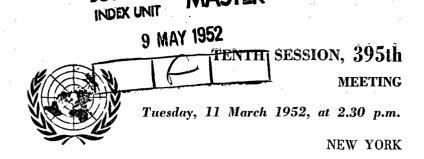
UNITED NATIONS

## TRUSTEESHIP COUNCIL

OFFICIAL RECORDS



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## President: Sir Alan Burns (United Kingdom of Great Britain and Northern Ireland).

## Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, China, Dominican Republic, El Salvador, France, Iraq, New Zealand, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation, United Nations Educational, Scientific and Cultural Organization.

Examination of the annual report of the Administering Authority on the administration of the Trust Territory of Western Samoa for the period ended 31 December 1950 (T/941, T/942 and Add.1) (continued)

[Agenda item 3(a)]

At the invitation of the President, Mr. Wright, special representative of the Administering Authority for the Trust Territory of Western Samoa, took a seat at the Council table.

- Mr. WRIGHT (Special representative for Western Samoa), replying to points raised at preceding meetings by the representatives of the Dominican Republic. China and El Salvador concerning the status of the inhabitants of Western Samoa, said that the Administering Authority was the opinion that the status of "citizen of Western Samoa" would not be given international recognition. All the inhabitants therefore had a dual status: from the point of view of nationality most of them were "New Zealand protected persons", while from the domestic point of view they had Samoan or European status. The dual status was far from being to the advantage of the Europeans alone. The Administering Authority would make further efforts, in conformity with international law, to unify the status of the inhabitants, taking into consideration the remarks of members of the Trusteeship Council on the subject.
- 2. In reply to the representatives of El Salvador and the Dominican Republic, he said that the term "civil

register" had probably given rise to misunderstanding. In his understanding, a register meant a list of names and addresses and descriptions of all inhabitants. The State kept the register with the aid of compulsory registration and compulsory notification of changes and used it in some cases to enable it to impose certain restrictions on individual liberty. The inhabitants could also be required to carry identity cards. However, such ideas were foreign to the New Zealand Government's conception of personal freedom and certainly did not meet the wishes of the Salvadorean and Dominican representatives. Perhaps he had not made it clear, in the preceding discussions, that there had been a register of births, deaths and marriages in Samoa since 1921, which was used by the Government solely for statistical purposes.

- 3. The Administering Authority had taken some steps to implement the recommendations of the Commission to Inquire into and Report upon the Organisation of District and Village Government in Western Samoa regarding the creation of a district and village governing board. He agreed with the French representative that it was important that the entire population of the Territory, and not just a small *élite*, should participate in the Territory's political development.
- 4. In reply to the remarks of the representative of Thailand, he said that it was the Samoan Government's practice to circulate records of debates in the Legislative Assembly in English throughout the Territory.
- 5. With regard to the question of the status of women raised by the Dominican representative, he said that much valuable work was being done by Samoan women in village women's committees and as nurses and teachers.
- 6. In reply to the USSR representative, he said that the Samoan members had a clear majority in the Legislative Assembly. The High Commissioner's right of veto was indispensable if the Administering Authority was to fulfil its obligations under the Trusteeship Agreement.
- 7. It was difficult to reconcile the Soviet Union representative's statement that the Samoans had been relegated to unfertile lands with the fact that at least 80 per cent of the copra and half the cocoa exports of

the Territory came from the plantations of Samoans. Moreover, some 41,615 acres of the New Zealand Reparation Estates had been transferred to the Samoan Government.

