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EXAMINATION OF ANNUAL REPORTS:

WESTERN SAMOA, YEAR ENDED 31 MARCH 1948

Report of the Drafting Committee on Annual Reports

Chairman: Mr. Lin Mousheng (China)

The Drafting Committee on Annual Reports recommends to the Council the adoption of the following passage for inclusion in the Report of the Council to the General Assembly covering its fourth and fifth sessions:

INTRODUCTION

The Report of the Government of New Zealand on the Administration of Western Samoa for the year ended 31 March 1948 was received by the Secretary-General on 6 October 1948 and, having been transmitted* to members of the Council on 12 November 1948, was placed on the agenda for the fourth session of the Council.

During the fourteenth meeting of that session Mr. F.J.H. Grattan, Secretary of Native Affairs for Western Samoa, who had been appointed as special representative of the Administering Authority, made an opening statement on conditions in the territory. Mr. Grattan subsequently submitted written answers** to written questions*** addressed to him by members of the Council on the Report and on the administration of the Territory. During the twenty-fourth and twenty-fifth meetings, the representative and the special representative of the Administering Authority answered supplementary oral questions of members of the Council.

During the twenty-sixth meeting, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory, and requested

* Document T/220

** Document T/260

*** Document T/256

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/the Drafting Committee

the Drafting Committee on Annual Reports to draft a report, in accordance with Rules 100 and 101 of its Rules of Procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft prepared by the Drafting Committee was considered by the Council at itsmeeting on the

PART I

Review of conditions based on the Report of the Administering Authority and on statements made in the Council by the Special Representative

1. General

Area, Topography and Climate

Western Samoa is situated between 13° and 15° south of the Equator and between 171° and 173° west longitude. It consists of two large islands, Upolu and Savai'i, and seven small islands and islets, with a total area of 1,133 square miles. The capital and chief port of the Territory is Apia (population 10,000).

The islands have a tropical climate, heavy rainfall, and occasional severe storms. (They are of volcanic formation and possess a rugged and mountainous terrain which rises in one peak to a height of 6,094 feet.) Though heavily forested, soils are generally thin and rocky, and some sections are covered with lava flows from volcanic eruptions.

Population

On 31 March 1948 the population consisted of 67,149 Samoans, 5,109 part-Europeans, 316 Europeans, 285 Chinese labourers, 5 other Chinese and 72 Melanesians.

2. Political Advancement

Introductory

Feeling that their ultimate aim of self-government would not be furthered by accepting the Trusteeship Agreement which was approved by the General Assembly of the United Nations on 13 December 1946, the representatives of the Samoan people petitioned that Samoa be granted immediate self-government, but that New Zealand should remain in the role of advisor and protector. The petition was transmitted by the New Zealand Government to the Secretary-General of the United Nations in January, 1947. In July, 1947 the Trusteeship Council sent a Mission to Samoa to study local conditions and make recommendations regarding the Samoan petition.

/On 26 August 1947

On 26 August 1947 the New Zealand Government, in a statement in Parliament, outlined its immediate plans for the political development of Western Samoa. This revised Constitution provided for a Council of State comprising the three Fautua or highest chiefs and the High Commissioner, and for a Legislative Assembly composed of the members of the Council of State, eleven Samoan members elected by the Fono of Faipule, five elected members of the European and part-European community, and six official members. The proposed Constitution was found to be very closely in line with the recommendations contained in the Report to the Trusteeship Council of the United Nations Mission to Samoa.

Implementation of the New Zealand Government's proposals was effected by the passage of the Samoa Amendment Act, 1947, by the New Zealand Parliament on 25 November 1947. This Act came into force on 10 March 1948.

General Administration

The Samoa Amendment Act of 1947 deleted the words "in the same manner as if the Territory were part of His Majesty's dominions" contained in the Samoa Act of 1921, and changed the title of "Administrator" to that of "High Commissioner". Under the Samoa Act the New Zealand Parliament retains the power to pass Acts affecting the Territory, and the Governor-General in Council is empowered to make in New Zealand "all such regulations as he thinks necessary for the peace, order and good government of the Territory".

