

## TRUSTEESHIP COUNCIL

Twenty-fourth Session

Wednesday, 15 July 1959,  
at 10.40 a.m.

## OFFICIAL RECORDS

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## CONTENTS

	<u>Page</u>
Examination of conditions in the Trust Territory of Nauru ( <i>continued</i> ):	
(i) Annual report of the Administering Authority for the year ended 30 June 1958	
(ii) Report of the United Nations Visiting Mission to the Trust Territories of Nauru, New Guinea and the Pacific Islands, 1959	
Report of the Drafting Committee on Nauru . . . . .	327

President: Mr. Max H. DORSINVILLE (Haiti).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Haiti, India, Italy, New Zealand, Paraguay, 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: International Labour Organisation; Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of conditions in the Trust Territory of Nauru (*continued*):\*

- (i) Annual report of the Administering Authority for the year ended 30 June 1958 (T/1446, T/1465, T/1466, T/L.911 and Add.1, T/L.918);
- (ii) Report of the United Nations Visiting Mission to the Trust Territories of Nauru, New Guinea and the Pacific Islands, 1959 (T/1448 and Add.1, T/1460)

[Agenda items 3 (d) and 6]

## REPORT OF THE DRAFTING COMMITTEE ON NAURU (T/L.918)

1. The PRESIDENT suggested that the Council should vote paragraph by paragraph on the recommendations annexed to the report of the Drafting Committee on Nauru (T/L.918).

2. Mr. OBEREMKO (Union of Soviet Socialist Republics) pointed out that paragraph 6 of the report itself included a draft recommendation which had been approved by three members of the Drafting Committee but had not been acceptable to the Belgian delegation. Since the text had been approved by a majority of the Committee he considered that it should be included in the annex with the Drafting Committee's other recommendations.

3. Mr. MUFTI (United Arab Republic) agreed with the USSR representative.

4. Miss TENZER (Belgium) pointed out that the passage in question had not been approved by the Drafting Committee since it had not been acceptable to her delegation.

5. Mr. VELLODI (India), Chairman of the Drafting Committee, explained that the Committee had not voted on the various paragraphs in its report. There had been differences of opinion on two passages: that relating to the economic survey, which was dealt with in paragraph 5 of the report; and that relating to target dates, which was dealt with in paragraph 6. The Committee had felt that its best course would be to include the various texts in its report and submit them to the Council for a decision.

6. Mr. OBEREMKO (Union of Soviet Socialist Republics) observed that paragraph 1 of the annex commended the Administering Authority for the significant progress which allegedly had been achieved. He would be unable to vote on that paragraph unless it was made clear whether that was intended to include the political and economic situation or to refer only to public health and education.

7. Mr. VELLODI (India) explained that the paragraph was intended to refer to progress in general but with particular reference to public health and education.

8. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that he would explain his vote on paragraph 1 and other paragraphs, so as to avoid interrupting the voting procedure. His delegation had already stated in the general debate that the political and economic situation in the Trust Territory gave cause for considerable apprehension; it was therefore unable to vote in favour of a paragraph which commended the Administering Authority for the "significant progress achieved". The only progress which had been made in the Territory had been an increase in the mining of phosphates, which had advanced the date when the island would virtually cease to exist and the people would have no means of livelihood. He would therefore vote against paragraph 1. His delegation would also vote against all allusions to the resettlement of the Nauruans, because it considered any proposal for such resettlement to be contrary to the provisions of the United Nations Charter and the Trusteeship Agreement. He would once again urge the Council to refuse to agree to any resettlement of the Nauruans.

Paragraph 1 was adopted by 11 votes to 1, with 2 abstentions.

Paragraph 2 was adopted by 12 votes to 2.

9. Mr. KELLY (Australia) said that it would be easier for his delegation to vote in favour of paragraph 3 if the word "endorsing" were changed to "noting", because he felt it would be premature at the present stage formally to endorse the views of the United Nations Visiting Mission to the Trust Territories of Nauru, New Guinea and the Pacific Islands, 1959.

\*Resumed from the 982nd meeting.

If any delegation was prepared to propose that amendment he would be happy to vote in favour of paragraph 3, but he would not make such a proposal himself since he did not wish to express disagreement with the views of the Visiting Mission.

10. Mr. VELLODI (India) could not agree with the Australian representative. He had heard nothing during the debate to suggest that members of the Council disagreed with the views of the Visiting Mission.

11. Sir Andrew COHEN (United Kingdom) suggested that the paragraph might begin "The Council, noting the views expressed by the 1959 Visiting Mission..." and that some such phrase as "and recommends them for sympathetic study" should be added at the end of the paragraph. That was not a formal proposal and he would not press it if it were not acceptable to the Australian and Indian delegations.

