

TRUSTEESHIP
COUNCIL

MEETING



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President: Mr. HENRÍQUEZ UREÑA (Dominican Republic).

Present: The representatives of the following countries: Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, New Zealand, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Examination of the annual report on the administration of the Trust Territory of Nauru for the year ending 30 June 1950 and of the report of the United Nations Visiting Mission to Trust Territories in the Pacific on Nauru (T/827 and T/790) (*continued*)

1. Mr. KHALIDY (Iraq) found it heartening to hear that the Administering Authority had been able to maintain the health and morale of the population during the 1949-1950 drought, the worst in the history of Nauru. The Council had also been happy to learn that the population of Nauru had been represented for the first time at an international conference, the South Pacific Conference, held at Suva in April and May 1950.

2. As regards the country's economic and social situation, the annual report¹ showed that the phosphate royalties had risen from 53,800 Australian pounds to 80,000 pounds, which had enabled Nauruans to increase their deposits in the savings bank. The construction of 222 houses had been undertaken and 187 were almost completed. Finally, a medical officer and a qualified nursing sister had taken up their duties in the Territory. All that information was very satisfactory, and the Administering Authority was to be congratulated.

3. In the political field, relations between the Administrator and the British Phosphate Commissioners had

given rise to some concern. The special representative had said, however, that the Phosphate Commissioners were concerned solely with industrial and labour questions, and that the Administrator had complete and independent control over the administration of the Territory. That explanation was reassuring; but, in view of the documents before the Council—and in particular of the Visiting Mission's observations (T/790)—it did not remove all doubt. The Visiting Mission had noted that the British Phosphate Commissioners played a decisive part in the island's economic life and it had recommended that, in order to remove any difficulties between them and the Administration, the Administrator should be appointed for his administrative experience. It was natural that the British Phosphate Commissioners should play an important part in an island as small as Nauru, wholly dominated by a single industry. Their importance should not, however, adversely influence the Administration, and the Council should therefore recommend that the Administering Authority should follow the Visiting Mission's suggestions in regard to the Administrator's qualifications, should not allow any improper interference in the administration by the British Phosphate Commissioners and should see to it that the balance thus achieved was not destroyed in the future.

4. The reorganization of the Council of Chiefs was especially important, and he was glad to see that in future the Council was to be elected by the whole adult population and given certain powers in regard to such domestic problems as housing and roads. That was a most important experiment and one of the greatest interest to the Council. He congratulated the Administration on it. Nevertheless, it was regrettable that the functions of the Council of Chiefs were still to be purely advisory. The Visiting Mission had reported that the Nauruans were not at all politically backward, that they were quite capable of stating their wishes,

¹ See Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1949 to 30th June, 1950, Commonwealth of Australia, 1950.

and that most of them knew English and had some knowledge of the European way of life. That was most satisfactory and spoke well for the Administration. It seemed rather unwise, however, to limit the powers of the new Council, which was to represent the population, and make it purely advisory. The Visiting Mission had recommended that the Council's powers should be increased and that consideration should be given to the possibility of delegating legislative functions to it, in particular the right to draw on the budget and the Nauru Royalty Trust Fund. The Iraqi delegation agreed with that recommendation, and thought that the Trusteeship Council should adopt it.

5. It would appear that the Administration was doing its best to employ members of the indigenous population with the necessary qualifications. That practice was commendable. Naturally, some difficulties would arise, and so the very special importance of education should be stressed: if the Administration wished to have qualified indigenous workers, it must educate and train them. The Council of Chiefs had been particularly concerned with education, and had told the Visiting Mission that, for lack of education, only one Nauruan had been able to fill an important post in the Administration. It should be noted that, although a number of young Nauruans were receiving secondary education abroad, only two—the medical students in Fiji—were pursuing technical or professional studies. The deficiency in education should be remedied without delay.

6. In the economic field the phosphate industry played an exceptionally important part. The British Phosphate Commissioners paid a royalty of only one shilling and fourpence per ton to the Nauruans. That was not enough; the royalty should be increased. Referring to paragraph 39 of the Visiting Mission's report (T/790), Mr. Khalidy said that the Mission had expressed some doubt about the adequacy of the Territory's revenue, which was based on a royalty of sixpence per ton and could not cover all ordinary expenditure. He was happy to note that the special representative had said that royalties had been raised to one shilling. In any case, he hoped that the Administration would study the problem as attentively as it deserved, taking into consideration the advice in paragraph 40 of the Visiting Mission's report, that "the considerable expenses of collection could well be avoided if the contribution was made directly as an additional royalty on phosphate". In all fairness it should be pointed out, however, that the Nauruans had benefited by the phosphate industry and that the Visiting Mission had thought that their health, education, nutrition and dress were better than the average of the Pacific territories. It was to be hoped that that would continue.

7. The problem of long-term investment of phosphate royalties in the interest of the population had become more important. As the Visiting Mission had indicated, an agreement had recently been concluded, but the Council of Chiefs was not satisfied and had submitted a petition (T/Pet.9/6) on the subject. It was to be noted that the royalty of twopence per ton paid into the Nauruan Community Long-Term Investment Fund had been raised to fivepence, and the increase could be expected to improve the indigenous population's position. It would be difficult to assess the improve-

ment, however, as the British Phosphate Commissioners refused to publish the price of phosphate, particularly on the Australian and New Zealand markets. The Commissioners had informed the Visiting Mission that in their view the royalties paid to the Nauruans should be based on existing and future needs, and not on the fluctuations of phosphate prices. He doubted whether that view was justified, and thought that publication of the relevant facts might be useful.

