



TRUSTEESHIP COUNCIL

Thirty-fourth Session

OFFICIAL RECORDS

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President: Miss Angie E. BROOKS (Liberia).

Present:

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

The representative of the following specialized
agency: World Health Organization.

*In the absence of the President, Mrs. Anderson
(United States of America), Vice-President, took the
Chair.*

AGENDA ITEMS 4 AND 6

Examination of annual reports of the Administering
Authorities on the administration of Trust Terri-
tories for the year ended 30 June 1966:

(c) *Trust Territory of the Pacific Islands (concluded)*
(T/1661)

*Report of the United Nations Visiting Mission to the
Trust Territory of the Pacific Islands, 1967 (con-
cluded) (T/1658 and Add.1, T/L.1126)*

CONSIDERATION OF DRAFT RESOLUTION T/L.1126

1. Mr. McDOWELL (New Zealand), introducing his
delegation's draft resolution on the report of the

United Nations Visiting Mission to the Trust Terri-
tory of the Pacific Islands, 1967 (T/L.1126), said that
its main purpose was to recognize the thoroughness
with which the Visiting Mission had carried out its
work. His delegation was hopeful that the Council
would adopt the draft resolution unanimously, thus
showing that it had absorbed the content of the report.

2. Mr. JOHNSON (United States of America) paid a
tribute to the work accomplished by the Visiting
Mission and said that his Government would continue
to bear in mind the constructive recommendations it
had made.

*Draft resolution T/L.1126 was adopted by 6 votes
to 1.*

3. Mr. SHAKHOV (Union of Soviet Socialist Repub-
lics) said that his delegation had voted against the
draft resolution because it was not satisfied with the
report of the Visiting Mission (T/1658 and Add.1).
Although the report recommended a few reforms, on
the whole it espoused the views of the Administering
Authority on the Territory's development and future
prospects. In particular, it accepted the Adminis-
tration's explanations of the Territory's unprepared-
ness and it supported the Nathan plan, although the
latter made no provision for the development of eco-
nomic activities which would make the population in-
dependent but, on the contrary, aimed at increasing
their dependence on the Administering Authority and
strengthening the grip of the monopolies, and at
making the Territory a supply depot for the United
States military bases in the Pacific, particularly
Guam. Not only did the report fail to reject the plan
for the annexation of the Territory drawn up by the
United States; it endorsed the views expressed by the
Administering Authority regarding the application of
General Assembly resolution 1541 (XV) to Micronesia,
which opened the way for the Territory's absorption
in the guise of association or integration. That being
so, draft resolution T/L.1126, paragraphs 4 and 5 of
which referred to the recommendations and conclu-
sions in the report, amounted to blanket approval of
annexation, in flagrant violation of the Declaration
on the Granting of Independence to Colonial Countries
and Peoples.

4. Miss BROOKS (Liberia) said that she failed to
understand the Soviet delegation's objections. As
Chairman of the Visiting Mission, she could say that
the Mission had honestly tried in its report to give an
objective account of the conditions it had found in the
Territory. The Nathan report criticized the Adminis-
tering Authority on certain points, and some of the
criticisms had been repeated in the Trusteeship Coun-
cil. The Visiting Mission could not but have agreed
with the conclusions it had felt to be well founded, once
it had been informed of them. That did not mean that

the Mission's report was a reflection of the Nathan report or that it was not objective.

5. Mr. McDOWELL (New Zealand) observed that it could not be contended that the General Assembly majority, in approving resolution 1541 (XV), had forged an instrument for annexation. The text provided for a number of possible terminations for the colonial experience, including the attainment of sovereign independence, set down rigorous procedures for exercising self-determination and provided for the United Nations itself to check on the carrying out of those procedures.

AGENDA ITEMS 4, 5 AND 9

Examination of annual reports of the Administering Authorities on the administration of Trust Territories for the year ended 30 June 1966:

(a) Nauru (concluded) (T/1659, T/1662, T/L.1120 and Add.1 and 2, T/L.1131, T/L.1132)

Examination of petitions listed in the annex to the agenda (concluded)

General Assembly resolutions 2111 (XX) and 2226 (XXI) on the question of the Trust Territory of Nauru (concluded)

REPORT OF THE DRAFTING COMMITTEE ON NAURU (T/L.1128) AND CONSIDERATION OF DRAFT RESOLUTIONS T/L.1131 AND T/L.1132

6. Mr. GASCHIGNARD (France) introduced the report of the Drafting Committee on Nauru (T/L.1128) and expressed regret that the French version had not yet been circulated.

