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President: Mr. Alfred CLAEYS BOUJAERT (Belgium).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, New Zealand, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of petitions (T/L.854) (continued)*

[Agenda Item 4]

TWO HUNDRED AND TWENTIETH REPORT OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CIRCULATED UNDER RULE 85, AND COMMUNICATIONS CIRCULATED UNDER RULE 24, OF THE RULES OF PROCEDURE OF THE TRUSTEESHIP COUNCIL (T/L.854)

1. Mr. SMOLDEREN (Belgium), speaking as Chairman of the Standing Committee on Petitions, introduced the two hundred and twentieth report of the Standing Committee (T/L.854), concerning the classification of a number of petitions and communications. The observations made by various members of the Council at the twenty-first session concerning the presentation of the classification had been taken into account and the classification had been shown in columns, in the interests of clarity.

2. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) considered that the petitions referred to in paragraph 4, sub-paragraphs (a) and (b), of the report should have been published in full in accordance with

*Resumed from the 898th meeting.

rule 85 of the rules of procedure and with the procedure provisionally adopted by the Council at its twentieth session in its resolution 1713 (XX), and not in the form of brief summaries. The petitions in the documents mentioned in those sub-paragraphs were not in the same category as those referred to in paragraphs 4 and 5 of the annex to Council resolution 1713 (XX). Paragraph 5 of that annex referred to cases in which the Council was confronted "by an unusually large number of petitions concerning the same specific incident or grievance". All the petitions in question dealt with different incidents and different measures of repression, as could be seen for example from documents T/PET.4 and 5/23 or T/PET.5/1322. Moreover, the incidents had taken place in different areas and at different times. Nor was there any ground for invoking paragraph 4 of the annex to the resolution; which referred to cases in which the Council was confronted by "an unusually large number of petitions concerning general problems of the same Trust Territory". The words "an unusually large number of petitions" represented the cases when the Council was confronted with tens of thousands of petitions received at the same time and could not by any stretch of the imagination be made applicable to the present cases of six, eighteen or twenty-three petitions received during the course of one or several months. Referring to documents T/PET. 4 and 5/L.22, T/PET. 4 and 5/L.24 and T/COM.5/L. 224, he said that what had actually happened was that the Secretariat had gathered petitions for a month or even four months and had then issued them, in violation of the existing rules of procedure, in a very brief summary or descriptive way.

3. He was afraid that the Council was faced with an attempt to prevent world public opinion and the Members of the United Nations from examining the full text of petitions dealing with conditions in the Trust Territories. He considered that a serious breach of the rules of procedure was involved and proposed that the petitions listed in paragraph 4, sub-paragraphs (a) and (b), of the report (T/L.854) should be reproduced in full in accordance with the rules of procedure and the procedure provisionally adopted by the Council at its twentieth session.

4. Mr. SMOLDEREN (Belgium) thought that the members of the Committee on Classification of Communications, whose recommendations had been approved by the Standing Committee, had acted in accordance with the rules of procedure and with the methods of work provisionally adopted by the Council in resolution 1713 (XX). They had taken into account both the interests of the petitioners, which was to have their petitions considered as quickly as possible, and the convenience of the Standing Committee and of the Council, by classifying rather similar petitions under a single heading, while respecting their individual character.

5. He protested against the form of the proposal made by the representative of the Soviet Union because it might give the impression that both the Committee on

Classification and the Standing Committee had not acted in accordance with the rules of procedure.

6. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) pointed out that it was not somebody's convenience but the rules of procedure that should govern the manner in which petitions were issued; it might well be asked whether it was not the convenience of the Administering Authorities rather than that of the Council that had been taken into account.

7. Mr. SMOLDEREN (Belgium) pointed out that he had referred only to the interests of the petitioners and the convenience of the Council.

8. The rules at present in force were somewhat vague and the Council would be able to make them more specific when it reviewed them, since they had been adopted only as a temporary measure and for a period of one year.