12. Mr. VELLODI (India) said that he could not agree to the deletion of the word "endorsing". With regard to the additional phrase suggested by the United Kingdom representative, he pointed out that paragraph 5 consisted of a recommendation to the Administering Authority. He could see no reason why another recommendation should be introduced in paragraph 3. He hoped the members of the Council would be able to adopt the text as it stood.

13. Sir Andrew COHEN (United Kingdom) withdrew his suggestion.

14. Mr. OBEREMKO (Union of Soviet Socialist Republics) suggested that, for the sake of clarity, the words "of the Administering Authority" should be inserted after the word "statement".

It was so decided.

Paragraph 3, as amended, was adopted by 10 votes to none, with 4 abstentions.

15. Mr. OBEREMKO (Union of Soviet Socialist Republics) objected to the wording of paragraph 4, which made it appear that the Nauru Local Government Council was itself responsible for the failure to exercise its powers to the full. It was clear from the general debate that it was the Administering Authority which had prevented the Council from exercising its functions properly and had refused to grant it real powers. He would be obliged to vote against the paragraph.

16. Mr. MUFTI (United Arab Republic) said that he too would vote against paragraph 4 as it stood. If, however, the words "and that the Administering Authority will foster such an exercise" were added, his delegation would reconsider its position.

17. Mr. VELLODI (India) said that it was clear from paragraph 43 of the Visiting Mission's report (T/1448 and Add.1) that the Administering Authority was at least partly to blame for the situation. His delegation supported the amendment proposed by the representative of the United Arab Republic.

18. Mr. KELLY (Australia) said that, if paragraph 4 were deleted, the impression in Nauru would be that the Trusteeship Council had declined to encourage the Local Government Council to exercise to the full the powers it already had. There was thus good reason for not deleting the paragraph.

19. His delegation had no objection to the proposal made by the representative of the United Arab Republic, but its acceptance of that proposal should not be taken to imply that the Administering Authority had not done in the past, and would not continue to do in the future, everything possible to encourage the Local Government Council to exercise its powers to the full. He therefore suggested that the representative of the United Arab Republic might reword his amendment to read "and that the Administering Authority will continue to foster such an exercise".

20. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that, while the amendment proposed by the representative of the United Arab Republic was entirely acceptable, the alteration to that amendment proposed by the representative of Australia was not, for it would give the impression that the Administering Authority was doing all it could to foster the exercise of powers by the Local Government Council, which for some reason was stubbornly refusing to exercise its powers. The point was not that the Local Government Council needed encouragement but that the Administering Authority should desist from discouraging it from exercising its full powers. The Trusteeship Council should either adopt a recommendation which would cast no doubt on the intentions of the Nauru Local Government Council or else forgo any attempt to present a recommendation on the subject.

21. Mr. KOCIANCICH (Italy) said that the Visiting Mission had received the impression that there were two reasons why the Local Government Council did not function entirely satisfactorily: on the one hand, its powers were restricted in that its decisions were subject to the approval of the Administration; on the other, the councillors themselves were somewhat reluctant to use their powers to the full because they felt that the Administration might veto any unacceptable decisions. There had in fact been no instance of any such veto.

22. In the Drafting Committee his delegation had felt that the Trusteeship Council should recommend that the Administering Authority should not be reluctant to grant additional powers to the Local Government Council and that the Nauru Local Government Council should not so fear a veto by the Administration as to be reluctant to use its full powers. It had considered that paragraphs 3 and 4 covered the whole matter, the idea being that blame for the present situation should be shared by both sides and that both sides could do something to improve the situation.

23. His delegation would be unable to support the amendment proposed by the representative of the United Arab Republic, which merely repeated the recommendation in paragraph 3.

24. Mr. MUFTI (United Arab Republic) said that he was unable to accept the change in his amendment proposed by the Australian representative, for the reasons given by the representative of the Soviet Union, but he would be prepared to change his amendment to read "and that the Administering Authority will further foster such an exercise".

25. Mr. KIANG (China) said that he entirely supported the Italian representative's views. As it stood, paragraph 4 fully reflected the views of the Visiting Mission, which had expressed the hope that the Nauru Local Government Council would make full use of its

powers of initiative without being inhibited by the fact that its decisions had to be approved by the Administrator.

26. The PRESIDENT put the revised amendment submitted by the representative of the United Arab Republic to the vote.

At the request of the representative of the United Arab Republic, a vote was taken by roll-call.

Paraguay, having been drawn by lot by the President, was called upon to vote first.

In favour: Paraguay, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Burma, France, Haiti, India, New Zealand.

Abstaining: Belgium, China, Italy.

The amendment was adopted by 11 votes to none, with 3 abstentions.

Paragraph 4, as amended, was adopted unanimously.

27. Mr. KIANG (China) asked for some clarification of the words "take into account the measures necessary to promote the political advancement of the Nauruans" in paragraph 5.