7. Miss BROOKS (Liberia) said her delegation was sorry that the Drafting Committee's conclusions regarding the future of the Nauruans were considerably weaker than those that had been adopted at the thirty-second session of the Council^{1/}. She proposed that the following sentence should be added at the end of paragraph 2 of the draft conclusions and recommendations in the annex to the report: "The Council also reaffirms the right of the people of Nauru to self-government and/or independence." She also proposed that the last sentence of paragraph 3 be amended to read:

"The Council, noting General Assembly resolutions 2111 (XX) and 2226 (XXI), which recommend, inter alia, that the Administering Authority should fix the earliest possible date, but not later than 31 January 1968, for the independence of the Nauruan people in accordance with their freely expressed wishes, recommends that the Administering Authority give effect to this recommendation of the General Assembly."

8. Her delegation was also submitting two draft resolutions. The first (T/L.1131) related to further discussions on the future of the Nauruans and the inclusion of that question as a separate item in the agenda of the General Assembly. The second (T/L.1132) stated that the conclusion of the treaty of friendship by which the responsibility for defence and external affairs would devolve upon Australia could not be a precondition to granting independence and called for

immediate steps towards restoring the land on the island.

9. Mr. GASCHIGNARD (France) said with regard to the Liberian representative's comments that the members of the Drafting Committee did not feel that any essential part of the provisions relating to the future of the Territory adopted at the previous session of the Council had been omitted. Where the right of the Nauruan people to independence was concerned, the reference to Article 76 b of the United Nations Charter in paragraph 3 of the draft conclusions and recommendations was sufficient. Furthermore, the Drafting Committee had felt that, if the relevant resolutions were mentioned, there was no need to quote their provisions. The wishes of the Nauruans had also been taken into consideration, since they were expressly mentioned at the end of paragraph 3. Nevertheless, his own delegation was willing to accept the addition to paragraph 2 proposed by Liberia.

10. Mr. JOHNSON (United States of America) said that he also accepted the Liberian amendment to paragraph 2. He could not, however, see his way to accepting the second Liberian amendment, relating to paragraph 3; for, apart from making the text repetitious, it changed the meaning somewhat, since it contained a recommendation that the Administering Authority should apply the General Assembly resolution which was referred to. The present wording of the paragraph was more in keeping with the wishes expressed by the Trusteeship Council at the current session.

11. Miss BROOKS (Liberia) said that, if the wishes expressed by the Trusteeship Council in 1966 had been justified, they were all the more so at a time when the Territory's future was about to be decided.

12. Mr. McCARTHY (Australia) felt that the original wording reflected the real situation; his delegation would therefore vote against the Liberian amendment to paragraph 3. The attitude of some delegations had obviously not been affected by the very substantial progress that had been made in the last twelve months with regard to both the exploitation of the phosphate and the political future of Nauru.

13. Mr. SHAKHOV (Union of Soviet Socialist Republics) said that his delegation agreed with the Liberian amendments. He requested that the reference to General Assembly resolution 1541 (XV), on the application of which his delegation had already stated its views, should be deleted from paragraph 2 of the annex to the Drafting Committee's report (T/L.1128).

14. He proposed that the words "both parties" at the end of the third sentence of paragraph 6 should be replaced by the words "the Nauruan people". The Trusteeship Council's task was to protect the interests of the people, not those of the Administering Authority. For the same reason, he proposed a similar amendment to the end of paragraph 12 of the annex to the report.

15. Mr. McCARTHY (Australia) observed that the Soviet Union representative was still making distinctions between one General Assembly resolution and another and that he was particularly opposed to resolution 1541 (XV). As to the amendments he had proposed to paragraphs 6 and 12 of the Drafting Commit-

^{1/} Official Records of the General Assembly, Twentieth Session, Supplement No. 4, document A/6004, para. 324.

tee's report, the Australian delegation had no objection to the Council's mentioning the interests of the Nauruan people in its report, but it did object to any insinuation that the Administering Authority was not taking account of the interests of the people and that it had no responsibility for them. As the Administering Authority, Australia had responsibilities towards Nauru under the Charter and the Trusteeship Agreement, which had been endorsed by the Soviet Union. It had always striven to act in the best interests of the Nauruan people; it was a party to the discussions and was negotiating an agreement with the Nauruans, and it was bound to concern itself with anything that affected the Nauruan people. If the people wished to be independent, the procedures by which independence was to be achieved must be settled to the satisfaction of both parties, and they would be. The present text of paragraphs 6 and 12 of the Drafting Committee's report was satisfactory because it took account both of the aspirations of the Nauruan people and of the responsibilities of the Administering Authority.