9. Mr. KELLY (Australia) expressed the view that the USSR proposal was directed at imposing on the Council a unilateral interpretation of its rules of procedure and methods of work in a field where there was room for reasonable differences of opinion. The classification had been established by the Committee on Classification of Communications, consisting of representatives of New Zealand and the United Arab Republic, and had been maintained by majority vote of the Standing Committee.

10. He also objected to a proposal put in terms which gave the impression that Member States opposing it were acting contrary to the rules of procedure and to the established procedure.

11. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked the representative of Australia not to speak generally but to look at the facts, to see the petitions themselves. Document T/PET.5/1322 dealt with nineteen petitions concerning different incidents which had occurred in different regions of the Territory at different times. No one could apply to those petitions the words of paragraph 5 of the annex to resolution 1713 (XX), namely, "petitions concerning the same specific incident or grievance".

12. Mr. JAIPAL (India) thought that the fact that a number of petitions on the same subject had been summarized should not ipso facto preclude the reproduction and distribution of the full text of the petitions. He would accordingly vote in favour of the USSR proposal.

13. The PRESIDENT put to the vote the USSR proposals contained in paragraph 4, sub-paragraphs (a) and (b) of the report of the Standing Committee (T/L.854).

The proposal in sub-paragraph (a) was rejected by 7 votes to 5, with 2 abstentions.

The proposal in sub-paragraph (b) was rejected by 7 votes to 4, with 3 abstentions.

14. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) stated that the Administering Authorities had thus violated both the rules of procedure of the Council and the decision taken by the Council in its resolution 1713 (XX), though they had voted for that decision.

15. He proposed that the established procedure for the examination of petitions should be applied to the peti-

tions in the documents mentioned in paragraph 4, sub-paragraphs (c) and (d), of the report (T/L.854) in order that those petitions should be properly considered and that appropriate recommendations should be taken on them.

The proposals in sub-paragraphs (c) and (d) were rejected by 7 votes to 5, with 2 abstentions.

16. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) considered that the petitions referred to in paragraph 4, sub-paragraph (e), dealt with specific complaints against the local authorities in connexion with various incidents and repressive measures, and that rule 81 of the rules of procedure was not applicable.

17. Mr. SMOLDEREN (Belgium) said that the complaints in question were against certain political parties, that the complainants had in most cases drawn up a statement of property losses, and that the complainants could have recourse to the courts of the Territory. It was a case to which rule 81 of the rules of procedure clearly applied.

18. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) contested that statement and drew attention to paragraph 2 of document T/COM.5/L.224, which referred to a petition from Mr. Isaac Nguedjo complaining of the killing of 50 or 100 inhabitants by the French forces. That petition as well as others surely involved complaints against the Administering Authority.

19. Mr. JAIPAL (India) also believed that the petitions should not be considered inadmissible under rule 81 of the rules of procedure.

20. The PRESIDENT put to the vote the recommendation in paragraph 4, sub-paragraph (e), of the report of the Standing Committee on Petitions (T/L.854).

That recommendation was adopted by 8 votes to 5, with 1 abstention.

The classification proposed in paragraph 2 of the report (T/L.854) was adopted by 7 votes to none, with 7 abstentions.

The classification proposed in paragraph 3 of the report (T/L.854) was adopted by 9 votes to none, with 5 abstentions.

21. The PRESIDENT suggested the adoption of paragraph 5 of the report (T/L.854).

It was so decided.

Examination of conditions in the Trust Territory of New Guinea (continued)

(i) Annual report of the Administering Authority for the year ended 30 June 1957 (T/1375, T/1380, T/L.851);

(ii) Petitions raising general questions (T/PET.8/L.3, T/PET.8/L.4, T/PET.8/R.1)

[Agenda items 3 (b) and 4]

At the invitation of the President, Mr. Jones, special representative of the Administering Authority for the Trust Territory of New Guinea, took a place at the Council table.

