



TRUSTEESHIP COUNCIL

Thirty-second Session

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President: Mr. André NAUDY (France).

Present:

The representatives of the following States: Australia, China, France, Liberia, New Zealand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

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

AGENDA ITEM 5

Examination of petitions listed in the annex to the agenda (T/OBS.10/9, T/PET.10/36, T/PET.10/37)

1. The PRESIDENT pointed out that the list of petitions in the annex to the agenda (T/1630/Add.1) included a petition (T/PET.10/36) relating to a specific question. In conformity with the rules of procedure, the Administering Authority had submitted its observations (T/OBS.10/9), and the Council could now consider the petition.

2. The two other petitions in the list (T/PET.10/L.8, T/PET.10/L.9 and Corr.1) had been classified as petitions concerning general problems and had been considered by the Council during the examination of conditions in the Trust Territory of the Pacific Islands. He therefore suggested that the Council should simply take note of them.

It was so decided.

3. Mr. DICKINSON (United States of America) recalled that at the 1250th meeting reference had been made to a petition (T/PET.10/37) that was not on the agenda, not having been received two months in advance of the session. As he had said at that meeting, his delegation would have no objection to that petition being placed on the agenda in accordance with rule 86, paragraph 3, of the rules of procedure.

4. The PRESIDENT suggested that, in that case, petition T/PET.10/37 should be placed on the agenda and considered under the present item.

It was so decided.

5. Mr. FOTIN (Union of Soviet Socialist Republics) said that petition T/PET.10/37 was one of the most important to come before the Council in recent years. He was glad that the United States delegation had decided not to insist on the application of the rule requiring petitions to be submitted to the Council at least two months before any given session.

6. Dr. Arobati Hicking, the principal author of the petition, was known to scientific circles in the United States and other countries for his participation in the study made of the health of the inhabitants of Rongelap Island, who had been exposed to atomic radiation in 1954 during the United States atomic weapons tests in the Trust Territory of the Pacific Islands. The importance of the petition lay in the fact that, signed as it was by a highly authoritative person, it cast doubt on the accuracy of the Administering Authority's reports to the Council concerning the situation in the Trust Territory and of the United States representative's statements in the Council. The petition bore out the Soviet Union delegation's statements at previous sessions that medical services and general social conditions in the Trust Territory of the Pacific Islands were far from satisfactory. At the Council's thirty-first session (1234th meeting), for example, his delegation had cited an article in an American magazine describing the inadequacy of hospital services on the island of Yap. Dr. Hicking's petition stated that the equipment for tubercular patients in the Trust Territory was obsolete, that there were inadequate facilities for mental patients, and that attempts to point out such deficiencies had been unsuccessful and had culminated in the dismissal of a highly competent Director of Medical Services. The need for action by the Council was further demonstrated by the statement in

the report of the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1964 (T/1620, para. 75) that in some hospitals X-ray and other machines, which were often surplus equipment provided by the Navy, had become obsolete.

7. The Council should act on the request made by Dr. Hicking in the last paragraph of the petition, where, after noting that requests to the United States Secretary of the Interior for an investigation of the matters dealt with in the petition had apparently been ignored, he appealed to the United Nations for a thorough, impartial, expert investigation so that proper action could be taken in the interests of the health and welfare of the people of the Trust Territory.

8. Mr. DICKINSON (United States of America) said that once again the Soviet delegation had distorted an action of his delegation. He had not merely not insisted on the application of rule 86, paragraph 1, as the Soviet Union representative had expressed it, but had in fact taken the initiative in bringing petition T/PET.10/37 before the Council since it contained serious charges which he wished to see aired.

9. While the Soviet Union representative had quoted from paragraph 75 of the 1964 Visiting Mission's report (T/1620), he had made no reference to paragraph 68, in which the Mission commended the Administration for the energy and skill with which it was carrying out its public health programme in the Territory. The petition referred to the sixteenth annual report of the Administering Authority.^{1/} It should be noted that the seventeenth annual report,^{2/} issued in 1965, stated on page 104 that rebuilding and equipping of all field dispensaries was needed and would be carried out under the long-range development programme and that additional sub-hospitals were to be constructed in the outlying islands.

At the invitation of the President, Mr. Goding, special representative of the Administering Authority for the Trust Territory of the Pacific Islands, took a place at the Council table.

10. Mr. GODING (Special Representative) said that the petition stemmed directly from a very unfortunate administrative difficulty in which it had become necessary to dismiss the Director of Public Health. That had stirred a good deal of controversy in the Medical Department and some members had been persuaded to make the statement contained in the petition. It had not been written specifically for the Council but had originally been addressed to the United States Secretary of the Interior and others.