16. Mr. EASTMAN (Liberia) said that he was gratified that the Drafting Committee had accepted his delegation's first amendment. He asked that the second amendment, which had not been accepted by the Committee, should be put to the vote; if it was rejected, his delegation would abstain from voting on the report as a whole.

The Liberian amendment to paragraph 3 was rejected by 5 votes to 3.

17. Mr. GASCHIGNARD (France), speaking in explanation of his vote, said that France was not opposed to the date for the independence of Nauru being set at 31 January 1968, but it considered that the date should be established by agreement between the interested parties. It was not for the Council to take the decision; it could only make a recommendation.

18. Mr. McDOWELL (New Zealand), speaking in explanation of his vote, said that he did not question the Liberian delegation's reasons for submitting its amendment. In voting against it, his delegations had not been voting on the principle involved; New Zealand had expressed itself by voting in favour of the Declaration on the Granting of Independence to Colonial Countries and Peoples. However, the future of Nauru was still under discussion, and a premature pronouncement by the Council would not be helpful at a time when negotiations were to be resumed between the Nauruan people and the Administering Authority.

19. Mr. SHAW (United Kingdom) said that he had voted against the Liberian amendment. His delegation had voted against General Assembly resolution 2226 (XXI). With regard to the future of Nauru, its position had been clear in the earlier debate in the Council; it would be inadvisable to insert the Liberian amendment in the Trusteeship Council's report at a time when important discussions were still only in the exploratory phase.

20. Mr. JOHNSON (United States of America) said that his delegation had expressed support for the Nauruan people's exercising their right of self-determination at the earliest possible date and had welcomed the progress reported by the Administering Authority. However, his delegation had been

unable to support General Assembly resolution 2226 (XXI) and had voted against the present Liberian amendment because it felt that the United Nations should not prejudge the question of the Territory's future by citing a deadline for independence.

21. Mr. LIN (China) said that his delegation had voted in favour of the Liberian amendment because the two interested parties—the representatives of Australia and the Nauruan people—were agreed, according to their joint statement of 15 June 1967, that the basic changes to be made in the Government of Nauru should come into effect on 31 January 1968.

22. The PRESIDENT invited the members of the Council to examine, section by section, the draft conclusions and recommendations contained in the report of the Drafting Committee (T/L.1128, annex).

SECTION I

23. The PRESIDENT put to the vote the Soviet amendment for the deletion of the words "and General Assembly resolution 1541 (XV)" in paragraph 2.

The Soviet amendment was rejected by 5 votes to 2, with 1 abstention.

Paragraph 2 was adopted by 5 votes to none, with 3 abstentions.

24. Mr. EASTMAN (Liberia) said that his delegation had voted in favour of the Soviet amendment because General Assembly resolution 1541 (XV)—which his delegation had supported—did not apply to Nauru, whose people had stated categorically that they preferred independence to annexation.

25. Mr. SHAW (United Kingdom) proposed that, in paragraph 5 of the English text, the word "foreclose" should be replaced by "exclude the possibility of".

It was so decided.

26. The PRESIDENT put to the vote the Soviet amendment for the replacement of the words "both parties" in the third sentence of paragraph 6 by the words "the Nauruan people".

The Soviet amendment was rejected by 5 votes to 1.

Paragraph 6 was adopted by 5 votes to none, with 2 abstentions.

27. Mr. GASCHIGNARD (France) explained that his delegation had voted against the Soviet amendment, not because it was opposed to consideration being given to the Nauruan people's interests, but because it felt that it was impossible not to take account of the Administering Authority's responsibilities.

28. Mr. McCARTHY (Australia) said that his delegation, as the representative of the Administering Authority, had abstained on principle.

29. Mr. SHAW (United Kingdom) explained that his delegation had voted against the Soviet amendment because it believed that the Administering Authority had special responsibilities in the negotiations for ending the Trusteeship Agreement.

30. Mr. McCARTHY (Australia) said that the two sentences in paragraph 7 seemed to be contradictory. The Council had heard the explanations and comments

given by the special representative and by Head Chief De Roburt in regard to the resettlement of the Nauruans. In view of all that had been said during the debate, and particularly the Head Chief's categorical statement, the second sentence of the paragraph might be omitted.

31. Mr. McDOWELL (New Zealand) said that, while not objecting to the second sentence remaining, his delegation would note that resettlement would be a very expensive and onerous obligation to undertake and the Council should appreciate that.