The Legislative Assembly in Western Samoa is given the power by the Amendment Act to make laws (known as Ordinances) for the peace, order and good government of the Territory. Such Ordinances may not be repugnant to certain New Zealand legislation as described in the Amendment Act. No ordinance can become law until it has been passed by the Assembly in the form of a Bill and has been assented to by the High Commissioner.

With the coming into force of the Amendment Act, the Legislative Assembly replaced the Legislative Council; it meets at such times as the High Commissioner may appoint.

Advisory Committees of the Assembly have been set up on Finance, Education, Health, and Public Works. Each Committee consists of three Samoan members, one European and one departmental head, with members of the Council of State sitting ex officio on all committees.

The heads of the executive Departments of the Administration and departmental officers are appointed by the New Zealand Public Service Commission, and the Chief Judge is appointed by the Minister of Island Territories.

/ Samoa Authorities

Samoaan Authorities

At present only two Fautua are serving in the Assembly; the third died in March 1948. Samoaan leaders have since proposed that no appointment of a successor be made, but that the number of Fautua remain at two. The Fautua advise the High Commissioner in matters relating to the Samoaan people. Prior to their appointment to the Council of State in March 1948, they had no statutory powers.

In addition to the Legislative Assembly, the Samoaan people are represented by the Fono of Faipule, which consists of forty-one members from constituencies based on traditional Samoaan districts and sub-districts. The Fono ordinarily meets twice a year, and its members have the statutory right to "consider such matters relative to the welfare of the Samoaan people as of their own initiative they think proper or as may be submitted to them by the High Commissioner and to express their opinions, and to make their recommendations to the High Commissioner". In practice, proposed Ordinances affecting the Samoaan people are submitted, among other matters, to the Fono for their views.

This "right of consultation" runs through the entire fabric of Samoaan society in both its social and political aspects. The Fono of Faipule in an advisory capacity acts as a sounding board for Samoaan opinion on any matter. Each Faipule and, through him, any person in each of the forty-one Faipule constituencies, may refer to the High Commissioner of the administration and ultimately the Administering Authority, any matter which is deemed to be in the interests of the inhabitants.

The Samoaan matai, or heads of families, elect or choose the representative of their district in the Fono of Faipule. His name is submitted to the High Commissioner for confirmation of his appointment of Faipule. The Fono of Faipule elects the Samoaan members of the Legislative Assembly. The Samoaan members elected in 1948 were chosen from the eleven major political districts, although this is not a requirement of the law. In the majority of instances they are not Faipule, but other persons who do not belong to the Fono. When the choice of a particular political district falls upon a Faipule and he is appointed to the Legislative Assembly, that political district is then free to elect a new Faipule to replace the one appointed to the Legislative Assembly.

Judicial Organization

There are a Chief Judge, four Commissioners of the High Court, three Samoaan Associate Judges, and fourteen Samoaan Judges in charge of the District Courts.

/The Samoaan

The Samoan Associate Judges sit on the bench at Apia in an associate capacity with one of the Commissioners or the Chief Judge. In cases where the defendant is a Samoan they take an active part in examining witnesses and helping to frame a just verdict. If the defendant is a European they may be present, but they take no part in the decision.

Offences against Samoan custom which are not offences against written law are handled in village councils presided over by village title holders. This divergence of custom from official written law is, in general, allowed to continue without official interference. Since increasing numbers of Samoans are tending to resist matai authority, appeals frequently are made by dissatisfied parties to the Department of Samoan Affairs and to the Courts, including the Land and Titles Court.

The Native Land and Titles Court is a special judicial body composed of the Chief Judge assisted by two European assessors and at least two of the Samoan Associate Judges. In the settling of disputes over the control of native land and the right to hold traditional Samoan titles, Samoan usage has its fullest expression and sanction by law.