- 8. Referring to the beggarly wages which the USSR representative said were paid to Samoan workers, he pointed out that the wages of plantation workers, which were already higher than the average in 1947, had been raised twice since then. The Soviet Union representative had compared those wages with the price of butter, eggs and cigarettes, which the Samoans rarely used.
- 9. Following negotiations between the Copra Board of Western Samoa and the United Kingdom Ministry of Food, the purchase price of copra had been considerably raised. Mr. Wright then gave some details asked for by the USSR representative on what determined the price of copra at the various stages of production.
- 10. He drew the Trusteeship Council's attention to the comments on education submitted by the United Nations Educational, Scientific and Cultural Organization (T/962) and explained that the Administering Authority and the Samoan Legislative Assembly and Government were in complete agreement that the educational policy must be geared to the economy of the Territory. In 1951, 18 per cent of the budget had been set aside for education. The Administering Authority and all the bodies concerned continued to attack the problem energetically and realistically.
- 11. In conclusion, he thanked the members of the Council for the constructive remarks which the great majority of delegations had made during the general debate.
- 12. Mr. MUNRO (New Zealand) thanked the members of the Council for their useful suggestions. Referring to the USSR representative's statement, however, he said that it could hardly be seriously maintained that the Samoans led a miserable existence because workers' wages compared unfavourably with the prices of articles they did not use.
- 13. With regard to the civil register, the same practice was followed in Western Samoa as in New Zealand. As for imperial preferences, the maintenance of such preferences was in no way a breach of the Charter or of the Trusteeship Agreement; the matter would nevertheless receive the New Zealand Government's serious consideration.
- 14. He then quoted a passage from the report of the 1947 United Nations Mission to Western Samoa,¹ from which it was clear that the Territory's future political régime must not be shaped arbitrarily by an outside authority. The New Zealand Government would be glad to hear the Council's views on whether such institutions as universal suffrage and secret ballot should be considered conditions precedent to the grant of self-government.
- 15. His Government did not believe that the tribal system could be abolished at once, as the USSR representative seemed to suggest. The political development of the Territory would depend on the educational
- <sup>1</sup> See Official Records of the Trusteeship Council, Second Session, Special Supplement No. 1, chapter II, para. 8.

- progress of the Samoan people. The method of electing *matai* was not any the less democratic because it conformed to Samoan customs. The right of veto exercised by the High Commissioner in the Legislative Assembly was the last prerogative which the Administering Authority was bound to retain if it was to fulfil its obligations to the United Nations.
- 16. The Soviet Union representative had ignored not only the findings of the 1947 Mission but also the important steps taken by the New Zealand Government to promote the political education of the inhabitants of the Trust Territory and the Territory's evolution towards self-government, which was the Administering Authority's only aim.
- 17. Mr. SOLDATOV (Union of Soviet Socialist Republics) wished to make some corrections to the statements the New Zealand representative had attributed to him. Passages from the verbatim record of the 394th meeting (T/PV.394) recorded the USSR representative's statements on the transition from the tribal régime into a régime founded on democratic principles, as well as his statement that the Samoans were not in a position to play a really substantial role in the Legislative Assembly because they did not have the necessary majority.
- 18. Neither the special representative nor the New Zealand representative had been able to refute his assertions, which were based on the official reports of the Administering Authority and of the United Nations Missions that had visited that Territory. Nor had they been able to deny the authenticity of the figures on the wages of plantation workers which the USSR delegation had quoted and the current prices of certain consumer goods mentioned by him merely as a basis for comparison. Nor had any answer been given to his questions on the increase in crime and infant mortality.
- 19. It was the Trusteeship Council's duty to formulate recommendations which would really improve the situation in the Territory and the living conditions of the inhabitants.
- 20. Mr. URQUIA (El Salvador) explained that when at the 394th meeting he had raised the question of the establishment of a civil register in Western Samoa, he had had in mind an institution such as the one described by the special representative and he had therefore been happy to learn that such a register already existed in the Trust Territory.
- 21. Mr. DE MARCHENA (Dominican Republic) thought that the following annual report should include information which would remove any uncertainty regarding the civil register in the Territory.
- Mr. Wright, special representative of the Administering Authority for the Trust Territory of Western Samoa, withdrew.