32. Mr. GASCHIGNARD (France), speaking as a member of the Drafting Committee, pointed out that the second sentence of paragraph 7 reflected the views of the Administering Authority, which had said that it was ready to consider any Nauruan proposal concerning resettlement. The Nauruans had said that, for the time being, they wished to remain on the island, but they might change their opinion. The Administering Authority's views were emphasized by the use of the word "however".

33. Mr. JOHNSON (United States of America) explained that the sentence in question had been included in the Drafting Committee's report as a rendering of the comments made during the debate.

34. The PRESIDENT said that one way of overcoming the Australian representative's objection would be to place the word "however" at the beginning of the second sentence of paragraph 7.

Section I as a whole, as amended, was adopted by 5 votes to none, with 2 abstentions.

SECTION II

Section II was adopted by 6 votes to none.

SECTION III

35. The PRESIDENT put to the vote the Soviet amendment for the replacement of the words "both parties" at the end of paragraph 12 by the words "the Nauruan people".

The Soviet amendment was rejected by 6 votes to 1.

Paragraph 12 was adopted by 5 votes to none, with 2 abstentions.

Section III as a whole was adopted by 6 votes to none, with 2 abstentions.

36. The PRESIDENT put to the vote the recommendation in paragraph 4 of the Drafting Committee's report (T/L.1128) that the Council should adopt the revised working paper on conditions in Nauru (T/L.1120 and Add.1 and 2) as the basic text for the chapter on conditions in that Territory to be included in the next report of the Trusteeship Council to the General Assembly.

The recommendation was adopted by 7 votes to none, with 1 abstention.

37. The PRESIDENT put to the vote the recommendation in paragraph 5 of the Drafting Committee's report that the Council should adopt the conclusions and recommendations set out in the annex to that report

and include them at the end of each appropriate section or sub-section of the chapter on Nauru.

The recommendation was adopted by 5 votes to none, with 3 abstentions.

38. Mr. McCARTHY (Australia) said he could see no point in draft resolution T/L.1131 since the question of the future of Nauru would in any case be included in the agenda of the General Assembly's twenty-second session. With regard to draft resolution T/L.1132, he was surprised that the Liberian delegation had seen fit to submit a text which failed to take account of the very detailed information on conditions in Nauru that had already been submitted to the Council. With regard to the word "restore" appearing in operative paragraphs 4 and 5 of that draft, it should be remembered, as the special representative had repeatedly pointed out, that the use of that word was rather paradoxical in the case of Nauru. Did it mean that Nauruan land must be restored to its pristine state? If so, it should be pointed out that the greater part of the island had consisted of rock-phosphate-bearing rock, of course, but rock all the same. The land, which had been covered by a thin layer of unproductive soil, had never been used for agriculture or even for habitation. The Committee Appointed to Investigate the Possibilities of Rehabilitation of Mined Phosphate Lands had studied the problem, but the Nauruan people had rejected the general conclusions it had reached in its report (see T/1662), for reasons which were well known to the Council. The Nauruans felt that the land in question should be covered by a layer of topsoil four feet thick, an operation which would cost \$100 million. He wondered why an area should be covered by a four-foot layer of topsoil—a figure which, incidentally, seemed quite arbitrary—when it might later be used for an airport or might perhaps be abandoned if the inhabitants decided to settle elsewhere. Those were practical problems to which the Australian Government had given serious consideration. Any expenditure that might be proposed for the rehabilitation of the worked-out land should be considered in the light of the land's possible future use. At present, no one could say with any certainty how the land would ultimately be used. The Nauruans wanted the sum of \$100 million to be used immediately for restoring the land, but were not concerned with the planning required for its future use, a question which they themselves must decide. Moreover, the proposal for restoring the land in the manner desired by the Nauruans would be a hindrance to any proposals designed to ensure that what was done with the land would appreciably and permanently increase the island's supply of water. In his view, even if the Nauruans had the sum of \$100 million at their disposal, they should not use it immediately for such a purpose.