8. Mr. Khalidy then turned to some other aspects of the island's economic life. According to the special representative, there appeared to be some difficulty in creating subsidiary industries and it seemed almost impossible to develop agriculture owing to the lack of rain and the poor quality of the soil. The special representative had said that the Administration was aware of the gravity of the problem and would continue to study it. Although that was a wise decision, it might be advisable to undertake some research in order to ascertain the Territory's economic potential and to establish its future economy on a firmer basis. The Administration had been right to build an airfield on Nauru, but that did not excuse it from paying suitable compensation to indigenous landowners for land alienated for the public good; and the compensation should be paid without delay.

9. In social matters, the Trusteeship Council had seen the difficulties that segregation caused. It had also learned of the Movement of Natives Ordinance, which applied to the Chinese as well. The Iraqi delegation was deeply concerned at the restrictions the ordinance placed on individual freedom. The need for it was not very clear, and the fines for infringing it were much too high in relation to the indigenous standard of living. The Iraqi delegation could not support any restriction on individual liberty, and therefore thought that the Trusteeship Council should ask the Administering Authority to repeal the ordinance at once.

10. In regard to the health services, the Administration was to be congratulated on having secured the services of a European refugee doctor as Director of Public Health. Nevertheless, that step alone could not solve the problem. Hospitals must be enlarged and doctors, health officers and nurses must be trained.

11. The Visiting Mission had reported that the life of the Chinese community was not very enviable and that the Chinese indulged in gambling. The Visiting Mission's view of that matter had been divided: two of its members had thought that gambling should be prohibited by law, while two others had considered that such legislation could not in practice be enforced in present conditions. The Iraqi delegation agreed with the former view, and thought that the Administration should not only prohibit gambling by law, but should see to it that the law was strictly enforced. That might not be the most satisfactory course, but a poor and backward community should not be permitted to indulge in such a destructive passion as gambling.

12. In the field of education, it was to be noted that education was compulsory for all Nauruan children between 6 and 16 years of age. There were six government primary schools for Nauruans, one primary school run by Australian nuns, and one primary school for European children. All were under the control of a supervisor, who was the only European government

teacher on Nauru. The Nauruan teachers were simply the product of those same schools, and had had no special training in teaching. Such a system seemed unlikely to lead to the best results. It should of course be pointed out that the Administration planned to establish a central primary school, a domestic science centre for girls and a post-primary school for boys, which would give particular emphasis to technical subjects. However, as that was only a plan for the moment, it would seem that the Council ought to make a recommendation on the subject to the Administering Authority. The Visiting Mission had noted that no effective steps had been taken to implement the plan and that, five years after the re-occupation of the island, educational facilities were inferior to those existing before the war. The Council of Chiefs itself was becoming rather sceptical of the Administration's promises; that was a regrettable situation, which might be dangerous and should be avoided. The Iraqi delegation could not do better than reiterate the Visiting Mission's conclusion, and, like it, recommend that the Trusteeship Council should request the Australian Government to complete, as a matter of urgency, the projected educational facilities, including the establishment of secondary schools.

13. Mr. SAYRE (United States of America) observed that the examination of the present state of affairs in Nauru had shown that the progress noted at the Council's seventh session was continuing.

14. In the political field, the most significant development still seemed to be the proposal to reconstitute the Nauruan Council of Chiefs. The United States delegation felt that reorganization of the Council should give the Nauruans a means of acquiring the experience necessary for self-government. The Administering Authority had studied the question in close consultation with the present Council and the two parties had reached complete agreement on the fundamental principles. Although the Council of Chiefs would not at first have legislative powers, its responsibilities for local affairs, including control of the funds for meeting local expenditures, would grow rapidly. The Trusteeship Council could not but congratulate the Administering Authority on its plan. The United States delegation hoped that the Administering Authority would subsequently examine the possibility of increasing the powers and responsibilities of the new Council as it became capable of shouldering them.

15. With regard to the participation of Nauruans in the administration of the Territory, it was to be hoped that a programme of administrative training could be established, in accordance with the Council's recommendations at its fifth² and seventh sessions.³

16. In Nauru, as elsewhere, new sources of revenue must be found to meet the Territory's administrative needs; the Visiting Mission thought that the royalty paid by the British Phosphate Commissioners to cover general administrative expenditure should be increased. The Council had been pleased to learn from the special representative that the royalty had just been raised from sixpence to one shilling a ton. The mining of natural phosphates on Nauru tended to aggravate the

land question. On so small an island, it was particularly important to preserve land needed for agricultural and other activities, and the Commissioners had given an undertaking that they had no intention of carrying on phosphate mining in the fertile land in the centre of the island. The Visiting Mission had suggested that the population of the districts affected by the phosphate industry or by the expropriation of lands for the construction of the airfield should be transferred to other areas. The Council might ask the Administering Authority to study that proposal and keep it informed of any steps taken in that direction. It would also be of particular interest if the Administering Authority could supply the Council with information on the economic future of Nauru and more especially on the inhabitants' opinion as expressed in the discussions of the Council of Chiefs.