28. Mr. VELLODI (India) suggested that the words "take into account" should be replaced by the word "adopt".

29. Mr. KELLY (Australia) said that he could accept that amendment if the word "adopt" were followed by the words "in its discretion". In such matters the Administering Authority had to exercise the discretion attributed to it under article 4 of the Trusteeship Agreement.

30. Mr. VELLODI (India) said that his delegation could not accept the phrase "in its discretion", which would run counter to the Articles of the Charter in which the objectives of the Trusteeship System were laid down.

31. Mr. MUFTI (United Arab Republic) supported the Indian representative's views. He further proposed that the words "in accordance with Article 76 b of the Charter" should be added to paragraph 5 to make it entirely clear that it was the duty of the Administering Authority to adopt all necessary measures to promote the political advancement of the inhabitants.

32. Mr. OBEREMKO (Union of Soviet Socialist Republics) supported the two preceding speakers. He too was unable to accept the Australian representative's amendment.

33. Mr. KELLY (Australia) proposed the following new text for paragraph 5, which took into account the various suggestions which had been made:

"The Council recommends that the Administering Authority consider, in accordance with Article 76 b of the Charter, the adoption of further measures necessary to promote the political advancement of the Nauruans."

34. Mr. MUFTI (United Arab Republic) and Mr. VELLODI (India) said that, in a spirit of compromise, they were prepared to support the text proposed by the Australian representative.

Paragraph 5, as amended, was adopted unanimously.

Paragraph 6 was adopted unanimously.

35. Mr. KELLY (Australia) said that his delegation was reluctant to accept the word "endorses" in paragraph 7. The concluding words of that paragraph implied that the Administering Authority might, for example, be called upon to take a risk in asking a partly-trained medical practitioner to perform a major surgical operation. While it was true that an Administering Authority should not be reluctant to take a certain amount of risk in placing indigenous inhabitants in positions where they could obtain experience, it must decline to take risks where human life and essential human rights were concerned.

36. Mr. VELLODI (India) said that the Drafting Committee had at no time wished to suggest that the Administering Authority should take undue risks. Paragraph 7 should be read in conjunction with paragraph 49 of the Visiting Mission's report, to which it referred.

37. Sir Andrew COHEN (United Kingdom) felt that the meaning of the sentence would be made clearer if the word "appropriate" were placed before the word "positions".

38. Mr. VELLODI (India) said that he would have no objection to that suggestion being adopted.

39. Mr. MUFTI (United Arab Republic) observed that the proposed amendment was tantamount to altering the views of the Visiting Mission, which the Council was not entitled to do. It was therefore important to ascertain whether paragraph 7 did in fact reproduce the Visiting Mission's views.

40. The PRESIDENT pointed out that one member of the Visiting Mission was absent.

41. Miss TENZER (Belgium) said that, in her view, what the members of the Visiting Mission had had in mind was fully consistent with the amendment proposed by the representative of the United Kingdom.

42. Mr. KIANG (China) hoped that the paragraph would be adopted as it stood and that the United Kingdom representative would withdraw his amendment.

43. The PRESIDENT said that he had no option but to put the amendment to the vote.

44. Sir Andrew COHEN (United Kingdom) said that in the circumstances, though with considerable reluctance, he would withdraw his amendment.

Paragraph 7 was adopted by 10 votes to none, with 4 abstentions.

In successive votes, paragraphs 8, 9 and 10 were adopted unanimously.

Paragraph 11 was adopted by 13 votes to none, with 1 abstention.

45. Mr. MUFTI (United Arab Republic) proposed that the words "and to provide it with more comprehensive information on the operations of the British Phosphate Commissioners" should be added at the end of paragraph 12.

The proposal was adopted by 7 votes to 1, with 6 abstentions.

Paragraph 12, as amended, was adopted by 7 votes to none, with 7 abstentions.

Paragraph 13 was adopted by 12 votes to none, with 2 abstentions.

46. Mr. MUFTI (United Arab Republic) proposed the deletion of the words "strongly" and "strenuous" in paragraph 14. He deprecated the use of such words by the Council. His delegation was, however, quite prepared to commend the Administering Authority and would vote in favour of the paragraph as a whole.

47. Mr. OBEREMKO (Union of Soviet Socialist Republics) supported the proposal. The efforts of the Administering Authority were more than modest and did not merit the use of the words in question. If they were retained, his delegation would be unable to vote for the paragraph.

48. Mr. KELLY (Australia) hoped that if expressions of praise were toned down, expressions of blame would likewise be moderated. His delegation would be satisfied with a simple commendation of the efforts of the Administering Authority.

49. The PRESIDENT noted that there appeared to be general agreement that the two words should be deleted.

Paragraph 14, as amended, was adopted unanimously.

Paragraph 15 was adopted by 13 votes to none, with 1 abstention.