Economic advancement (continued)

22. Mr. VELLODI (India) noted that the special representative had said at the twentieth session that land became Administration land when the Administration was satisfied that there were no claims to ownership over it and that it was not required and would not be required in the foreseeable future by the people. It seemed to his delegation a difficult task to determine at a particular time whether a given plot of land would be required by the local people in the future and he would like to know whether any land acquired by the Administration had subsequently been returned to the local inhabitants.

23. Mr. JONES (Special Representative) said that there had been no case in which alienated land had been returned to the previous owners.

24. Mr. VELLODI (India) observed that the special representative had said at the twentieth session that the Native reserves were ownerless lands which the Administration thought might some day be required by the indigenous people. He asked why it was necessary for the Administration to acquire such land if it was to be kept purely as a reserve and whether such action was not contrary to the avowed policy of the Administration not to acquire any land which might subsequently be required by the indigenous inhabitants.

25. Mr. JONES (Special Representative) said that land shown as Native reserves was land acquired by the former German Administration.

26. Mr. VELLODI (India) asked whether he was right in assuming that the present Administration had not acquired any land besides the land acquired by the former German Administration.

27. Mr. JONES (Special Representative) replied that that was so. It was possible, however, that some land acquired by the present Administration as Administration land, was considered likely to be required by the indigenous people at some future date, although it had not been classified as a Native reserve.

28. Mr. VELLODI (India) asked what procedure was followed in determining whether ownerless land might be required by the indigenous people in the foreseeable future and what factors were taken into consideration in estimating the future needs of the inhabitants.

29. Mr. JONES (Special Representative) said that the Native Land Commission was making inquiries into the ownership of land. If it found that an area of land had no ownership, the matter was investigated further by a committee of senior officials and the district commissioner. All factors were taken into consideration, in particular the expected increase in population and the extension of cash crops. If it was felt that the land would be required by the indigenous people within a reasonable time, it was held for that purpose. If, however, it was considered that the land, or some of it, could be leased to non-indigenous persons, it was so leased, but only after careful investigation.

30. Mr. VELLODI (India) said that his delegation had found the special representative's statement that there might be some shortage of land in the Rabaul area

disquieting. In the annual report ^{1/}(p. 87) it was stated that in all areas the people had sufficient land for their requirements. He asked whether there were land shortages in specific areas and, if so, what steps the Administration was taking to meet the situation.

31. Mr. JONES (Special Representative) said that the statement in the report was correct but that the Administration believed that future land shortages were possible and even probable. The problem was being investigated in various areas, including the Rabaul area, the Gazelle Peninsula and one or two places in the Highlands and in the Chimbu Valley. If a land shortage developed, land would be available in adjacent areas for people who might have to be transferred. It was because of the possibility of land shortage that certain local councils in the Rabaul area had been encouraged to take 99-year leases of land in the Warangoi Valley of the New Britain District. Two of the councils had already done so.

32. In reply to a further question from Mr. VELLODI (India), Mr. JONES (Special Representative) confirmed that the Australian Government had recently instituted a scheme under which loans were made available to Australian ex-servicemen who wished to develop agricultural lands in New Guinea. Indigenous ex-servicemen were also eligible for loans. The purpose was not to step up non-indigenous settlement in New Guinea, although ex-servicemen in Australia would be eligible provided they had the necessary qualifications and experience, but to extend to ex-servicemen already in New Guinea some of the financial benefits available to ex-servicemen in Australia. The institution of the scheme would in no way affect the Administration's land policy.

33. Mr. VELLODI (India) asked that information concerning allotments of land to ex-servicemen should appear in the next report.

34. In reply to a further question from Mr. VELLODI (India), Mr. JONES (Special Representative) pointed out that if an indigenous owner wanted to sell his land, he could sell it only to the Administration and not to a private person. Before any land was acquired the Administration carried out an inquiry which was similar in every respect to that made by the Native Land Commission, and the same factors were taken into consideration. The Administration did not acquire the offered land if it considered that the owner needed it. If the owner was in difficult circumstances, the Administration took account of that fact and gave him all possible assistance. The price paid by the Administration for land acquired from indigenous owners was in accordance with the assessment of a qualified valuer of the Department of Lands, Surveys and Mines, who took all pertinent factors into consideration.