17. With regard to the Administering Authority's work in the social field, the Council should note with satisfaction the recent rise in pay granted to Nauruan and Chinese workers. The problem of furniture made the housing question more difficult, but it was to be hoped that the co-operative copra production project would help to supply the funds needed to alleviate that difficulty, and that in any case the houses could be occupied without delay.

18. The Council should adopt the Visiting Mission's recommendations with regard to education, and ask the Australian Government to implement the plans for the development of education as a matter of urgency, and particularly to set up a system of secondary education. In that connexion, he emphasized the following statement in paragraph 100 of the Visiting Mission's report: "The Nauruan teachers, for the most part, have received no special course of training, but consist of graduates of the system, and receive training on the job". On that point, the Council might recommend that the Administering Authority should establish a teacher-training programme, and ask the Australian Government to give an account of progress in that field in its next report.

19. Mr. SUPHAMONGKHON (Thailand) wished first to congratulate the Visiting Mission on its very comprehensive and valuable report to the Council.

20. The Thai delegation also congratulated the Administering Authority on its efforts to fulfil its obligations towards such an ill-endowed Territory. It had no doubt that the Australian Government would profit from the comments of the Council, which were intended only to improve the living conditions of the inhabitants and promote their political advancement. The advancement of the peoples of Non-Self-Governing Territories depended in every field upon education above all, and in that connexion, the Thai delegation was greatly concerned over the situation described in the petition from the Nauruan Council of Chiefs. The Territory lacked men capable of filling important posts on the island; yet twenty-five years before, ninety per cent of the population had been able to read and write, and the 1925 report on Nauru, submitted to the League of Nations, had estimated that in a few years' time the inhabitants would be fully qualified to fill nearly all the professional and other posts on the island. It would seem that particular attention should be drawn to the statement in paragraph 103 of the Visiting Mission's

² See *Official Records of the General Assembly, Fourth Session, Supplement No. 4*, p. 77.

³ *Ibid.*, *Fifth Session, Supplement No. 4*, p. 138.

report that no effective steps were at present being taken to implement the educational programme and almost five years after the re-occupation of the island, educational facilities were less than they had been before the war.

21. The Thai delegation hoped that the Council would impress the importance of the problem on the Administering Authority and invite it to take immediate steps to remedy the situation, in compliance with the Council's previous resolutions.

22. Mr. Shih-shun LIU (China) said that the annual report and the supplementary information given by the special representative were evidence of the efforts the Administering Authority had made to promote the advancement of the Territory.

23. The Chinese delegation noted with pleasure the progress achieved in the political field, and particularly the forthcoming elections for the new Council of Chiefs which was to exercise certain executive and fiscal functions. At the same time, it agreed with the Visiting Mission that more extensive powers should be conferred on the Council.

24. The Chinese delegation had also welcomed the special representative's assurance that the Administering Authority would give favourable attention to the Visiting Mission's suggestion that deserving employees should be granted scholarships to study in Australia or elsewhere, in order to acquire the necessary qualifications for higher posts. Such steps would remedy the present lack of staff suitable for important positions.

25. With regard to the land question, it was to be hoped that the former proprietors of the land used for building the airfield would receive fair compensation.

26. The Administering Authority deserved nothing but praise for its plans in the fields of health and housing and for raising the wages of Chinese and Nauruan workers. With regard to working conditions in general, however, the principle of equal pay for equal work, the forty-hour working week for all, and a higher rate of overtime pay for all employees, irrespective of race, still remained to be put into application. In addition, the ordinance concerning the movement of Chinese and Native labour should be abolished immediately.

27. Referring to the petition from the Chinese community on Nauru (T/Pet.9/5), Mr. Liu said that housing conditions among Chinese workers left much to be desired. Although the steps the Administration was taking would bring some slight improvement, the position would continue to be far from satisfactory so long as twelve persons were compelled to live in a single room. The Chinese community also complained that food supplies were insufficient and not adapted to Chinese tastes. He hoped that the Administering Authority would make further efforts to explore every possibility of improving the provisions for the Chinese community. The most important question raised by the petition from the Chinese community was that of the immigration of their families. The solution proposed by the Visiting Mission was reasonable and took into account the two opposing points of view. The Council should therefore recommend that the Administering Authority adopt it. In that connexion, he recalled the unhappy events of June 1948 and expressed the hope

that the Administering Authority would take every precaution to prevent a repetition of such incidents. The Chinese delegation had noted the Visiting Mission's comments on the matter, and had particularly appreciated the sincere regret expressed by the Australian representative at a previous session of the Council.

28. With reference to the Council's recommendation at its seventh session⁴ that there should be a review of discriminatory legislation, he was surprised that the special representative should not have been in a position to tell the Council that a start had been made towards putting it into effect. Seven months had elapsed since the adoption of the recommendation, which was based on General Assembly resolution 323 (IV).

29. The measures taken by the Administering Authority in the field of education were in general very praiseworthy, but it would be better if future teachers could have some training before teaching. The Chinese delegation shared the Visiting Mission's concern over the present state of affairs and felt that the Trusteeship Council should recommend the Australian Government to put its educational projects into effect as a matter of urgency, and in particular to set up secondary schools, as the Visiting Mission proposed.

30. Finally, he congratulated the Administering Authority on the form of its report, and thanked the special representative for his contribution to the Council's discussions.