39. The Trusteeship Council had before it a paper giving the heads of agreement in relation to the phosphate industry. That agreement provided that, on the expiry of an interim period of three years, the phosphate deposits would become the property of the Nauruans, who would be responsible for both the management and the supervision of the phosphate industry in the island. During the negotiations it had been decided by the two parties that the Nauruans would receive \$A12 per ton of phosphate. In reaching that figure, the

partner Governments had taken account of two principles: first, the Nauruan people should receive a sufficient income from the phosphate industry to cover their present and future needs, and secondly, they themselves must take all decisions concerning the restoration of the worked-out land. Out of the total of \$A12 per ton, it had been calculated that the Nauruan people would receive a net income of \$A8, which represented an annual income of \$A30,000 for each Nauruan family in the present population. That sum of \$A8 could be broken down as follows: \$1 would go to a fund for restoring the land, \$1 would go for administration, \$3 would go to a long-term investment fund and \$3 would go to the owners of the land worked. Under that formula, by the time the phosphate deposits were exhausted, an investment fund of \$US400 million would have been built up, yielding the Nauruan people an annual income of the order of \$US24 million.

40. It was true that the Head Chief had told the Council that the Nauruans had given up the idea of resettling elsewhere, but if they were to change their minds, there would obviously be a close relationship between that decision and any decision concerning the restoration of the worked-out land.

41. Operative paragraphs 1, 2 and 3 were not only pointless but might even be harmful in the present circumstances. The parties concerned had already reached a large measure of agreement during negotiations which had been characterized by their cordiality and now that the negotiations were on the point of reopening, it would be regrettable if their success were jeopardized by the adoption of such a draft resolution.

42. With regard to the Liberian delegation's reference to the possibility that Australia might annex the island, he wished to point out that the Administering Authority had said nothing which might justify the use of the word "annexation". There had never been any question of Nauru's annexation by Australia.

43. The PRESIDENT invited the Council to vote on the two Liberian draft resolutions on conditions in the Trust Territory of Nauru (T/L.1131 and T/L.1132).

Draft resolution T/L.1131 was rejected by 4 votes to 2, with 2 abstentions.

At the request of the representative of Liberia, a vote was taken by roll-call on draft resolution T/L.1132.

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

In favour: Liberia, Union of Soviet Socialist Republics.

Against: France, New Zealand, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia.

Abstaining: China.

Draft resolution T/L.1132 was rejected by 5 votes to 2, with 1 abstention.

44. Mr. McDOWELL (New Zealand) explained that his delegation had voted against draft resolution T/L.1131 because the question of Nauru would be considered by the General Assembly anyway and against draft resolution T/L.1132 because it could see no point at the moment in obliging parties concerned in difficult negotiations to commit themselves on paper on complicated questions. It subscribed to the general principle underlying the draft and hoped that an agreement would be reached in subsequent talks.

45. Mr. GASCHIGNARD (France) said that his delegation's vote on draft resolution T/L.1132 should be interpreted in the light of the observations it had made, at the time of the vote on the Drafting Committee's report, on the setting of a date for independence and the need to take the interests of the Nauruan people into consideration.

46. Mr. SHAW (United Kingdom) said that his delegation had been unable to support draft resolution T/L.1132, the first three operative paragraphs of which prejudged the outcome of negotiations which were still only in their preliminary stages. With regard to operative paragraphs 4 and 5, his delegation fully supported the views expressed by the Australian representative. The agreement on the Nauruan phosphates, which had been freely accepted by all the parties concerned, was a comprehensive and final settlement. It made generous and far-sighted provision and disposed of all outstanding financial issues, including the cost of any future proposals for restoring the worked-out land.

47. Mr. JOHNSON (United States of America) explained that his delegation had voted against draft resolution T/L.1131 because it could see no point in the recommendation made, since the General Assembly would take up the question of the future of Nauru at its next session even without that resolution. With regard to draft resolution T/L.1132, the questions at issue in operative paragraphs 1, 2 and 3 were handled better in the report which the Trusteeship Council had just adopted. His delegation could not accept the implication contained in paragraph 3 that the Administering Authority had made the conclusion of a treaty of friendship a pre-condition to the granting of independence. As to paragraphs 4 and 5, he preferred the wording used in the report.

48. Mr. McCARTHY (Australia) said that Australia fully realized that, whatever the course of Nauru's constitutional development, the island's population would continue to face many and varied problems. He had no doubt that Australia, aware of its responsibilities to the Nauruan people, would, as in the past, always provide any assistance that might be asked of it.

49. Mr. EASTMAN (Liberia) said that his delegation might exercise its right of reply at a later stage.

50. The PRESIDENT stated that the Council had considered General Assembly resolution 2226 (XXI) (item 9) together with the examination of the Administering Authority's annual report on Nauru. She suggested

that, in accordance with normal procedure, the Council draw attention to the action which it had taken on agenda item 9 and to the observations of members representing their individual opinions only, in the chapter on attainment of self-government or indepen-

dence, in the Council's report to the General Assembly.

It was so decided.

The meeting rose at 1.20 p.m.