11. All four of the points made in the petition were misleading and, in fact, erroneous. The assertion that the Administration had not properly fulfilled its

obligation to protect the health of the Territory's inhabitants, the first point, was in direct conflict with the observations of the last Visiting Mission and with the observations which WHO had presented at the present session of the Council (T/1638); it flew in the face of the fact that expenditure on the Territory's health programme had been nearly quadrupled within a period of three years. Also untrue was the second allegation, namely that the material on public health contained in reports submitted to the United Nations contained untrue statements. All of the report material had been prepared in the Department of Public Health; the accusation that these were lay reports was untrue. The charge of administrative indifference was equally unfounded. The Director of Medical Services referred to in the petition had been dismissed because of administrative incompetence and outright insubordination and not because of attempts to point out deficiencies. Contrary to the fourth allegation, all petitions and letters to the Department of the Interior had received replies; in fact, the Secretary of the Interior had designated a Deputy Assistant Secretary to conduct a personal investigation.

12. Although the medical equipment used in the Territory could be improved upon, it was by no means as inadequate as the petition stated. Indeed, the United States Public Health Service had concluded, after its most recent survey, that the equipment was on the whole very good and probably somewhat more sophisticated than the situation warranted. It was a gross mis-statement to say that it was impossible to take a useful chest X-ray in most of the Territory. Hundreds and thousands of X-rays were taken, not only under the tuberculosis programme but as a routine matter in connexion with travel.

13. Mr. CORNER (New Zealand) asked whether it was possible to take a thorough chest X-ray at every one of the Territory's six main district hospitals and the other three large hospitals. He would also like to know whether the projected field survey ship was to be equipped with portable X-ray equipment.

14. Mr. GODING (Special Representative) said that adequate chest X-rays could be taken at all the main district hospitals with the exception of the hospital in Yap, where a mechanical breakdown had made it necessary to bring in portable X-ray equipment. Owing to a change in plans, the field survey ship was not now under construction.

15. Mr. CORNER (New Zealand) said that those members of the Council who had had extensive dealings with the special representative had good reason to trust his word. The fact that one specific statement in the petition had been shown to be completely unfounded affected the New Zealand delegation's judgement of the entire petition.

16. Mr. HOPE (United Kingdom) asked whether any mental patients were confined in gaols or cages in the Territory, as was alleged in the petition.

17. Mr. GODING (Special Representative) said that he was not aware of any patients who were confined in gaol. On one island, however, a violent mental patient was being kept in what might be described as

^{1/} United States of America, 16th Annual Report to the United Nations on the Administration of the Trust Territory of the Pacific Islands, July 1, 1962 to June 30, 1963, Department of State Publication 7676 (Washington, U.S. Government Printing Office, 1964). Transmitted to members of the Trusteeship Council by a note of the Secretary-General (T/1624).

^{2/} United States of America, 17th Annual Report to the United Nations on the Administration of the Trust Territory of the Pacific Islands, July 1, 1963 to June 30, 1964, Department of State Publication 7811 (Washington, U.S. Government Printing Office, 1965). Transmitted to members of the Trusteeship Council by a note of the Secretary-General (T/1633).

a cage. Treatment at the Naval Hospital in Guam had been unsuccessful in this case and the people of the island had asked to have the patient returned so that they themselves could keep him in confinement and look after him. It was strongly felt in some of the islands that ill persons should not be taken away to die outside their own communities, and cultural patterns of that type had to be taken into account in handling medical cases.

18. There were no trained psychiatrists in the Territory and it could be stated that the lack of adequate psychiatric facilities was one of the serious deficiencies in the Administration's over-all programme. All the newer hospitals, however, had separate areas for the accommodation of mental patients.

19. Mr. HOPE (United Kingdom) said that the special representative's reply had placed that point, too, in proper perspective; he wished to associate himself with the remarks made by the New Zealand representative.

20. Mr. FOTIN (Union of Soviet Socialist Republics) said that it was distressing to witness an attempt to dismiss lightly a serious petition which had been submitted by a responsible person of international prominence. The very specific charges in the petition related to conditions which had existed in the Territory little more than a month ago; hence they could not be answered simply by referring to the Administering Authority's annual report.

21. There had been previous cases where statements made to the Council or its visiting missions by inhabitants of the Territory had been simply denied outright. In 1964, for example, neither the Administering Authority nor the Trusteeship Council had acted on a resolution adopted by the inhabitants of Saipan calling for a scientific investigation of the problem of contamination of the atmosphere by radioactive elements in the Trust Territory. Now, although it was apparent from the special representative's statement that there were still major deficiencies in the Territory's medical services, the Administering Authority was flatly denying all the statements made in a petition submitted by eleven members of the staff of the Territorial Department of Medical Services. It should be noted that the petitioners made it clear in their covering letter that their purpose was not to embarrass the Administering Authority but simply to bring about an improvement in the Territory's medical services. He hoped that they would not be made to suffer because they had presented their grievances to the Council.

22. His delegation also wished to reject the attempt to shift the blame for medical conditions in the Territory from the Administering Authority to the alleged backwardness of the population.