31. Mr. DE ANTUENO (Argentina) felt that the Council must study the situation in Nauru in the light of the directives given to the Administering Authority at its fifth session.⁵

32. At that time the Council had pointed out that the natural wealth of the Territory should enable the Government of Australia to effect a rapid improvement in political and social conditions, and that the Administering Authority had at its disposal the resources needed to set up institutions based on the Charter and the Trusteeship Agreement. It had also been made clear that where the needs of the inhabitants and those of the phosphate industry did not coincide, the requirements of the inhabitants should have priority over those of the industry.

33. The Argentine delegation felt that the smallness of the Territory both as to size and to population should make it easier for the Administering Authority to give effect to the Council's recommendations. The information supplied to the Council, however, raised anxiety as to the results of the measures taken in Nauru. For example, the question of transferring the inhabitants of that Territory to another part of the world was now under consideration. In other words, it was proposed to give up the struggle before it had really begun, which left the impression that the United Nations was unable to solve the problem otherwise; the Nauruans themselves, guided simply by the desire for survival, could have found such a solution. But the Argentine delegation would oppose any such solution until it had been shown that no better one existed.

34. Speaking of the reorganization of the Council of Chiefs, which would be carried out during the current year as a result of measures taken by the Administer-

⁴ *Ibid.*

⁵ *Ibid.*, Fourth Session, Supplement No. 4, p. 76.

ing Authority, he regretted that it had not been possible to endow that body with legislative powers, as had been suggested by the Trusteeship Council. The delegation of Argentina was in general agreement with the Visiting Mission on that point, but did not share its doubts about the possibility of granting the Council of Chiefs a certain amount of legislative authority over the Territory as a whole. The argument based on the numerical importance of the various groups on the island was not valid because the real inhabitants of the island were the Nauruans, and, as such, they should have maximum rights and opportunities. The other section of the population, which enjoyed special privileges, had no roots in the Territory. They were migrant workers and the fact that they could not live on Nauru with their own families was a further argument in support of the attitude taken by the Argentine delegation.

35. To be convinced of the gravity of the situation, it was enough to read paragraphs 15-19 of the report of the Visiting Mission. It could be seen from those paragraphs that all legislative or administrative measures affecting the working of the phosphate industry did not depend solely on the Administering Authority, but were subject to the agreement of the manager of the British Phosphate Commissioners. If they concerned important matters, they fell within the province of the Commissioners themselves or of the three Governments which appointed them. The Argentine delegation felt that it would be simpler to replace that duality of competence in legislative and administrative matters by a system of government which would cover all activities throughout the Territory. At present, the relations between the Administrator and the British Phosphate Commissioners seemed to be difficult and sometimes even strained, for all the island's resources were in the hands of those who exploited them and were not subject to the control of those to whom the international organizations had entrusted authority over the Territory. That situation resulted from the agreement concluded in 1919 by the Governments of the United Kingdom, Australia and New Zealand, which provided for the creation of a semi-state organization called the British Phosphate Commissioners having a monopoly over Nauru's phosphate industry, thus depriving the inhabitants of any future possibility of directing their own economy. A co-operative organization would have made it possible to avoid all those difficulties. Any other system, such as participation in profits for example, would have been more favourable for the indigenous population. The Administering Authority must therefore make an effort to find a more harmonious and satisfying solution, which would be in accordance with the fundamental principles of the Trusteeship System and with the true interests of the people of the Territory.

36. It was regrettable that the Visiting Mission had not been able to get information on the financial position of the phosphate industry and on the price of natural phosphates in New Zealand and Australia. The aim of the Trusteeship Council's requests for information was simply to establish royalties in proportion to the capacity of the industry. While they had given no accurate information, the British Phosphate Commissioners had however expressed the view that royalties paid to the Nauruans should be based on the current

and future needs of the population; in other words, the Commissioners were in agreement with the course taken by the Council. It was clear that the current requirements of Nauru authorized the Council to recommend an increase in certain royalties, particularly in those paid to the Nauru Royalty Trust Fund, which would be put under the control of the Council of Chiefs. In addition, the Trusteeship Council must note with satisfaction the statement of the special representative to the effect that royalties designed to cover the administrative expenses of the Territory and amortization of the rehabilitation programme had just been increased.

37. With regard to the petition of the chiefs of Yarren and of Boe (T/Pet.9/7), the Argentine delegation considered that indigenous inhabitants must not be deprived of arable land when there was a shortage of such land, that arable land must be used only if it was manifestly impossible to build an airfield in some other area, and that in any case owners of the land must be compensated.

38. As far as labour conditions were concerned, the Argentine representative approved steps recently taken, in particular the increases in wages, but he thought that the wage scale should take into consideration length of employment and that there should be no racial discrimination among workers. While there had apparently not been any violation of the principle of equal pay for equal work, there did not seem to be any basis for retaining different working hours for different groups of workers.

39. He hoped that the report to the General Assembly would include the detailed statement on relations between the Commissioners and the Administration, as set forth in paragraphs 14 to 18 inclusive of the report of the Visiting Mission. Account should also be taken of the point of view expressed by the British Phosphate Commissioners in connexion with the royalties paid to the Nauruans, given in paragraph 45 of the report of the Visiting Mission, which had not been mentioned in the working document prepared by the Secretariat (T/L.129).

The meeting was suspended at 3.50 p.m. and was resumed at 4.20 p.m.