The right of rehearing is allowed from decisions of the Samoan Judges to the Commissioners and on to the Chief Judge, and, under certain conditions, to the Supreme Court of New Zealand.

The official language of the courts is English, but Samoan is used where necessary.

3. Economic Advancement

General

Due to the high prices of both copra and cocoa, the export value for these in the past year is more than twice as high as the previous year, reaching an all time high of £1,171,066. This increased financial return from staple products prevalent for the past few years has resulted in an artificially high standard of living for the Samoan people, who display a tendency to neglect their own food plantations and to purchase European foodstuffs to a greater extent than formerly. A fall in overseas prices would inflict on them a hardship more apparent than real, as their own food resources are sufficient for their maintenance.

Agriculture

The main commercial products of the Territory are cocoa, bananas and copra. There is a local subsistence economy based on the growing of native foodstuffs.

Recent estimates indicate that about 400,000 acres, or 53 per cent of the total area, is wasteland comprising steep mountains, lava beds, /and other poor

and other poor types of country. Cultivation is limited almost wholly to the coastal area and to the adjacent lower slopes.

Agricultural services consist of an inspection of all produce for export and of plantations for weed and insect pests. Plantation Inspectors also inspect Samoan cultivations and encourage new plantings.

The development of copra-production rests to some extent on the eradication of the coconut beetle. So far attempts to introduce insect enemies of this beetle have been unsuccessful.

Cocoa seedlings and rubber-seed are being imported to develop those branches of agriculture.

Livestock

The livestock industries are of local importance. Pigs and poultry are significant in Samoan economy, and horses and cattle are numerous. The New Zealand Reparation Estates have 9,000 head of cattle, of which 1,200 are killed annually for meat.

Land Tenure

Approximately four-fifths of the land area is still held by the Samoans on titles based on their own customs and usages. All families possess enough land to supply them with their material wants. Under the Samoa Act 1921, it is unlawful to alienate "Native Land" other than to the Crown, although provision is made whereby the Administration may approve of leases up to forty years.

Forests, Fisheries and Mines

Limited but useful forest resources exist, and a small sawmill is operated on each of the two main islands.

Marine products form an important part of Samoan subsistence economy, but commercial fishing is negligible.

No mineral resources of commercial value have been found.

Industry

There are no manufacturing industries. The development by the Reparation Estates of dessicated coconut and dried-banana industries occurred in 1942 and 1946 respectively. Their export products in the past year reached a value of £98,100.

Native handicrafts are sold around Apia, but no overseas outlets have been organized.

Monopolies

No monopolies of any kind exist in the Territory.

Foreign Trade

The total foreign trade of the Territory in 1947 amounted to £2,275,543, which was made up of imports valued at £923,773 and exports valued at £1,351,770. Copra and cocoa beans were the chief exports.

/No international

No international agreements with respect to trade applying to the Territory have been entered into by the New Zealand Government during the year under review. The Territory does not form a customs union with New Zealand or have any customs agreement with neighbouring territories.

Import, Finance and Price Control

Import, finance and price controls instituted during the war still continue. Licences are required to import certain goods from New Zealand and for goods imported from other countries.

With no manufacturing industries, the Territory has no protective tariffs. Customs duties and other taxes are for revenue purposes only.

There is no special tariff relationship between the Territory and the New Zealand Government. Preference treatment (instituted in 1920) is given to imports of British goods. Regarding export trade, no preferential treatment is given to any country.

Public Finance

Revenue under various Treasury and Customs headings totalled £475,659, an increase of £210,732 over the previous year. Direct taxes payable in the Territory consisted of a graduated salary and store tax, a building tax, and water rates; these amounted to £50,232.

At the present time the Territory has no debts or outstanding loans, and reserves on 31 March amounted to £607,155.

Communications

Broadcasting

During the year, the establishment of a broadcasting service for the Territory was undertaken, and on 31 January the station was officially opened. One hundred and forty-seven villages are equipped to receive broadcasts from the local station.