23. Since the petition before the Council confirmed past statements by Soviet Union representatives, his delegation wished to introduce a draft resolution calling for action on the petitioner's request. Recognizing that the Council could not act solely on the basis of their statements, which the Administering Authority would be likely to deny, the petitioners merely requested a thorough, impartial, expert in-

vestigation of the matters dealt with in the petition. He read out his delegation's draft resolution,^{3/} which requested the World Health Organization to carry out an investigation of the situation and to submit a report on the question to the Trusteeship Council and the Security Council. He hoped that the Council would grant the petitioners' request with a view to establishing the actual facts of the situation.

24. Mr. Chiping H. C. KIANG (China) said that the observations made by the special representative had largely satisfied his delegation. He proposed that, in accordance with past practice, the Council should forward those observations to the petitioners. His delegation did not feel that an investigation was at present necessary.

25. Miss BROOKS (Liberia) said that she thought it would be in the interests of the Administering Authority to have an impartial investigation of the matter, especially one carried out by the World Health Organization.

26. Mr. DICKINSON (United States of America) noted that several representatives who had been members of the 1964 Visiting Mission had spoken. More weight could perhaps be attached to their statements than to the remarks of someone who had not been in the Territory.

27. He had come to the present meeting of the Council with the intention of inviting the Council to send an impartial investigating group to the Territory. Although his Government considered an investigation completely unnecessary, it would welcome one because of the charges that had been made. If the World Health Organization carried out the investigation, that would certainly satisfy the requirement of impartiality. If the Council accepted his invitation and requested WHO to make the investigation, he was not certain that it would be necessary for the Council to adopt a resolution on the matter.

28. Mr. HOPE (United Kingdom) said that his delegation welcomed the statement just made by the United States representative. He wished to remark in passing that all members of the Council, and the representative of the Administering Authority in particular, would agree that genuine petitioners should not be made to suffer for having submitted a petition to the Council. The authors of the present petition were people holding responsible positions and the Soviet Union representative could rest assured that they would not be made to suffer, provided that their charges were substantiated.

29. Mr. DICKINSON (United States of America) said that the United Kingdom representative need have no fears on that score and he was sure he had none. The High Commissioner did not act in that way, and the remarks of some of the Council's members showed they were aware of that.

30. He wished to clarify one point. The Soviet representative had implied that the former Medical Director had been dismissed because of the petition. The facts were exactly the opposite: the Medical Director had been dismissed first and then the petition had been submitted.

^{3/} Subsequently circulated in document T/L.1093.

31. The PRESIDENT suggested that, when the Soviet Union draft resolution was submitted in written form, the Council should consider both the draft resolution and the question whether the Council could act on the matter without the necessity of adopting a resolution.

It was so decided.

32. The PRESIDENT suggested that, in accordance with normal procedure, the Council should take note of the other petition to which he had referred (T/PET.10/36) and should draw the petitioners' attention to the observations made by the Administering Authority (T/OBS.10/9).

It was so decided.

AGENDA ITEMS 4 AND 5

Examination of annual reports of the Administering Authorities on the administration of Trust Territories for the year ended 30 June 1964:

(a) Trust Territory of the Pacific Islands (T/1633, T/1638, T/L.1089 and Add.1) (continued)

Examination of petitions listed in the annex to the agenda (T/PET.10/L.8, T/PET.10/L.9 and Corr.1) (continued)

GENERAL DEBATE (continued)

33. Mr. GODING (Special Representative) said that he could assure the Council that the comments and recommendations that had been made on the Trust Territory of the Pacific Islands would be closely studied by the Administration and every consideration would be given to those likely to prove feasible for the Territory.

34. Since, as was natural, much of the discussion had centred around the establishment of the Congress of Micronesia, which was without doubt an event of momentous and historical significance, he proposed to amplify certain points on which there might be some uncertainty. As the representative of New Zealand had noted, this step was decisive and irreversible. His Administration was confident that the voice of the new Congress would be authentic and its judgments well considered and authoritative.

35. Some concern had been expressed about the fact that the legislative counsel for the Congress of Micronesia would initially be designated by the High Commissioner. He would point out that section 23 of Order No. 2882 authorized the Congress, during its first session and biennially thereafter, to nominate a legislative counsel of its own, subject only to the High Commissioner's concurrence in the competency of the designated counsel. He could assure the Chinese representative that the Congress would choose its own counsel and that the counsel would work for the Congress, not for the High Commissioner; indeed, the legislative counsel and his staff would function as staff of the Congress and not as part of the administrative or executive organization.

36. Several delegations had expressed concern that section 5 of Order No. 2882 did not give the new Congress enough power in the process of budget formulation. He would like to stress once again that the Administration fully intended to bring the Congress into full and effective participation in that

process. One of the standing committees to be established by the Congress would undoubtedly be a committee on finance and budget, which would be consulted at appropriate periods during the formulation of the budget.