40. Mr. SOLDATOV (Union of Soviet Socialist Republics) noted that the information in the reports before the Council showed plainly that the indigenous inhabitants of Nauru had not taken and were not taking any active part in the administration and government of their country. There was no legislative, executive or judicial organ in which the indigenous inhabitants participated. A reading of the Administering Authority's report showed that it had taken none of the steps—essential though they were—requisite for the inhabitants' progressive development towards self-government in fulfilment of the basic purposes of the Charter. The Administering Authority stated in section 13 of its report that full powers of legislation, administration and jurisdiction were vested in the Administrator appointed by the Administering Authority. Information embodied in the appendices to that report plainly showed that Europeans filled all the key positions in the administration and that the indigenous inhabitants discharged only subordinate or purely technical functions. The Visiting Mission stated in para-

graph 27 of its report that only one key position in the administration was held by a Nauruan, that of Native Affairs Officer.

41. The Administration had endeavoured to represent the Council of Chiefs as a government organ in which the indigenous inhabitants took part. That body, however, was purely advisory and its functions were strictly limited, even with regard to the management of the Nauru Royalty Trust Fund. The Visiting Mission had noted in paragraph 22 of its report that the Council of Chiefs in its existing form, based on traditional institutions, might not be much longer suited to the needs of the Nauruan community, taking into account the necessity to give the Nauruans an increased participation in their affairs. The reorganization contemplated by the Administering Authority would make no essential change; it would not entail the establishment of a democratically elected legislative body destined to play a leading part in the administration of the country. The new Council, like the former one, would be purely advisory, without any real powers. That was confirmed by paragraph 23 of the Visiting Mission's report, which gave the impression that the Council's powers would be purely advisory, that they would not differ greatly from those of the existing Council of Chiefs and that the new body would definitely not have power to legislate for the whole population of the island.

42. In brief, the Administering Authority had confined itself for thirty years to stating its intention of allowing the inhabitants to progress to a stage at which they would be capable of administering themselves, without taking any practical steps to put those statements into effect. The Council of Chiefs asserted in its petition (T/Pet.9/6) that the Administration's statements were simply empty words and recalled that the 1925 report on Nauru had stated that if the existing rate of progress was maintained—and there was every reason to believe that it would be—there seemed to be every probability that in course of time Nauruans would be fully qualified to fill nearly the whole of the professional and other appointments on the island. As the Council of Chiefs emphasized in its petition, plans had been drawn up twenty-five years previously to raise the level of education so as to enable the Nauruans to fill the key posts in the administration. The statements now made differed in no essential from those made in the past, and experience had shown quite clearly that the hopes to which the latter statements had given rise had not been fulfilled. Hence it was apparent that the Administering Authority had not fulfilled the obligations incumbent upon it under the Charter with regard to the political advancement of the indigenous inhabitants and their progressive development towards self-government or independence. The Trusteeship Council should recommend that the Administering Authority take the legislative action necessary to ensure the participation of the indigenous inhabitants in the legislative, executive and judicial bodies of the Territory. The USSR delegation had submitted a proposal to that effect in 1949;⁶ the Council had not adopted it. The progress of events since then clearly showed the need for such legislation. Furthermore, the

Trusteeship Council should request the Administering Authority to take the requisite steps to enable the indigenous inhabitants to make the transition from the tribal system to self-government based upon democratic principles.

43. Turning to the economic situation, Mr. Soldatov said that the whole economic life of Nauru was subordinated to the intensive exploitation of the phosphate deposits by the British Phosphate Commissioners. The Commissioners occupied so commanding a position in the economy of the island, as the Visiting Mission had noted in paragraph 18 of its report, that their administrative independence was virtually complete, and the position of the Administrator in his relations with them appeared to be a difficult one. The indigenous inhabitants had no influence over their affairs.

44. The Soviet Union delegation had already taken the opportunity of pointing out that the Governments of Australia, New Zealand and the United Kingdom had imposed extremely onerous conditions on the Nauruans, few and weak as they were, in exploiting the natural wealth of the country. That wealth was currently being drained; during the year under consideration, 1,900,266 tons of phosphates had been exported, 328,520 tons more than in the previous year. At that rate, the deposits would be exhausted within a few decades. As the petition of the Council of Chiefs showed, the inhabitants' future was most uncertain and all of them were wondering anxiously what they would do when the deposits had been exhausted. The question arose how it was proper to speak of a Trusteeship System when an administration failed to distribute the profits of the phosphate industry equitably and so as to guarantee the economic future of the indigenous inhabitants.

45. The British Phosphate Commissioners paid no taxes on their profits. The Administering Authority had so far failed to act upon the Council's recommendation that the capitation tax should be replaced by an income tax.⁷ According to paragraph 40 of the Visiting Mission's report, the Administration had informed the Mission that nothing was under consideration in that connexion. As that paragraph showed, the main burden of an income tax would ultimately fall upon the British Phosphate Commissioners. No income tax had been introduced because the Commissioners were unwilling to relinquish any portion of their tremendous profits. The Trusteeship Council should recommend that the Administering Authority take the necessary steps to replace the capitation tax by a graduated income tax or at least by a tax system which took into account the resources and earnings of the inhabitants of Nauru. All the British Phosphate Commissioners' profits should be subject to a graduated income tax.