Examination of the annual report of the Administering Authority on the administration of the Trust Territory of New Guinea for the year ended 30 June 1951 (T/958) (continued)

[Agenda item 3(c)]

At the invitation of the President, Mr. Halligan, special representative of the Administering Authority for

the Trust Territory of New Guinea, took a seat at the Council table.

- 22. The PRESIDENT invited the members of the Council to resume their questions to the special representative for New Guinea on that part of the annual report<sup>2</sup> concerning political advancement in the Territory.
- 23. Mr. KHALIDY (Iraq) noted that there had been further progress in patrolling the still uncontrolled regions, but wished to know how many inhabitants there were in the areas controlled by the Administration and how many in the uncontrolled areas.
- 24. Mr. HALLIGAN (Special representative for New Guinea) said that the population which had been enumerated, in other words, the population in the controlled areas, numbered 811,714; after a number of air surveys the population of the uncontrolled areas had been roughly estimated at 282,300. On page 87 of the annual report there was a table showing the distribution of the population on 30 June 1951 in detail.
- 25. Mr. KHALIDY (Iraq) asked about the nature and frequency of the contacts between the Administration and the population of the areas under its control.
- 26. Mr. HALLIGAN (Special representative for New Guinea) said that the organization of patrols depended upon the availability of staff; during the past few years contacts had not been as frequent as might have been desired because of staff shortages. In general, the remotest areas were patrolled at least once a year and in most cases twice a year. The more accessible areas, which were more fully under the control of the Administration, were patrolled more frequently at least three or four times a year. The frequency and duration of the visits depended on circumstances.
- 27. M. KHALIDY (Iraq) noted that the classified positions in the public service, referred to on pages 93 to 96 of the annual report, were listed under the heading "Classified positions (European)". However, a table on page 128 of the annual report showed that a number of indigenous inhabitants were employed by the Administration. He asked whether that meant that the indigenous inhabitants were not admitted to the public service properly so called.
- 28. Mr. HALLIGAN (Special representative for New Guinea) pointed out that the table on pages 93 et seq. concerned European officials occupying permanent posts; some Europeans were also employed temporarily. Although it was true that there were no indigenous inhabitants in permanent posts in the public service, a large number were employed by the Administration, as shown in the table on page 128.
- 29. Moreover, the Administration was considering a proposal to increase the number of categories of public service officials from three to four, the fourth category to include indigenous inhabitants and half-castes.
- 30. He replied in the negative to a question from Mr. KHALIDY (Iraq) as to whether there were any in-

- digenous inhabitants serving as heads of departments in the public service.
- 31. Mr. KHALIDY (Iraq) noted that the joint Legislative Council for Papua and New Guinea had just been set up; he wished to know to what extent the Administering Authority had carried out the recommendations made by the Trusteeship Council at its fifth session (T/933, p. 65) regarding an increase in the number of indigenous members on the Legislative Council and the possibility of setting up a separate legislative organ in the Trust Territory.
- 32. He also asked whether there was any intention of making it possible to elect rather than to appoint the three indigenous members of the Council and whether there was, generally speaking, any plan to alter the composition of the Legislative Council.
- 33. Mr. HALLIGAN (Special representative for New Guinea) recalled that the Legislative Council had been set up in virtue of the provisions of the Papua and New Guinea Act, 1949, and that the Act had not been altered. However, at the time the Legislative Council began to function, the Minister of State for Territories had said that it was merely a beginning and that the Government would be prepared to seek changes in the composition of the Council if political activities in the Territory justified it. That statement was still valid and applied equally to the method of appointing the members of the Council. The Council had of course been in operation only since 26 November 1951.
- 34. Mr KHALIDY (Iraq) asked on what charge and under what legal provisions Paliau had been sentenced to six months' imprisonment. It would appear that Paliau had been prosecuted for his activities in behalf of self-government for the Territory rather than for certain statements which he had made.
- 35. Mr. HALLIGAN (Special representative for New Guinea) said that Paliau had been sentenced under article 83(b) of the Native Administration Regulations for spreading false reports which tended to cause trouble among the people, in that he told Malai of Pam that he, Paliau, had power to appoint members of a court and that they could settle all court cases, and that no cases were to be brought before Government magistrates. Article 83(b) of the Native Administration Regulations stipulated, inter alia, that any person spreading false reports likely to cause trouble or unrest among the population or between individuals was committing an offence and was liable to a fine of £3 or to imprisonment for six months, or both.
- 36. Mr. KHALIDY (Iraq) was surprised that Paliau could have been accused of disturbing public order by his statements. He would like to know whether there were not other reasons for his imprisonment.
- 37. Mr. HALLIGAN (Special representative for New Guinea) said that Paliau's statements might seem harmless, but that they were very important if the circumstances in which they were made were taken into account; by discrediting the Government in the eyes of the indigenous inhabitants, they might have caused trouble in the area. In any event, Paliau's sentence had not been influenced by any other consideration.
- 38. Mr. KHALIDY (Iraq) wished to know whether the Administering Authority had not resented Paliau's