37. With regard to the objection that the annual thirty-day session provided for the Congress would not be sufficient, he could only say that it was a matter to be decided on the basis of experience. For the present it was felt that, in view of the weeks of travel that attendance at the Congress would entail for some Congressmen, and of the fact that there would be committees working between sessions, an annual thirty-day session would suffice. Moreover, the Order provided for the convening of special sessions should the need arise and the Congress could always recommend an amendment of the Order to meet changing conditions.

38. The Council would be interested to know that on 26 June all the new Congressmen were to assemble in Saipan for a ten-day pre-session conference, which would consist of a series of workshops headed by visiting experts in the legislative process and in parliamentary and committee procedure. One of the agenda items would deal with the drafting of rules of procedure. It was anticipated that by the time the official session of the Congress opened on 12 July, much of the routine work would already have been completed; it was probable, therefore, that the thirty days would prove to be more than sufficient for the business of the first session.

39. The representatives of Liberia and Australia had felt that the minimum age of twenty-five years for holding office was somewhat high and should be reconsidered with a view to giving the younger generation more opportunities. He would point out that the age qualification of twenty-five years had been established on the strong recommendation of the former Council of Micronesia, which had wished to give recognition to traditional patterns and at the same time to adapt them sufficiently to allow the younger generation to play a significant role. It would be remembered that in Palau District, for example, twenty-six years had until recently been considered the minimum age for voting and the qualification for holding office had been even higher. He was confident that the Congress would express its wishes on that point if it required any change.

40. The observations of the World Health Organization (T/1638) and the statement by its representative at the 1251st meeting had been much appreciated and would be studied carefully. In the expansion of the programmes for the Territory, the greatest increases had been made in the allocations for public health and education, the budget for public health having risen from \$620,000 in 1962 to \$2.120 million in 1965. In its observations WHO had rightly pointed out that the organization and development of the health services had to be viewed against the geographical background of the Trust Territory. Many difficult problems in the field of health had yet to be solved but every effort was being made to improve health conditions. He could assure the United Kingdom representative that the Administration placed great emphasis on the need for better tuberculosis control

and the expansion of the immunization programme to cover certain childhood diseases such as measles. Increasing importance was being given to local health education in the public health programme. In his comments on the energy and skill with which the technical training programme for medical personnel was being carried out, the Chinese representative had paid a well-deserved tribute to the Micronesian medical personnel, who bore the burden of providing basic medical services for their people.

41. With regard to economic development, he would like to allay any doubts about the participation of the Micronesians in the formation of the master plan for the Territory. The Congress of Micronesia would play an important role and its economic committee would work closely with the economic development team and with the Administration in shaping and implementing the development programme. Similarly it was expected that the district economic development boards would be strengthened and their functions integrated into the general economic development planning effort.

42. He had perhaps failed to make sufficient reference to present programmes involving the participation of outside capital in commercial and economic enterprises. In all such projects care was taken to ensure that the maximum Micronesian participation would be provided; in some instances provision would be made for the initial investment to be bought out eventually by Micronesians.

43. He agreed that the Territory had not yet reached full economic expansion. It was for that reason that the Administration had engaged the services of a leading economic development consulting firm to undertake a two-year programme for Micronesia. The firm had access to experts in various specialized fields, not only within its own organization but from private agencies, United States Government agencies and international agencies.

44. The useful comments made by the UNESCO representative at the 1251st meeting on the Administration's new educational policy would be closely reviewed. He would like, however, to enlarge upon a few points in those comments. The UNESCO representative had observed that there had been no marked increase in the number of pupils attending secondary school. That was accounted for by the fact that whereas most public primary schools had covered grades 1 to 6 in the past, some of them now covered grades 1 to 8; moreover, a scrutiny of the tables given in the annual reports for 1963 and 1964 would show that there had been an appreciable increase in enrolment in the public junior high schools, with a slight drop in the private junior high schools. The reason for the decrease in the number of pupils studying in secondary schools abroad was that there were now full public high school programmes in all districts. Whereas there had been only one public high school, with a total enrolment of 150 pupils, in 1962, it was expected that in September 1965 there would be 2,500 public high school pupils enrolled. The Administration was striving to increase the proportion of girls studying at all levels, and in particular at the secondary and university levels. In that respect the adult education programme was of

major importance, for the parents had yet to be convinced that girls should be given education beyond the primary level. Some progress had been made, for whereas in 1962 there had been only sixty-three girls in the Territory's high schools, there had been 200 in 1964. A much greater increase was expected in the future.

45. The USSR representative had expressed concern that English was being stressed in the schools and was to be the official language of the Congress of Micronesia. He would point out that that had been decided at the request of the Micronesians themselves and that the Trusteeship Council had on previous occasions recorded its satisfaction over the adoption of English as the medium of instruction at the elementary school level. While some of the courts and the police force normally used English, the court itself could decide whether its proceedings were to be in English or in one of the indigenous languages.