The institution of a broadcasting system is possibly the most significant recent development in the social advancement of Western Samoa, for in addition to disseminating educational matter, it provides for the first time a means whereby all the inhabitants can receive reliable information speedily and can hear the views of their leaders. Facilities are available to the Fautua and other Samoan leaders and to representatives of European organizations as well as to the High Commissioner and officers of the administration.

Roads

There are $204\frac{1}{2}$ miles of roads suitable for motor traffic. A shortage of transport and other equipment has handicapped the programme of road construction which calls for the completion of 145 miles of new roads. To protect existing roads from sea erosion, 5,000 lineal feet of lava stone seawalls were constructed during the year.

4. Social Advancement

Social Conditions

The Samoan family is composed of a biological unit which may be living together in one village and also includes every other person in any other village who has blood relationship to that family group; and it may include people who are not related by blood. The Matai, as the chosen head of the family, has the responsibility to direct its affairs in such a way that its best possible interests will be served. The family has its representation in the village Council, through the head of the family. The Matai, whether he be chief or orator, is entitled to sit in the Village Council and give the opinion of his family on village matters.

Human Rights

Article 9 of the Trusteeship Agreement is fully observed - there is complete freedom of conscience.

Persons may be arrested without warrant only if suspected of serious offences against the person and crimes involving violence. All elements of the population are subject to the same laws as regards the safety of their persons and their property, and there have been no instances of the imposition of restrictions on the personal freedoms of the inhabitants. Neither have there been any restrictions on the writing, transmission or publication of information.

Population Pressure

The population totals 72,936, an increase of 1,475 over the previous year. The only population pressure on land exists in Apia and a few of the larger villages, where population increases have led to a shortage of area for growing foodstuffs for their inhabitants and to some congestion of buildings. The New Zealand Reparation Estates, as a matter of policy, is prepared to relinquish to the Ali'i and Faipule of such communities sufficient areas of Estates land in their vicinities to meet their requirements.

Social Welfare

The social system of the Samoans is such that poverty cannot exist. All families are well endowed with land capable of supplying them with their material wants.

Labour

At present there are ample opportunities for all persons seeking employment. Samoans show no desire for regular employment for wages. Only 3 per cent of the population were so engaged according to the 1945 census. While no difficulty is encountered in securing labour for short /periods,

periods, the turnover in regular daily tasks is very large. Due to this the previous German regime recruited indentured labour from China and the Solomons. The number of such labourers has been reduced through repatriation to 285 Chinese and 72 Melanesians. Of these, 126 Chinese are awaiting repatriation.

Labour Conventions and Legislation

A number of International Labour Organizations conventions have been extended to Western Samoa. Consideration is being given at the present time to the advisability of introducing industrial legislation to suit the needs of the Territory.

Medical Services

The staff of the Medical Department consists of the Chief Medical Officer and 2 other European medical officers, 20 Native medical practitioners, 7 Native dental officers, 1 European dispenser, 1 qualified bacteriologist of part Samoan descent, and a nursing staff consisting of a Matron, an assistant Matron, 9 European Sisters, 97 Native nurses, trainees, and baby welfare assistants, and 82 others.

In addition to the Apia Hospital, there are 13 medical out-stations, each with a Native medical practitioner in charge, and 3 additional out-stations under the control of Native nurses only.

Sanitation

The Chief Medical Officer has drawn up a scheme to improve sanitation and public health in general. The effectiveness of this scheme depends upon the co-operation of the Samoans who must be educated to an awareness of its importance. Steps are in hand to train local sanitation inspectors whose duty it will be to endeavour to convince the people that there is a real need for such public health measures, and steps are being taken to procure and show films designed to enlist Samoan co-operation concerning them.

Prisons and Crimes

During the year proceedings were instituted against 1,928 persons, and 1,676 were convicted.

Prisoners at the beginning of the year numbered 107. With 195 admitted and 184 discharged, those in Custody at the end of the year numbered 118.

