawn from the delegations at the temporary Headquarters, since transportation costs would be reduced.

<sup>&</sup>lt;sup>1</sup> The estimate as regards secretariat is based on the expectation that some secretariat assistance might be obtained from the United Nations Mission in Somaliland while the Visiting Mission was in Somaliland.

## AGENDA ITEM 18

# Use of the flag of the United Nations in Trust Territories

## Document T/L.112

China, Iraq and Philippines: draft resolution

[Original text : English] [20 July 1950]

The Trusteeship Council,

- 1. Having regard to General Assembly resolution 325 (IV) of 15 November 1949,
- 2. Recommends to the Administering Authorities concerned that the flag of the United Nations should be flown over all Trust Territories side by side with the flag of the Administering Authority concerned and with the territorial flag if there is one;
- 3. Requests the Secretary-General to furnish a copy of this resolution to the Italian Government in view of

its assumption of the administration of the Trust Territory formerly known as Italian Somaliland.

# Document T/L.113

United States of America: amendment to the draft resolution submitted by China, Iraq and Philippines (T/L.112).

[Original text : English] [20 July 1950]

Add the following to paragraph 2: "it being understood, however, that, in carrying out the terms of this resolution, the Administering Authorities have latitude to handle any practical difficulties of administration which this recommendation might create".

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