46. The recommendation with regard to the establishment of a junior college in the Territory would be given further consideration, but it was felt that at the present stage priority should be given to primary and secondary school programmes and that further efforts should be made in the area of vocational training. The Territory of Guam had made a major financial effort to establish the College of Guam and that centrally located institution, now fully accredited, provided a meeting ground for many of the college-level students in the Territory in the same way as would a college actually situated in the Territory.

47. The people of the Territory took a keen interest in the proceedings of the Trusteeship Council. As in previous years, a summary report on the deliberations of the present session would be prepared and given wide distribution, especially among the members of district congresses, the members of the Congress of Micronesia and leading officials in the Territory. Council proceedings would be broadcast over the district radio stations and the voices of Council members would shortly be heard by Micronesians. His administration would give as wide dissemination as possible to all appropriate documents of the Council and other United Nations bodies.

48. Mr. DICKINSON (United States of America) said that his delegation welcomed the criticisms of the administration of the Trust Territory that had been advanced in a constructive spirit and appreciated all efforts to help the Administering Authority to improve its administration of the Territory. The High Commissioner had answered all questions to the best of his ability and had sought at the present meeting to deal with some of the comments and criticisms. One member of the Council, however, had adopted a different approach and had indeed sought to undermine the Trusteeship System and to attack the Council itself. It was his regrettable duty to reply to the irresponsible charges made by that representative, to the distortions, half-truths and misrepresentations.

49. The representative in question had repeatedly asked why there was no mention of the word "independence" in the preamble to Order No. 2882 estab-

lishing the Congress of Micronesia and had tried to find some hidden significance in the omission of that word. There was no hidden meaning. The reply was that the United States supported the United Nations Charter and in particular Article 76 b, which stated that among the basic objectives of the Trusteeship System was the progressive development of the inhabitants of the Trust Territory towards self-government or independence in accordance with the freely expressed wishes of the people concerned. That remained the basic objective of his Government.

50. The same representative had accused the United States Government of failing to take sufficient notice of the Declaration on the Granting of Independence to Colonial Countries and Peoples and had alleged, despite overwhelming evidence to the contrary, that the United States was withholding knowledge of the Declaration from the people of the Trust Territory. He had asked what steps the United States had taken to carry out the recommendations of the Special Committee on the Situation with regard to the Implementation of the Declaration. Yet surely he was aware that, according to Article 83, paragraph 1, of the Charter, all functions of the United Nations relating to strategic areas were to be exercised by the Security Council, and that under paragraph 3 of that Article the Security Council had delegated to the Trusteeship Council responsibility for the performance of some of those functions with respect to the Trust Territory of the Pacific Islands. At the Special Committee's 310th meeting, on 12 November 1964, the United States delegation had drawn attention to the agreement between the United States and the Security Council under which the Trust Territory was designated as a strategic area in accordance with Article 82 of the Charter, an agreement approved by all members of the Security Council, including the permanent members. It had also stated clearly, both in the Special Committee and in Sub-Committee II of the Special Committee, that any proposals for action made by that Committee or its Sub-Committee with respect to the Trust Territory of the Pacific Islands must be in the form of proposals to the General Assembly that the latter should make recommendations to the Security Council.

51. From the start of the session the same representative had unleashed a torrent of abuse. He had uttered such inanities as the statement that the United States was plundering the natural resources of the Territory—an absurdity in the face of the fact that the Territory had very few resources and that the United States was providing large subsidies; such inaccuracies as the statement at the 1249th meeting that the United States had been the only State to vote against the Soviet Union amendment in paragraph 13 of document T/L.1083, whereas the official record of the 1241st meeting (thirty-first session) showed that three States had voted against it. It seemed that the representative's purpose was to confuse the Council with a mass of statements whose accuracy or pertinence could not be checked at the moment, in the hope that his aim would be accomplished and the mis-statements and inaccuracies would be lost with the lapse of time. It seemed evident to the United States delegation that the representative in question was not interested in the people of Micronesia: he

disregarded their wishes, even in the face of the statement made in the Council by a responsible Micronesian which clearly showed that in his opinion the people were not yet ready for independence; he ignored the conclusion of the 1964 Visiting Mission that no properly matured opinions on the future of the Territory had yet emerged among the Micronesians (T/1620, para. 292); he asked questions, the only satisfactory answers to which were those he himself gave; he ignored the Congress of Micronesia as an elected body which could and no doubt would express its views on the future of Micronesia, belittling it instead. Was he afraid of the Congress? Obviously the United States was not. It had created the Congress in response to the wishes of the people and the Trusteeship Council. It believed that the Congress should now be given an opportunity to function. The Congress would have access to all the facts, including the records of the proceedings of the Council.

52. The United States delegation appreciated the sober and constructive efforts of the great majority of the members of the Council on behalf of the Micronesian people. It believed that the Council was performing a worthy work. It would continue to carry out its obligations under the Trusteeship Agreement and to support the Trusteeship System and the Council in the face of all attacks, from whatever quarter.