Juvenile Delinquency

Juveniles are not imprisoned. There are no special laws and Courts to deal with them. On conviction, a juvenile is sent to an approved family for care and discipline, and during his stay is treated as one of the family. Only 15 such offenders appeared before the Courts during the year.

5. Educational Advancement

Policy and Administration

The long-range policy of education in Western Samoa is to bring the general population to a point where self-government by the Samoans is possible. The short-range policy of the Administration schools aims at fulfilling the immediate need of the community for local people sufficiently well educated to hold executive positions of varying importance in commerce and administration. The mission schools supplement this to an appreciable extent, but are generally more concerned with providing their own particular organizations with trained personnel.

The Education Department is under the control of a Superintendent of Schools, who is responsible to the High Commissioner. Legislation relating to education in Western Samoa appears in the Samoa Act, 1921, section 43.

Government Expenditures on Education

An expenditure of £41,300 was authorized for education for the year 1947-48. This does not include the maintenance of school buildings, on which £944 was spent, or the cost of new buildings and sanitation, on which £6,333 was spent. Not all the money voted was spent, and the building programme was curtailed owing to lack of essential materials.

No major building-construction work has taken place during the year 1947-48 owing to lack or scarcity of materials. All schools are in general inadequately equipped, as during the war years school supplies of all descriptions were impossible to obtain.

The salaries of Samoan teachers, exclusive of cost-of-living allowance, range from £41 to £190 per annum. The salaries of European teachers with certificates, including various allowances, range from £435 per annum to £1,045 for the Superintendent of Schools. The salary scale of uncertificated teachers of European status commences at £55 per annum and rises to £440, exclusive of the cost-of-living allowance.

Number of Schools

There are 105 Administration schools, comprising 98 primary schools, 3 middle schools, 2 schools for children who are European by birth or status, 1 post-primary school, and 1 teacher's training school. Denominational schools numbering 388 consist of 349 pastor's schools and 39 other schools classed as preparatory schools and denominational colleges.

Under a scholarship scheme inaugurated in 1945, 10 scholars were selected in 1948 for higher education in New Zealand, making a total of 51 such scholarship awards. The cost is borne by the New Zealand Government.

/School Children

School Children

There were 12,115 students in Administration schools and 21,417 in mission schools. In these figures there is considerable duplication, since many children attend both types of schools.

Curriculum

Instruction in Administration primary schools is in the vernacular, but English is taught. In middle schools all instruction is in English. In the pastor's schools instruction is in Samoan. In denominational schools on a higher level than pastors' schools English is taught and instruction proceeds in both Samoan and English.

Adult and Community Education

The incidence of illiteracy is not believed to be greater than 5 per cent. The few publications in Samoan, however, fill only a small percentage of the general need for such material among literate Samoans.

The introduction of a broadcasting system at the beginning of 1948 has augmented the direct instruction in the village schools. The interest in the daily educational broadcasts is not confined to children but spreads to village people, who listen in as well.

Libraries

Library facilities throughout Samoa are limited. A grant of £2,000 was made available for the purchase of books for the nucleus of a general school library. These are housed in the central education block at Apia. A travelling library to reach all village schools is at present impracticable.

6. General

Equality of Treatment under Law

By the Samoa Act 1921, equal treatment in the administration of justice is accorded to all residents of the Territory, regardless of nationality.

Economic Equality

There are no non-indigenous groups enjoying a special position in the economy of the Territory.

The policy of the New Zealand Government is to further the economic development of all sections of the population. There is only one indigenous group in the Territory - the Samoans - and existing legislation already protects their economic interests.

No economic concessions or privileges have been granted by the New Zealand Government either to Samoans or other residents of the Territory or to any outside organization.

PART II

Observations made by individual members of the Council and the Special Representative of the Administering Authority

1. General

General Conditions

The representative of the Philippines said that he had been greatly impressed with the conditions in the Trust Territory.