<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, 1950, to 30th June, 1951, Commonwealth of Australia, 1951

political activities in behalf of self-government for the Territory. He asked for some information on Paliau's activities since the end of the period covered by the report.

- 39. Mr. HALLIGAN (Special representative for New Guinea) recalled that at the 394th meeting he had said that subsequent to the period with which the report was concerned, Paliau had been elected Chairman of the Village Council of Baluan, but that he had been sentenced to three months imprisonment in October 1951 for an offence against article 84(2) of the Native Administration Regulations. As, however, the offence had no connexion with his public duties, the Administration had decided that upon his release from prison no restriction would be placed on his continuation as Chairman of the Baluan Council or his general participation in the affairs of the area.
- 40. Upon Mr. KHALIDY (Iraq) asking specifically whether the Paliau movement, which was in favour of self-government for the Territory, was essentially a political movement, Mr. HALLIGAN (Special representative for New Guinea) replied in the affirmative.
- 41. Mr. KHALIDY (Iraq) asked whether Paliau abstained from campaigning for self-government for the Territory when he held administrative or public office.
- 42. Mr. HALLIGAN (Special representative for New Guinea) said that Paliau's aim was to improve the lot of the people. When he was in office, he pursued that aim by carrying out the instructions of the Administering Authority which encouraged the indigenous inhabitants to take part in the administration of the Territory and thus promote its development towards self-government; when he was not in office, his activities took a different form.
- 43. Mr. KHALIDY (Iraq) pointed out that some considerable time had elapsed since the Administering Authority had made known its intention to set up advisory councils. At its third and fifth sessions (A/603, p. 17, and A/933, p. 65) the Trusteeship Council had made recommendations concerning "indigenous" advisory councils. He was therefore surprised to read on page 14 of the annual report that the advisory councils which had been set up consisted only of non-indigenous persons.
- 44. Mr. HALLIGAN (Special representative for New Guinea) said that the advisory councils referred to on page 14 in the annual report had been set up by administrative decision; they had nothing in common with the councils provided for in the Papua and New Guinea Act, 1949, which would consist solely of indigenous inhabitants. The advisory councils for indigenous affairs provided for in the Act would be set up as soon as circumstances allowed.
- 45. Mr. FORSYTH (Australia) wished to explain certain points in order to prevent any misunderstanding from arising out of the Iraqi representative's questions and the replies of the special representative. The statements of the special representative at the 394th meeting and at the current meeting showed that Paliau had not been sentenced because of his political activities, as was proved by the fact that on coming out of prison he had resumed his former office. The statements of