53. Mr. FOTIN (Union of Soviet Socialist Republics) reserved his delegation's right to reply to the United States representative's statement after careful study. At the present stage he would not reiterate the USSR delegation's charges against United States policy in the Trust Territory of the Pacific Islands but would simply put to the United States representative a very simple proposal which, if it were accepted, would help the Council to achieve at least some measure of success in its deliberations on the question. He proposed that the United States representative, instead of delivering repeated tirades, should make a declaration to the following effect.

54. Firstly, the United States Government agreed that the Trust Territory of the Pacific Islands would never, for any reason, be annexed to the United States. Secondly, the United States Government undertook, in accordance with the Charter, the Trusteeship Agreement, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the recommendation of the Special Committee on the Situation with regard to the Implementation of that Declaration, to grant independence to the people of Micronesia in the immediate future. To that end, the United States Government would at the very first session of the Congress of Micronesia introduce and support measures granting to that Congress legislative and executive authority over the whole of the Territory. The United States Administration would comply with the decisions of the Congress until the latter had established the relevant executive organs. Thirdly, the United States Government undertook to continue in the immediate future to finance the development of the economy, the education, health services, social security and other requirements of the Micronesian people, as compensation for the many years of use of the international Territory in its own interests. In

that connexion he quoted paragraph 228 of the report of the 1964 Visiting Mission (T/1620), which stated that "the United States receives great benefits also: control of a highly strategic area and the use of facilities in the Territory (the military research complex at Kwajalein alone had reportedly cost \$100 million in fixed installations and \$800 million in equipment)". Fourthly, the United States Government undertook to refrain from any further use of the Territory for its military ends.

55. Mr. DICKINSON (United States of America) thanked the USSR representative for his statement, which confirmed everything that the United States delegation had been saying. All throughout the session the Soviet delegation had asked questions and then supplied its own already prepared answers. He hoped, incidentally, that the USSR representative really subscribed to the paragraph from the Visiting Mission's report that he had quoted, for it was stated in that paragraph that the subsidy provided by the Administering Authority was an obligation of trusteeship which was being conscientiously discharged. The United States subscribed to the Charter and to the terms of the Trusteeship Agreement, which it was carrying out. The future of the people of Micronesia lay with those people and not with the representative of the Soviet Union.

56. Mr. FOTIN (Union of Soviet Socialist Republics) said that he was glad that the United States representative did not deny that the United States had used the Trust Territory for its own interests throughout its administration of the Territory, as was clear from the paragraph of the Visiting Mission's report which he had quoted. He hoped that that representative realized the contrast between the subsidy that the United States made to the budget of the Territory and its enormous military expenditure there.

57. Mr. DICKINSON (United States of America) said that, as the USSR representative appeared to be continuing his dialogue with himself, the United States delegation, in deference to the Council, would have nothing further to say. The Soviet representative might continue on by himself as long as he liked.

58. The PRESIDENT announced that the general debate on the Trust Territory of the Pacific Islands was now concluded. Representatives would be allowed to exercise their right of reply in due course.

APPOINTMENT OF THE DRAFTING COMMITTEE ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS

59. The PRESIDENT said that the Council should now appoint a committee to draft the Council's report dealing with the Trust Territory of the Pacific Islands. He suggested that the Drafting Committee might be composed of the representatives of Liberia and New Zealand.

It was so decided.

Mr. Goding, special representative of the Administering Authority for the Trust Territory of the Pacific Islands, withdrew.

AGENDA ITEMS 4 AND 6

Examination of annual reports of the Administering Authorities on the administration of Trust Territories for the year ended 30 June 1964:

(c) New Guinea (T/1632, T/1642, T/L.1090) (continued)

Reports of the United Nations Visiting Mission to the Trust Territories of Nauru and New Guinea, 1965:

(b) New Guinea (T/1635 and Add.1) (continued)

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

QUESTIONS CONCERNING THE TRUST TERRITORY AND REPLIES OF THE REPRESENTATIVE AND THE SPECIAL REPRESENTATIVE OF THE AD- MINISTERING AUTHORITY (continued)

60. Mr. FOTIN (Union of Soviet Socialist Republics) asked what had been done during the past year to implement the Council's recommendation at its thirty-first session that the Administering Authority should consider eliminating those clauses of the electoral ordinances which provided for official and special seats in the House of Assembly and providing instead for the election of all candidates from a common roll (A/5804, para. 41).

61. Mr. GUNTHER (Special Representative) said that the Select Committee on Political Development, on whose recommendation the House of Assembly had been established, had inquired into the wishes of the people of the Territory and, as a result of that inquiry, had recommended the allocation of a number of seats for official members and a number of seats called "special electorates" for non-indigenous persons. The House as constituted faithfully fulfilled the recommendations made by the Select Committee. With an elected majority of Papuans and New Guineans, the House itself was quite capable of having those clauses repealed when it felt the time was ripe.