50. Mr. OBEREMKO (Union of Soviet Socialist Republics) observed that paragraph 16 began by recalling the suggestions made by the Council at its twentieth and twenty-second sessions that the Administering Authority should take appropriate measures to eliminate any differentiation in pay scales and working hours between Nauruans and immigrant groups, and then went on to note the statement of the Administering Authority that employment conditions on Nauru were at present under review and that information about the results of that review would be made available to the Council when it had been completed. In adopting that paragraph, the Council would be departing from the views which it had previously expressed and would merely be taking note of the statements of the Administering Authority without giving it any guidance. His delegation would be obliged to abstain in the vote on that paragraph.

51. Mr. VELLODI (India) said that he could see no serious objection to the text. It did not ignore the suggestions already made in the Council: on the contrary, there was a specific reference to the suggestions made at the twentieth and twenty-second sessions. If, when the Administering Authority had completed its review, the Council found that its suggestions had not been taken into account it could reopen the matter.

52. Mr. MUFTI (United Arab Republic) proposed that the word "suggestions" should be replaced by the word "recommendations" and that the last part of paragraph 16 should be amended to read: "and that, on completion, information thereon and on the implementation of the past recommendations of the Council will be made available to it".

53. Mr. VELLODI (India) maintained that the text made it quite clear that the Council was anxious that appropriate measures should be taken to eliminate any differentiation in pay scales and working hours. The Administering Authority was at present reviewing the whole labour problem on the island and it was to be hoped that the Council's suggestions would be carried out. He was therefore reluctant to agree to

the substitution of the word "recommendations" for "suggestions".

54. Mr. MUFTI (United Arab Republic) said that in view of the statement by the representative of India he would not press his amendment.

Paragraph 16 was adopted by 13 votes to none, with 1 abstention.

Paragraph 17 was adopted by 11 votes to none, with 2 abstentions.

Paragraph 18 was adopted by 13 votes to none, with 1 abstention.

Paragraph 19 was adopted by 12 votes to none, with 2 abstentions.

Paragraph 20 was adopted unanimously.

Paragraph 21 was adopted unanimously.

Paragraph 22 was adopted by 13 votes to none, with 1 abstention.

55. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that his delegation had abstained in the vote on paragraph 22 because, in its view, it was not a question of the Administering Authority's stimulating the interest of the Nauruan community in education, but rather of its satisfying the intense desire for education which already existed.

56. With regard to paragraph 23, he felt that, throughout the report, too much emphasis had been placed on the point of view that it would be absolutely essential for the Nauruans to be resettled elsewhere. He proposed the deletion of the words "as well as to equip themselves adequately to earn their living should their future lie elsewhere than on Nauru" at the end of the paragraph.

57. Mr. MUFTI (United Arab Republic) asked whether the phrase "should their future lie elsewhere than on Nauru" constituted a condition for acquiring the qualifications in question. If not, it could be deleted.

58. Mr. VELLODI (India) said that the possibility of resettlement had already been considered by the Council in the past and it would be wrong to ignore it. His delegation would certainly not be prepared to say that all the people of Nauru must be resettled elsewhere; at the same time, it would oppose any suggestion that the Nauruan people should be kept on the island if living conditions there became difficult. What the paragraph meant was that educational plans in the Territory should already be adapted in such a way as to permit the Nauruans to equip themselves adequately for conditions that might exist in the future.

59. Mr. KELLY (Australia) said that, in his view, the words "should their future lie elsewhere than on Nauru" could be considered separately. It was the Administering Authority's intention to equip the Nauruans adequately so that they could earn their living, on Nauru or elsewhere, and to give them the greatest possible opportunity for educational, technical and professional advancement. To delete the words "as well as to equip themselves adequately to earn their living" might leave the impression that the Administering Authority need not consider that necessity. His delegation was prepared to support the paragraph as it stood, without prejudging in any way the question of the voluntary settlement of individual

Nauruans or groups of Nauruans elsewhere at some time in the future.

60. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that he would not press his proposal if it was not acceptable to the members of the Drafting Committee. He would, however, be unable to vote in favour of paragraph 23, owing to its final phrase.

61. Mr. MUFTI (United Arab Republic) asked for a separate vote on the phrase "should their future lie elsewhere than on Nauru".

The phrase in question was adopted by 9 votes to 2, with 3 abstentions.

Paragraph 23 was adopted by 12 votes to none, with 2 abstentions.

62. Mr. SOLANO LOPEZ (Paraguay) said that his delegation had voted in favour of paragraph 23 as a whole and of the phrase which had been voted on separately. In his delegation's view the paragraph was intended to encourage the training of Nauruans so as to enable them to support themselves wherever they might be in the future. His vote had, however, been without prejudice to his delegation's opinion with regard to the question of a possible resettlement of the people of the Territory if and when that question came before the Council.

The meeting rose at 12.50 p.m.