- the Administering Authority could not therefore be impugned.
- 46. In addition, it could not be claimed that the Administering Authority had misinformed the Trusteeship Council with regard to the method of appointing the members of the Legislative Council. The composition of that Council was in fact governed by legal provisions which had been known to the Trusteeship Council since 1948, and there could therefore be no question of misinterpretation.
- 47. He also pointed out that there was no indigenous inhabitant acting as head of a department in the public service for the time being because there was not a single indigenous inhabitant of the Territory who was capable of assuming such responsibility. The education programme now being vigorously carried out must be left to bear fruit before there could be any thought of conferring responsibilities of that kind on the indigenous inhabitants. In carrying out subordinate duties, more and more of them where each day acquiring experience which would enable them gradually to take over more important duties.
- 48. It would not be fair to create a public impression that the Administering Authority was showing racial discrimination in its public service and was preventing the indigenous inhabitants from taking any part in the Administration or failing to teach them how to manage their own affairs. In fact, it was facing an extremely difficult task; it was spending sums on behalf of New Guinea, considerably higher than its revenue from the Territory; and it was making every effort to bring the mission with which it had been entrusted to a successful conclusion. It should be remembered that the population of the Territory was very primitive. Moreover, the Territory had been occupied by the Japanese during the last war and had been completely devastated.
- 49. In conclusion, he expressed the view that in order to help the Administering Authority in carrying out its task, the exchange of views in the Council should take place in a spirit of co-operation and objective criticism.
- 50. Mr. KHALIDY (Iraq) pointed out that he had merely asked the special representative for additional information, or for explanations or details which were not, unfortunately, included in the annual report. He would give his delegation's comments on the situation in the Territory at the appropriate time.
- 51. Mr. SAYRE (United States of America) wished to have some additional information about the Native village councils referred to on page 18 of the annual report, in particular about their activities and functions and the method of selecting and appointing their members. According to the report, there were four Native village councils in existence at the end of the period under consideration. He wondered whether other councils had since been set up or whether the Administering Authority was proposing to set them up in future.
- 52. Mr. HALLIGAN (Special representative for New Guinea) said that no further councils had so far been set up, but that it was proposed to establish at least two more in other parts of the Territory during 1952.

- 53. Before replying to the United States representative's questions, he thought it would be useful to make it clear what exactly was meant by the term "Native village council". Each council consisted of representatives of a number of villages in the same area; the Council at Rabaul, for example, consisted of twenty-one members representing villages within a radius of ten to fifteen miles of Rabaul. The councils therefore operated on a district rather than a village basis.
- 54. The members of the councils were of varying age and were elected by the inhabitants of a village or of a group of villages, either by secret or open ballot as directed by the district commissioner. Eligibility for voting was contingent upon the payment of a tax; unless exempted as mothers of large families, women were required to pay that tax in order to take part in the election of members of the council or to be eligible for election.
- 55. Generally speaking, the councils were competent to deal with questions affecting the indigenous population of the area for which they had been established. The Rabaul Council, for example, had considered the possibility of meeting the wishes of a group of inhabitants who were anxious for land to set up a cocoa plantation; it would also concern itself with obtaining a teacher for a school just set up in the area. In addition, it supervised the work of a first-aid post staffed by a Native medical assistant trained and supplied by the Department of Public Health.
- 56. The funds at the disposal of the councils were derived from a tax which, in the case of the Rabaul Council, was at the rate of £4 a year per taxable inhabitant and which placed the sum of approximately £6,000 at the Council's disposal. The amount of the tax had been fixed by the Council itself, and the budget was prepared by a Native council clerk under the guidance of an official of the Administration.
- 57. In reply to a further question by Mr. SAYRE (United States of America), Mr. IIALLIGAN (Special representative for New Guinea) said that an official of the Administration—either a patrol officer or the assistant district officer—attended meetings of the council and guided its work and discussions. There was even a special section of the Department of District Services and Native Affairs, which was responsible for supervising the operation of Native village councils.
- 58. In reply to Mr. SAYRE (United States of America), Mr. HALLIGAN (Special representative for New Guinea) said that there was no training school for members of Native village councils. In the area of Rabaul, where the first Native village councils had been set up, the population had acquired a certain amount of experience through contact with district commissioners, which enabled the members of the councils to carry out their duties. The councils were a relatively new institution; they marked a considerable advance towards the attainment of the ultimate goal, that of entrusting the indigenous population with the responsibility for its own affairs.
- 59. The Administering Authority was planning gradually to supplement the Native village councils with advisory councils for Native matters, the powers