62. Mr. FOTIN (Union of Soviet Socialist Republics) said that both the Trusteeship Council, at its thirty-first session, and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, at its 1964 session, had adopted recommendations aimed at the elimination of the special and reserved seats in the House of Assembly; ^{4/} the special representative's reply to the question indicated that neither recommendation had been implemented. The Soviet Union delegation had described that so-called legislative organ as "a nut without a kernel", in view of its lack of important powers. Now the Australian representatives were saying that the members of the House of Assembly had the power to do whatever they wished. In that connexion, he wished to know what had been done since 30 May 1963 concerning repeal of articles 52, 53, 54, 55, 56, 57 and 57 A of the law establishing the House of Assembly, ^{5/} which were articles that severely limited the powers of that House; and what had been done to replace those articles by others

^{4/} See A/5804, para. 41; and A/5800/Add.6, chap. XIX, para. 148.

^{5/} For the text of the law, see T/1635 and Add.1, annex II.

which would give the House of Assembly full legislative power and not make its decisions subject to the approval or veto of representatives of the Administering Authority.

63. Mr. GUNTHER (Special Representative) said that the clauses in question were similar to clauses in the Constitution of the Commonwealth of Australia: laws passed in the Parliament of Australia were subject to the assent or disallowance of the Governor-General. In the Territory of New Guinea, the Administrator was the Governor-General's direct representative. No ordinance had been rejected or disallowed since the establishment of the House of Assembly; as he had mentioned at the previous meeting, one ordinance had been referred back by the Governor-General with a suggestion that the House of Assembly should re-examine certain clauses where they were in conflict with an existing ordinance. The powers contained in articles 52, 53, 54, 55, 56, 57 and 57 A would not restrict the working of the House of Assembly in any way, provided that the ordinances passed were for the peace, order and good government of the Territory.

64. Mr. FOTIN (Union of Soviet Socialist Republics) pointed out that Australia was a sovereign State which administered its own affairs as it wished, while New Guinea was a colonial territory under trusteeship, in which conditions were dictated from above and the powers of the legislative organ were restricted in all fields.

65. He asked what decision the Australian Government had taken on the bill adopted by the New Guinean House of Assembly in February 1965 for transferring partial control over the Public Service from Australian to local hands.

66. Mr. GUNTHER (Special Representative) replied that the bill was still being examined. He thought, however, that the representative of the Soviet Union had misunderstood the contents of that bill; it did not transfer powers to local control but created a board which was an additional instrument in the already existing chain of control that governed the Public Service. Under the proposed amendment, the board would still be appointed by a Minister and receive directions from him.

67. Mr. FOTIN (Union of Soviet Socialist Republics) said that even if there were a number of organs that dealt with the Public Service, each had a share of control and the intent of the bill had been to transfer some of the control to local hands. He would like the special representative to give at least his own opinion on what action the Australian Government was likely to take on the bill; in his delegation's view, its action on the bill might serve as an indication of the Australian Government's policy with regard to Papua and New Guinea.

68. Mr. GUNTHER (Special Representative) said that it would be impertinent for him to try to forecast how the Administering Authority would handle the bill. There were clauses in the bill that made it almost unworkable in law; it had been hastily conceived, and hastily conceived legislation could be faulty and therefore bad legislation. An example of the bill's defects was that, while its purpose had been to transfer certain powers from the Minister, it ex-

pressly stated that the board to whom those powers were to be transferred would be subject to the Minister's direction.

69. Mr. FOTIN (Union of Soviet Socialist Republics) observed that the special representative's description of a bill passed by the elected members of the House of Assembly as "hastily conceived" and "faulty" was an indication of the Administering Authority's attitude to that legislative body.

70. He asked whether the New Guineans listed on page 27 of the supplementary report^{6/} under the heading "Employment of Indigenous Staff" occupied senior posts in the Administration.

71. Mr. GUNTHER (Special Representative) said that some of them held senior posts, specifically the twelve communications officers, who replaced overseas officers.

72. Mr. FOTIN (Union of Soviet Socialist Republics) asked what control machinery over foreign investments in Papua and New Guinea was available to the House of Assembly.

73. Mr. GUNTHER (Special Representative) said that it was the right of the House of Assembly to pass any laws on the control of foreign investment if it so wished; he was not aware of any control machinery existing at the present time and it was probable that the House of Assembly had no wish to control foreign investment at present.

74. Mr. FOTIN (Union of Soviet Socialist Republics) asked how many judges of the Supreme Court and the district courts were indigenous inhabitants of the Territory.

75. Mr. GUNTHER (Special Representative) said that all four judges of the Supreme Court were Australians; they also operated as district court judges and were the only district court judges.

76. Mr. FOTIN (Union of Soviet Socialist Republics) asked whether it was true that the local government councils could not take any decision regulating the life of the district without prior confirmation by the district administrator.

77. Mr. GUNTHER (Special Representative) said that under the new Ordinance the control of decision in local government, formerly exercised by the district staff, was now the responsibility of a Commissioner for Local Government. There were a number of decisions which could come into force immediately, while others were referred, or reserved for reference, to the Commissioner.