35. In reply to a further question from Mr. VELLODI (India) concerning the equality of economic rights mentioned in part VI, chapter 4, of the annual report, Mr. JONES (Special Representative) said that he understood that draft legislation concerning the equality of

^{1/}Commonwealth of Australia, Report to the General Assembly of the United Nations on the Administration of the Territory of New Guinea from 1st July, 1956, to 30th June, 1957 (Canberra, A. J. Arthur, Commonwealth Government Printer). Transmitted to members of the Trusteeship Council by a note of the Secretary-General (T/1375).

economic rights of the nationals of all countries residing in New Guinea would be presented to the Legislative Council in September.

36. Mr. VELLODI (India) asked why the Territory had to import substantial quantities of foodstuffs when, according to the Administering Authority, it was self-sufficient in food. He asked whether it would be correct to assume that, apart from rice, most of the imports were required by non-indigenous inhabitants.

37. Mr. JONES (Special Representative) said that, generally speaking, the Territory produced sufficient foodstuffs but that local shortages sometimes resulted when prolonged feasts were held. In such cases the people were able to subsist but not to meet all their needs. The Administration was endeavouring to improve the food supply of the Territory and the diet of the inhabitants, especially by introducing new crops. Most of the imported rice, flour, meal, preserved fish and preserved meat was for issue to indigenous workers, who were also buyers of some of the other imported products, such as meat, milk and butter.

38. Mr. VELLODI (India) said that, according to the report (p.39), the price of copra under the agreement between Australia and the United Kingdom exceeded the open market price by £5 per ton. He asked whether that agreement had expired and, if so, what were the present arrangements for marketing copra.

39. Mr. JONES (Special Representative) said that the agreement, which had been concluded for a period of ten years, had expired at the end of 1957. Negotiations were in progress between Australia and the United Kingdom for the conclusion of another contract for the disposal of some or all of the copra produced by the Territory. All copra was sold through the Copra Marketing Board.

40. Mr. VELLODI, (India) found it strange that indigenous planters, although they produced nearly 20 per cent of the copra exported, were not represented on that Board.

41. Mr. JONES (Special Representative) said that the Administering Authority doubtless considered that the interests of the indigenous growers were suitably protected by the present representatives, among whom was the Director of Agriculture, Stock and Fisheries. If any indigenous person had the highly specialized knowledge required, consideration could be given to his appointment to the Board.

42. Mr. VELLODI (India) said that the special representative's explanation was somewhat surprising, since the indigenous people had been growing that crop for generations. He asked whether the operation of the Copra Fund had been transferred to the Board, as suggested by the United Nations Visiting Mission to Trust Territories in the Pacific, 1956 (T/1260, para. 246).

43. Mr. JONES (Special Representative) replied that the Administering Authority had considered that suggestion but had decided that it would be better for the Fund to be administered by a separate body. The Fund was now administered by the Copra Industry Stabilization Board.

44. Mr. VELLODI (India) asked whether, as a result of the fall in the price of copra, which was the largest

source of Native income, the Administering Authority had considered giving subsidies to producers.

45. Mr. JONES (Special Representative) pointed out that copra was still the most widespread cash crop grown by indigenes in the Territory, and it was the largest source of income; however, in the year under review, the production of cocoa, which was concentrated in one or two areas, had shown a rapid increase and, if that continued over the next few years, it could yield as much if not more income to indigenous growers than copra. It was already replacing copra as the main crop in the Tolai area. The payment of subsidies to copra producers would not be warranted because, notwithstanding the drop in prices, copra production was still profitable, in particular to indigenous growers whose production costs were not high.