46. The land problem was acute; the Administering Authority was expropriating the indigenous inhabitants' property, a fact confirmed by the petitions from the people of Aiwo (T/Pet.9/4) and from the Chiefs of Yarren and Boe (T/Pet.9/7). The USSR delegation considered that the Administering Authority should restore to the indigenous inhabitants the lands of which

⁶ See *Official Records of the Trusteeship Council, Fifth Session*, 9th meeting.

⁷ See *Official Records of the General Assembly, Fourth Session, Supplement No. 4*, p. 77.

they had been dispossessed and should not permit alienation of lands in the future.

47. The Administering Authority, in his opinion, was pursuing a policy of racial discrimination and segregation. As the Visiting Mission had noted in paragraphs 59, 60 and 61 of its report, the three races of the island lived in conditions of fairly complete segregation. The various communities worked together on the job, but generally in different capacities and under widely different terms of employment. That segregation was to some extent legally enforceable as it came under the terms of the Movement of Natives Ordinance, which also applied to Chinese. The restrictions on the movements of Chinese were set out in paragraph 60 of the Visiting Mission's report, together with a reference to the relevant recommendations made by the Trusteeship Council at its fifth session. So far no action to amend or repeal the ordinance had been taken. Appendix III of the Administering Authority's report showed that fifty-seven indigenous inhabitants had been convicted of breaches of the ordinance. Furthermore, there were important differences in the way the various communities were treated by the Administration and the British Phosphate Commissioners.

48. Racial discrimination was also apparent in the fact that the indigenous inhabitants were paid far lower wages than those paid to Europeans for identical work. Paragraph 66 of the Visiting Mission's report stated: "Compared with European and Chinese employees, the Nauruans are generally the lowest paid". According to Paragraph 70 of the same report, the Administrator of the Territory had stated that even when a Nauruan was promoted to a key position in the Administration, he received a smaller salary than the European he replaced. Similarly, the Europeans' working week was forty hours, whereas the indigenous inhabitants worked forty-four hours, as stated in petition T/Pet.9/2.

49. The Chinese community had stated (T/Pet.9/5) that the only store in which the Chinese could purchase daily essentials was that of the British Phosphate Commissioners; commodities there were divided into two classes: goods for sale to Chinese and goods not for sale to Chinese. In its comments on that petition (T/790), the Visiting Mission had stated that a complaint had been received that some goods in the British Phosphate Commissioners' store had been sold to Europeans at a lower price than to Chinese and Nauruans.

50. All those facts showed that the Administering Authority was pursuing an antidemocratic policy contrary to the interests and rights of the indigenous inhabitants. The Trusteeship Council should request the Administering Authority to put an end to the existing racial discrimination.

51. The Administering Authority was not paying the requisite attention to the welfare and education of the indigenous inhabitants. There was not a single qualified indigenous doctor on Nauru and some idea of the efficiency of the medical care and services given to the Chinese workers and the indigenous inhabitants could be obtained from the petition from the Chinese community (T/Pet.9/5), in which it was stated that although the Chinese hospital seemed to be fairly well

equipped, patients hospitalized there were being treated only with aspirin, patients suffering from tuberculosis were left without any assistance, and injured or ill persons suffering from external wounds were only treated with iodine.

52. There had been no progress, but rather a deterioration, in education. The petition of the Council of Chiefs (T/Pet.9/6) stated that educational progress had been rather slow, although education had been compulsory for twenty-five years and more satisfactory results might have been expected. The Administering Authority had indeed stated its intention to establish secondary and technical education centres, but the Visiting Mission had been compelled to state that no effective steps were currently being taken to implement that plan. Almost five years after the re-occupation of the island, educational facilities were less than they had been before the war. In that connexion it was noteworthy that the Council of Chiefs referred with a certain scepticism to the Administering Authority's promises, as similar promises had been made a quarter of a century previously. One outstanding fact was that in the year under consideration 7,048 Australian pounds had been allocated for education—4,470 pounds for Nauruans and 2,578 for Europeans. Considering that there were 346 Nauruan and 48 European pupils, four times as much money was allocated for the education of a European (53 pounds) as for that of a Nauruan (13 pounds).

53. Plainly, therefore, the Administering Authority was exercising discrimination against the indigenous inhabitants with regard to education, as in other fields. The Trusteeship Council should recommend that the Administering Authority increase its appropriation for the educational, cultural and health needs of the indigenous inhabitants.

54. Sir Alan BURNS (United Kingdom) thought it regrettable that in calling the Council's attention to the Chinese community's petition regarding the Chinese hospital in Nauru, the USSR representative had omitted to mention the Visiting Mission's views on the matter.

55. Paragraph 93 of the Mission's report stated that the Mission considered those complaints to be not particularly important ones and that the Chinese hospital was a clean, cool and well-appointed institution. One of the members of the Visiting Mission had been Chinese and obviously if the conditions in the Chinese hospital had in fact been bad, the Chinese representative on the Mission would not have signed the parts of the report referring to that question.

56. Mr. SOLDATOV (Union of Soviet Socialist Republics) said he attached more importance to the petitioners' statements than he did to the opinion of a member of the Visiting Mission who might pay little attention to Chinese interests, since he did not represent China in the United Nations.

57. Mr. Shih-shun LIU (China) emphatically repudiated the USSR representative's allegations.

58. Sir Alan BURNS (United Kingdom) also repudiated the remarks of the Soviet Union representative because they cast an unmerited slur on Mr. Chang, the Chinese member of the Visiting Mission.