78. Mr. FOTIN (Union of Soviet Socialist Republics) asked how the salaries of indigenous inhabitants of the Territory in the Public Service compared with those of people from outside the Territory doing the same work.

79. Mr. GUNTHER (Special Representative) said that under the new Public Service Ordinance the Auxiliary Division for Papuans and New Guineans had been abolished and a single service had been set up. There were, however, two classes of officers: overseas officers and local officers. The salary rates

^{6/} Circulated by the Australian delegation to members of the Council only.

for local officers were related to the community's capacity to pay and to the prices prevailing in the area; they were comparable to the salaries paid in countries with a similar economic situation. On the other hand, overseas officers had to be drawn mainly from Australia and their salaries had been set according to the Australian pattern; the salary differential and the minor fringe benefits available to overseas officers were necessary in order to attract officers from affluent societies. He added that the base grade salary for local officers was at present the subject of a memorial before the Arbitrator of the Public Service.

80. Mr. FOTIN (Union of Soviet Socialist Republics) asked how many times as high a salary was paid to overseas officers as to local officers.

81. Mr. GUNTHER (Special Representative) said that, while he had no exact figures, the difference would not be great.

82. Mr. FOTIN (Union of Soviet Socialist Republics) said that if the special representative did not know the relevant figures, the Soviet Union delegation would have to supply that information when the time came. It had been the difference in salaries for overseas officers and those for local officers that had caused the dissatisfaction which existed in the House of Assembly and had led to the adoption, in February 1965, of the bill to which he had referred earlier.

83. He asked what had been the total profits of the foreign companies operating in Papua and New Guinea during the period under review.

84. Mr. GUNTHER (Special Representative) said that, under the Companies Ordinance, such figures would be available in the future, but information on the total profits was not available at the present time. He could state that the Steamship Trading Company, operating both in Papua and in New Guinea, had recently recorded a profit of some £340,000. Under the present system some of the major companies were Australian concerns, whose profits in the Territory were not distinguished from their Australian profits.

85. Mr. FOTIN (Union of Soviet Socialist Republics) asked whether the activities of foreign companies in the Trust Territory did not come under the jurisdiction granted by the United Nations to Australia as the Administering Authority. Since the activities of foreign monopolies and foreign companies had a direct relationship to the economic activity of the Territory, it would seem logical for the Administering Authority to be at least interested in what those companies were doing in the Territory, what contribution, if any, they were making to its economic development and what profits they were taking out of or reinvesting in the Territory.

86. Mr. GUNTHER (Special Representative) said that the Administration was doing everything it could to encourage capital investment in the Territory; it had introduced legislation for tax concessions to pioneer industries and it gave protection to money

invested in industries in the free and private enterprise sector. He had a great deal of information relating to capital investment in the Territory, but under the Income Tax Ordinance the profits of private companies, which were obliged to behave according to the Companies Ordinance and paid income tax on their profits, were not made known except to the Chief Collector of Taxes.

87. Mr. FOTIN (Union of Soviet Socialist Republics) asked whether, in the light of paragraphs 98, 115 and 161 of the 1965 Visiting Mission's report (T/1635 and Add.1), the Administering Authority intended to continue its policy of retaining the right to decide whether the inhabitants of the Trust Territory could utilize scholarships under the United Nations programme.

88. Mr. GUNTHER (Special Representative) said that there was nothing in the Territory that prevented any student from accepting a scholarship offered to him. No person who had the qualifications to go on to higher education had been refused a scholarship. Both governmental and privately endowed scholarships were available in Australia, and a university and an institute of higher education were to be established in the Territory and would begin accepting students in 1967. Scholarships had been granted by Members of the United Nations to at least four students, who had now returned to the Territory after study overseas.

89. Mr. FOTIN (Union of Soviet Socialist Republics) said that, from the special representative's reply, he concluded that the Administering Authority intended to continue to decide when an inhabitant of Papua or New Guinea could or could not utilize a scholarship under the United Nations programme and in fact to decide what the inhabitants of the Territory did or did not want. He would not pursue the subject any further but would merely point out that, according to paragraph 98 of the report of the Visiting Mission, a member of the House of Assembly had said that there was an urgent need for more and higher education and more teachers and that if Australia was unable to provide them, perhaps the United Nations could.

90. He asked what was the amount of the subsidy paid by the Australian Government to the Burns Philp Company for providing service on the steamship line to Papua and New Guinea and whether it was true that that service was among the most expensive in the world.

91. Mr. GUNTHER (Special Representative) said that the subsidy to Burns Philp for keeping ships on the Australian register and employing highly paid Australian crews had been £100,000 per year; the matter was being re-examined at present by the Government of the Commonwealth. He did not know the freight rates of other lines in other areas, but he could assure the Soviet Union representative that the rates of the four or five shipping lines that operated to and around Papua and New Guinea were exactly the same.

The meeting rose at 6.30 p.m.