- of which would extend over wider areas and which would be exclusively composed of indigenous inhabitants.
- 60. Referring to the statement on page 18 of the report to the effect that 11,490 Natives had been appointed as officials in villages in the capacity of *luluais*, *tultuls* and medical *tultuls*, Mr. SAYRE (United States of America) asked for details of the selection of candidates for those posts and of their functions.
- 61. Mr. HALLIGAN (Special representative for New Guinea) said that the *luluai* (chief) and the *tultul* (assistant chief) carried out administrative functions and would be gradually replaced by village councils. The medical *tultul* dealt with public health on a village scale and gave first aid in case of illness; the medical *tultuls* had done extremely good work within their capabilities. The Department of Public Health was aiming at replacing them by fully trained Native medical assistants, who would be able to treat more serious cases.
- 62. In reply to a final question by Mr. SAYRE (United States of America), Mr. HALLIGAN (Special representative for New Guinea) admitted that the number of indigenous inhabitants employed by the Administration during the period covered by the report was lower than the number employed during the period covered by the previous report. The figures, which he read out to the Council, indicated that the reduction mainly affected general labourers; that was no doubt due to the fact that the projects undertaken by the Administration in that year had required less manpower.
- 63. M. C. DILOKRIT KRIDAKON (Thailand) wanted some information on the three indigenous members of the Legislative Council. He wondered whether their training and education enabled them to make a useful contribution to that Council's work.
- 64. Mr. HALLIGAN (Special representative for New Guinea) said that two of the members might be considered outstanding persons among the indigenous population. One of them had been a member of the Territory's police force before the war, while the other, a former teacher, had taken an active part in carrying out a plan to prevent the depopulation of the Tabar area. Mr. Halligan could not say how far they had gone in their studies, but the fact remained that, by indigenous standards, the two men had had very good schooling. Both spoke English, but one of them, Simogin, used Pidgin English in the Legislative Council.
- 65. In reply to another question from M. C. DILO-KRIT KRIDAKON (Thailand), Mr. HALLIGAN (Special representative for New Guinea) said that there were probably few indigenous persons in the Territory with such high qualifications. In view of the progress made in the educational field, however, there was cause to hope that the number would increase fairly rapidly.
- 66. Mr. MUNRO (New Zealand) asked whether the regulations that the Native village councils were empowered to make, as stated on page 18 of the report, were totally new regulations or whether they constituted a listing or codification of traditional customs and practices.