59. The PRESIDENT said the Trusteeship Council would resume its examination of the reports on Nauru at its following meeting.

Examination of petitions

FIRST REPORT OF THE *Ad Hoc* COMMITTEE ON PETITIONS (T/L.130)

60. Mr. WENDELEN (Belgium), Chairman of the *Ad Hoc* Committee on Petitions, first drew the Council's attention to the fact that a member of the Committee had raised the question whether the Committee was competent to deal with item 12 of the Council's agenda. The Committee had felt that it was not competent to deal with that item unless invited to do so by the Council.

61. The Committee's report contained an explanation of the USSR representative's vote. Following that statement the Chinese representative had also explained his vote, although he had not insisted that the explanation should be included in the report. In the opinion of the Chinese member of the Committee, the Soviet Union representative's views were based on purely abstract considerations and not on the actual situation.

62. Mr. SOLDATOV (Union of Soviet Socialist Republics) said that it was clear from the petition of the Chinese Association in Samoa (T/Pet.1/3) that racial discrimination existed, particularly where the Chinese were concerned.

63. He thought it was unnecessary to repeat the statements he had made in the *Ad Hoc* Committee and would merely emphasize that the USSR delegation had suggested that a paragraph should be included in the draft resolution submitted for the Council's approval stating that the Trusteeship Council should recommend the Administering Authority to put an end to all discriminatory measures against the Chinese.

64. The Soviet Union delegation's views had not changed and he therefore formally moved the addition of the following paragraph to the operative part of the *Ad Hoc* Committee's draft resolution:

"Recommends that the Administering Authority should rescind all discriminatory measures with regard to the Chinese population of the Trust Territory and should not permit racial discrimination to exist in the future."

65. Mr. Shih-shun LIU (China) thanked the Chairman of the *Ad Hoc* Committee for having explained the position adopted by China in that Committee.

66. The petition of the Chinese Association in Samoa dealt with specific problems which the Administering Authority and the *Ad Hoc* Committee had dealt with satisfactorily. Furthermore, when the annual report on Western Samoa had been examined, the Chinese delegation had put certain questions to the special representative of the Administering Authority and the Chairman of the Visiting Mission (323rd meeting) and had been satisfied with the replies given. He did not believe that racial discrimination was practised, and thought it unnecessary for the Council to touch upon the question in its recommendations regarding the petition of the Chinese Association in Samoa.

67. For all those reasons the Chinese delegation would vote for the Committee's draft resolution.

68. Mr. LAKING (New Zealand) also thought it unnecessary to repeat statements made in the Committee. Sub-paragraph (d) of the last paragraph of the preamble of the draft resolution in question contained the statement: "There is no racial discrimination against the Chinese in the Territory". Mr. Laking considered that statement to be true.

69. The PRESIDENT put the USSR representative's amendment to the vote.

The amendment was rejected by 9 votes to 1, with 2 abstentions.

70. Mr. Shih-shun LIU (China) explained that he had again abstained from voting, as he had already done in the Committee, because in his view the petition from the Chinese Association in Samoa did not raise the question of racial discrimination and the USSR proposal was therefore irrelevant.

71. Mr. DE MARCHENA (Dominican Republic) observed that his country abhorred any kind of racial discrimination. He felt, however, that in the present instance the allegations of racial discrimination were unsupported by proof. That being so, and in view of the attitude of the Chinese delegation, which was the party chiefly interested, the delegation of the Dominican Republic had felt it should abstain from voting.

72. Mr. QUESADA ZAPIOLA (Argentina) said his delegation had voted against the USSR amendment because it felt it to be ill-advised.

73. Mr. KHALIDY (Iraq) asserted that his country also objected to all forms of discrimination. The petition in question, however, did not contain a complaint of racial discrimination and his delegation had therefore not supported the Soviet Union amendment.

74. The PRESIDENT put the draft resolution of the *Ad Hoc* Committee on Petitions to the vote (T/L.130).

The draft resolution was adopted by 10 votes to none, with 2 abstentions.

Examination of the annual report on the administration of the Trust Territory of Western Samoa for the year ending 31 March 1950 (T/800) (continued)

REPORT OF THE DRAFTING COMMITTEE (T/L.133 and T/L.134)

75. Mr. LAURENTIE (France), Chairman of the Drafting Committee, explained that the form of the draft report had been modelled on that of the working paper drawn up by the Secretariat (T/L.118), the Trusteeship Council having approved the general outline of the latter document at the beginning of the present session.

76. The Committee had had to decide where and in what form the Council's observations and recommendations and the views of individual members should appear in the Council's report. It had considered that the Council's observations and recommendations should appear at the end of each section, and that the remarks of individual members should be included as foot-

notes. The appearance of the report would thus be improved and it would be easier to read.

77. The Committee had included fifteen recommendations regarding the Trust Territory of Western Samoa as, in its opinion, they represented the general views of the Council. The Council would, however, have to decide that question.

78. The Chinese representative on the Drafting Committee had reserved his delegation's right to reopen the question of the petition of the Chinese Association in Samoa at a plenary meeting of the Council. He was under the impression, however, that that question had been settled to the satisfaction of the Chinese delegation.

79. Mr. RYCKMANS (Belgium) thanked the Drafting Committee for having found such a neat and practical solution of the thorny problem of the form of the Trusteeship Council's reports.