The representative of the United Kingdom observed that New Zealand had approached the problems of Samoa in a realistic and practical manner, moving slowly and in step with local opinion.

The representative of Costa Rica stated that the general conditions prevailing in Western Samoa were of the most satisfactory kind and congratulated the New Zealand Government on the manner in which it had administered the Trust Territory for the period covered by the Report.

2. Political Advancement

The Samoa Amendment Act, 1947

The representative of the United States felt that the New Zealand Government was to be commended for the passage of the Samoa Amendment Act of 1947, which put into effect the major political changes suggested by the Council's Visiting Mission to Western Samoa.

The representative of China considered the Samoa Amendment Act of 1947 a great step toward self-government and one of the happiest events in the history of the International Trusteeship System. In his opinion a great achievement of the new Act is its harmonious integration of traditional and modern institutions.

The representative of the Union of Soviet Socialist Republics was of the opinion that the Samoa Amendment Act of 1947 introduced very insignificant changes in the general situation which had existed in the Territory since 1921, that it did not sufficiently reflect the recommendations of the Visiting Mission, and that the greater part of the changes and modifications which it introduced were purely of a formal nature. He considered that the application of the legislative powers of the New Zealand Parliament to Western Samoa nullified the legislative rights and powers of the Trust Territory's Legislative Assembly, and that the High Commissioner enjoyed the same rights under the Act of 1947 as the Administrator had enjoyed earlier.

/The representative

The representative of Belgium felt that the Council should be gratified by recent constitutional changes and that the Council would be pleased if the New Zealand Government would fully carry out the experiment it was now making. However, time should be given for the new system to function.

Legislative Assembly

The representative of the United States felt that the successful functioning of the four committees of the Legislative Assembly dealing with finance, health, education and public works, and containing a majority of Samoans, would be of value through the training it would afford the Samoan people in modern government.

The representative of the Union of Soviet Socialist Republics regarded the powers of the Legislative Assembly as purely consultative in their nature and was unable to fully agree to the statement that the absolute majority in the Assembly is in the hands of the Samoans. Out of the 13 Samoan members, 2 are representatives of the royal families, appointed by the High Commissioner, sit in the Assembly on the basis of their particular status and cannot therefore be considered as really reflecting the interests of the broad level of the indigenous population. The other 11 Samoan members cannot be considered to have been chosen by the rest of the Samoans because they are chosen by the Fono of Faipule (the Council of Elders) who in turn are selected by the head of the families.

The special representative of the Administering Authority stated that the indigenous inhabitants constitute an absolute majority in the Legislative Assembly, there being 11 members representing the traditional political districts and 2 Fautua, making a total of 13 representing the indigenous inhabitants. There are 6 official members and 5 members elected by the European community. Thus it was clear that the indigenous inhabitants had a majority in the Assembly.

The representative of Belgium considered that the Legislative Assembly differed from the former Legislative Council, especially in that it was acceptable to the Samoan people.

Self-Government

The representative of the Philippines suggested that there might be a need now for ~~granting~~ further concessions in the political field.

The representative of the Union of Soviet Socialist Republics considered that the Administering Authority should introduce legislative and other measures to bring about a true participation of the indigenous population in the legislative, administrative, and judicial organs of the /territory.

territory. The Administering Authority should undertake measures to provide for a change from the tribal system to a system of self-government based on democratic principles.

The representative of Mexico expressed the belief that in the near future it would be possible for the Administering Authority to transfer the administration to the indigenous population.

Suffrage

The representative of the Philippines proposed that the Council recommend to the Administering Authority that serious consideration be given to granting universal suffrage.

The representative of the Union of Soviet Socialist Republics drew attention to the fact that some 5,000 persons of European status had 5 representatives in the Legislative Assembly and the indigenous population, numbering 67,000, had only 11 representatives.

Judiciary

The representative of the United States noted that the Administering Authority had not yet found it wise to put into effect certain recommendations of the Visiting Mission concerning the constitutional recognition of Samoan customs and tradition, and the granting of judicial powers on such matters to district judges and village councils. However, the Council had received an assurance that these problems were being studied and that consultations would be held with the Samoans regarding them as soon as it was feasible to do so.