- 67. Mr. HALLIGAN (Special representative for New Guinea) replied that the regulations were completely new, but had been worked out with the help of Administration officials on the basis of traditional customs which should be maintained.
- 68. In reply to a further question by Mr. MUNRO (New Zealand), Mr. HALLIGAN (Special representative for New Guinea) said that Administration officials had penetrated into nearly all parts of the Territory, although that did not mean that they had established contact with all the indigenous population living in those areas. For that reason, those areas which were listed in the report (p. 86) as "under partial Administration influence" or as "penetrated by patrols" actually did not come under its control for it had no precise knowledge of the number of indigenous inhabitants living there. The total population of the Territory was estimated at about 1,100,000, of whom 800,000 had actually been counted. It was estimated that about 300,000 persons lived in the regions which were not under Administration control, but the figure could very well not be accurate.
- 69. Mr. SALAZAR (Dominican Republic) noted that it was stated on page 12 of the report that the national status of the indigenous inhabitants had not yet been defined by law. The delegation of the Dominican Republic would like to know what measures the Administering Authority had taken or was planning to take in that connexion.
- 70. Mr. HALLIGAN (Special representative for New Guinea) said that an amendment made in 1951 to the Nationality and Citizenship Act, 1948-1950, had conferred upon the indigenous inhabitants the status of "Australian protected persons." The same status was given to the Chinese and other non-indigenous inhabitants born in New Guinea or Nauru who were not British subjects or who had not expressly renounced that status. Persons with that status other than nationals had the right to vote, but, generally speaking, it was an international rather than a national status. Under the new legislation, the Territory was therefore populated by British subjects, on the one hand, and by Australian protected persons, on the other.
- 71. In reply to another question by Mr. SALAZAR (Dominican Republic), Mr. HALLIGAN (Special representative for New Guinea) again stated that the indigenous population had not yet reached a level of development enabling it to take an active part in the work of the district advisory councils. When they became capable of assuming that task, there would be no reason to continue to bar them from such councils. The councils had been established by administrative action and there was no law prohibiting the Administrator from appointing indigenous persons to membership.
- 72. Mr. SALAZAR (Dominican Republic), having asked whether there was any legal guarantee that universal suffrage would ultimately be introduced in the Territory, Mr. HALLIGAN (Special representative for New Guinea) said that on 20 September 1951 the Administration had issued regulations on voting procedure and elegibility for the Legislative Council.
- 73. Mr. SALAZAR (Dominican Republic) asked whether there was a law giving legal status to the

Native village courts and integrating them in the prevailing judicial system.

74. Mr. HALLIGAN (Special representative for New Guinea) said that the relevant ordinance had been drafted but had not yet been promulgated.

75. In reply to a further query by Mr. SALAZAR (Dominican Republic), Mr. HALLIGAN (Special representative for New Guinea) said that the Native village courts set up in the Rabaul area were composed exclusively of indigenous persons, the chief of the village assuming the functions of judge. The indigenous population brought before that court minor offences such as theft, illegal use of other persons fishing equipment and other such problems likely to arise in the villages. If the dispute should not be satisfactorily settled by the Native court, it could be brought before the Court for Native Affairs, which was part of the judicial system of the Territory.

76. Mr. SALAZAR (Dominican Republic) wondered how to interpret the words "under supervision", on page 16 of the report, as they applied to Native courts. 77. Mr. HALLIGAN (Special representative for New Guinea) said that those courts were under the supervision of the Department of District Services and Native Affairs, which supervised their operation and helped them to rule on the cases brought before them. 78. In reply to another question from Mr. SALA-ZAR (Dominican Republic), Mr. HALLIGAN (Special representative for New Guinea) pointed out that the Administration official concerned was qualified to decide which customs were not harmful to the interests of the population and could therefore be considered to have the force of law. When a given case was brought before the Native court, the judge ruled on it. That implied that the indigenous population of the area had first decided to distinguish between those customs which should be maintained and those which should be abolished because they were inhuman or harmful to the interests of the community.

79. Mr. SALAZAR (Dominican Republic) asked if it would be possible to establish registers of vital statistics in the Territory.

80. Mr. HALLIGAN (Special representative for New Guinea) noted that registration of births, marriages and deaths was compulsory only for non-indigenous persons. It was planned, however, to ask the Native village councils to keep a register of vital statistics for the areas under their jurisdiction.

81. Mr. RYCKMANS (Belgium) wanted to know whether the entire population had been counted in the areas under Administration control.

- 82. Mr. HALLIGAN (Special representative for New Guinea) said that a census of the entire population of New Britain had been taken and they could therefore be included in the term "enumerated population counted". Some mountainous regions not far from Kokopo were not yet fully under Administration control and the population statistics for those regions were therefore merely an estimate.
- 83. Mr. RYCKMANS (Belgium) thought that an estimate should be made of the population of which no census had been taken even for the areas completely under the control of the Administration.

The meeting rose at 6.15 p.m.