80. Referring to the remarks of the Chairman of the Drafting Committee, he pointed out that General Assembly resolution 433 (V) recommended that the Trusteeship Council's reports should include in each section such relevant observations of its individual members as the Council might consider useful.

81. Mr. SOLDATOV (Union of Soviet Socialist Republics) remarked that the question of the observations of individual members had already been discussed at length at previous sessions, and that the delegations of certain Administering Authorities had opposed the inclusion of observations by individual members in the Council's reports. Common sense had, however, prevailed and since its fourth session the Council had drawn up the reports in three parts: first, general conditions in the Territory; secondly, the conclusions and recommendations of the Council; and lastly, the views and observations of individual members.

82. The Soviet Union delegation did not see why that arrangement should be changed, and did not consider that the Drafting Committee's report solved the problem in a neat and practical way, as it had been described by the Belgian representative, who actually felt that the Trusteeship Council had the right to vote on whether the views and observations of individual members should appear in a report. The point at issue was not to find a neat solution to the problem; a serious principle was involved. To restrict the right of each delegation freely to express its views would be undemocratic.

83. The correct solution would be to insert the conclusions and recommendations of the Council and the observations and views of individual members, if necessary, at the end of each section of the report.

84. Mr. LAURENTIE (France), Chairman of the Drafting Committee, remarked that the General Assembly had recommended the Trusteeship Council to present in separate sections all the relevant data examined by it concerning the conditions in each Trust Territory and to include in each such section the observations, conclusions and recommendations of the Council on the topic under review, as well as such relevant observations of its individual members as it might consider useful. There could therefore be no objection to the inclusion in footnotes of the views and observations of individual members which had not been adopted by

the Council, naturally in accordance with the recommendations of the General Assembly in that connexion.

85. The sole object of the form proposed by the Drafting Committee was to make the text as intelligible as possible and to ensure that the reader should not overlook any integral part of the report; reading became drudgery when various observations and recommendations were relegated to the end of a report.

86. Mr. RYCKMANS (Belgium) considered that the Soviet Union representative was not entitled to challenge the Belgian delegation's attitude, since that delegation had not opposed the insertion in the report of any of the USSR delegation's opinions or observations. Mr. Ryckmans had confined himself to quoting the provisions of General Assembly resolution 433 (V). His view was that, unless the observations made by an individual member were so long as to be completely out of proportions to the recommendations of the Council or unless they consisted of pointless repetitions, the majority of the Trusteeship Council should not oppose their inclusion in the report.

87. Mr. LAKING (New Zealand) thought that if the Council was going to embark on a prolonged general discussion regarding the form of the report, the question should be placed on the Council's agenda.

88. Mr. QUESADA ZAPIOLA (Argentina) observed that in general the views and observations which individual members wished to have inserted in the report differed from those of the majority of the Council. The reader would therefore get a more comprehensive picture of the situation if the opinions and observations of individual members were to appear as footnotes on the same page as the conclusions and recommendations of the Council on the subject.

89. The Argentine delegation accordingly felt sure that the solution proposed by the Drafting Committee was in conformity with the General Assembly's wishes.

90. Mr. SOLDATOV (Union of Soviet Socialist Republics) explained that his point was not that the Trusteeship Council's reports should continue to be drawn up in the usual form; he merely objected to the views and observations of individual members being included as footnotes. He held that such observations should appear in the text immediately after the Council's conclusions and recommendations.

91. The Fourth Committee of the General Assembly, far from opposing the inclusion of individual members' observations in the Trusteeship Council's reports, had expressed the wish to have a clearer general idea of the Council's activities.

92. The USSR delegation would have to accept the decision of the majority of the Trusteeship Council, but it would raise the question again in the Fourth Committee if the Drafting Committee's proposal was accepted.

93. His delegation had no objection to the form of the other parts of the report.

94. Mr. KHALIDY (Iraq), endorsing the New Zealand representative's view, thought that, in order to avoid a similar discussion on each report, the procedure should be settled once and for all.

95. The work of the Drafting Committee was on the whole admirable, but in connexion with the question

of the views and observations of individual members, the Iraqi delegation concurred in the views expressed by the Soviet Union delegation. Moreover, he did not believe that the Committee's proposal was in conformity with the Fourth Committee's wishes in the matter. There was no reason why the views and observations of individual members should not immediately follow the conclusions and recommendations of the Council. The question of form was relatively unimportant and a compromise should be possible.

96. Mr. RYCKMANS (Belgium) stressed that his delegation had no particular preference as to the form of the report. He suggested as a compromise that at the present session the observations of individual members should be included as footnotes in some of the reports, and that all observations, conclusions and recommendations should be placed at the end of the text in others. It would then be for the Fourth Committee to choose between the two methods.

97. Mr. LAURENTIE (France) thought the Council might also ask the printing services of the Secretariat to submit to the Council a model of each of the forms proposed.

98. Mr. SOLDATOV (Union of Soviet Socialist Republics) did not approach the question from a purely technical aspect. The point was that the reports should not give prominence only to the majority proposals of the Council, since the recommendations adopted were always somewhat innocuous. It would therefore hardly be fair to relegate the observations of individual members to footnotes. Such observations generally represented the views of non-administering members, and sometimes even the views of some of the Administering Authorities also. Hence it was obvious that the question was fundamentally a political one.

The meeting rose at 6 p.m.