46. In reply to further questions from Mr. VELLODI (India), Mr. JONES (Special Representative) pointed out that, although the production of rice for commercial use had decreased, local consumption had increased considerably. Rice had not been grown in New Guinea originally, but the Administering Authority had encouraged its production as a means of improving the diet of the indigenous inhabitants. The growing of rice had spread rapidly and most villages had now set aside plots of land for its cultivation.

47. He indicated further that the introduction of rubber cultivation in the Territory had been under consideration for a long time and that a number of tests had been carried out by the experimental stations. However, the establishment of a plantation was a very costly matter and it was many years before any return was received. Planters, both indigenous and non-indigenous, preferred tree crops, such as cocoa and coffee, which yielded a quicker return. Nevertheless, he had no doubt that rubber cultivation would eventually be taken up in New Guinea.

48. In reply to a further question from Mr. VELLODI (India) concerning the report which was being prepared by the Commonwealth Scientific and Industrial Research Organization and which had been discussed at the twentieth session of the Council, Mr. JONES (Special Representative) regretted that he had no information other than that given in the annual report.

49. Mr. VELLODI (India) asked whether it was expected that the gold mines would soon be exhausted and whether there had been a reduction in gold-mining royalties.

50. Mr. JONES (Special Representative) said that there had been a slight increase in gold production and that production by indigenous miners had risen. The gold fields known at the present time would, however, be nearly worked out within a few years. It was hoped that the surveys being carried out throughout the Territory would result in the discovery of new fields. Certain iron-ore deposits were also being examined.

Mr. JONES, special representative of the Administering Authority for the Trust Territory of New Guinea, withdrew.

The meeting was suspended at 4.20 p.m. and resumed at 4.40 p.m.

**Tribute to Mr. Benjamin Cohen, Under-Secretary for
Trusteeship and Information from Non-Self-Govern-
ing Territories**

51. The PRESIDENT said that all representatives would have learned with regret that Mr. Benjamin Cohen, the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories, had reached the retirement age and was leaving the post in the Secretariat which he had occupied for three and a half years.

52. Before entering the Secretariat, Mr. Cohen had been a newspaperman and man of letters and had had a brilliant career in the diplomatic service of his country, Chile. In 1945 he had been sent to London to participate in the work of the Preparatory Commission responsible for setting up the United Nations and had stayed on in the service of the Organization, first as Assistant Secretary-General in charge of the Department of Public Information and later as Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories. On behalf of the Council, he extended his sincere thanks to Mr. Cohen for his outstanding services to the United Nations and expressed his best wishes for the future.

53. Mr. ROLZ BENNETT (Guatemala), Sir Andrew COHEN (United Kingdom), Mr. LALL (India), Mr. SMOLDEREN (Belgium), Mr. THORP (New Zealand),

Mr. DORSINVILLE (Haiti), Mr. KOSCZIUSKO-MORIZET (France), Mr. KIANG (China), Mr. FELD (United States of America), Mr. LOBANOV (Union of Soviet Socialist Republics), Mr. PLAJA (Italy), Mr. WALKER (Australia), Mr. OSMAN (United Arab Republic), U KYAW MIN (Burma) and Mr. SALSAMENDI, (United Nations Educational, Scientific and Cultural Organization), speaking on behalf of the representatives of the specialized agencies, paid tributes to Mr. Cohen and extended their good wishes to him.

54. Mr. COHEN (Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories) thanked the President and the members of the Council for their friendly and generous words. Many aspects of the work of the United Nations were still imperfectly known, since public opinion was concerned mainly with the great political questions. It was good that bodies like the Trusteeship Council sometimes had the opportunity to show that they were engaged in preparing the world for a better future. It was encouraging to note that the representatives of Governments with different points of view had found a means of expediting the evolution, in accordance with the Charter, of peoples which had not yet achieved independence. He assured the members of the Council that he would continue to serve the ideals of the United Nations.

The meeting rose at 5.45 p.m.