Civil Service

The representative of China expressed the hope that more Samoans might be trained for the civil service, and that some indigenous inhabitants might gradually be trained to take over responsible administrative posts in the Territory.

3. Economic Advancement

Economic Development

The representative of the United States expressed satisfaction with the fact that Western Samoa, in comparison with many countries of the world had an enviable financial position, but recalled the observation of the Visiting Mission that that prosperity was largely dependent on outside marketing of a few products. For this reason, he welcomed the efforts made by the Administering Authority to develop indigenous commercial enterprises and urged the Administering Authority to continue its constructive work in this field. The Administering Authority might find it appropriate to establish in the near future a Department of Agriculture.

- /The representative

The representative of the Philippines felt that the Administering Authority could intensify its efforts in the study of the possibilities of industrialization or the complete utilization of resources of the Territory in order to raise the standard of living of the indigenous inhabitants.

The representative of the Union of Soviet Socialist Republics considered that no effective measures had been taken to draw the indigenous population into an active participation in the economic life of the Territory.

The representative of Belgium said that the export figures of Samoa can be favourably compared with the export figures of any country in the world. The extraordinary prosperity of the Territory rested, however, on a fragile basis as it depended on exports which were now seven or eight times higher than in 1934. Therefore, if the prices of export goods - which had risen to a much greater extent than the prices of import goods - were reduced, Samoa would be threatened with a difficult financial situation. This situation should inspire the Administering Authority to seek to widen the basis of the economy of the Territory.

The representative of Mexico, referring to the threats of a falling off of prices in the world market, said that the necessary measures should be taken to meet such a difficult contingency and cushion the effects of a fall of prices.

Preferential Treatment

The representative of the United States stated that some members of the Council might still have doubts as to the right of the Administering Authority to impose a preferential tariff in Western Samoa in the light of the equality of treatment in commercial matters provided for under Article 76(d) of the Charter. He noted the statement made by the representative of the Administering Authority that an enquiry regarding this problem was under way.

Budget Surpluses

The representative of the Philippines observed that the sum of over half a million pounds now invested in New Zealand might be more beneficially utilized in the Territory to raise the standard of life of the indigenous inhabitants.

Land

The representative of the Union of Soviet Socialist Republics pointed out that 143,360 acres of land were in the hands of the Administering Authority and of European landowners, and that the fact that there were almost 20 acres of land per European and only approximately 5 acres for each Samoan was evidence of racial discrimination in distribution of land. He considered

/that there

that there was no justification for not having returned to the indigenous population the 73,000 acres of land which had been taken away from them by the German colonizers, a greater part of that land constituting the best land in the Territory. The representative of the Union of Soviet Socialist Republics considered that the Administering Authority should return that land to the indigenous inhabitants.

The special representative of the Administering Authority pointed out that of the total of 75,360 acres representing the former German estates, only 9,836 acres are worked directly by the New Zealand Reparation Estates. He stated the opinion that over 50,000 acres consists of land which could not be cultivated. In many cases it consists of rough volcanic lava country, mountainside, river beds or sheer precipices, so that the amount of land actually available to be worked is only approximately one-third of the 75,360 acres at present held by the New Zealand Reparation Estates.

For many years the New Zealand Reparation Estates had followed a policy of making land available to villages requiring it either by sale or lease. Some of the areas in question have been large, and prices or rates of rental have in many instances been little more than nominal. It is the practice to give adjoining villages or those to whom the land in question originally belonged the first option of purchase, and in any case land is now made available to villages rather than to individuals in order to secure a more equitable distribution.

The special representative stated that the duty of the New Zealand Government in this matter was to endeavour to strike a balance between two considerations:

- (a) The material welfare of the whole Territory as represented by the contribution made by the Estates to the economy of the territory, and
- (b) The interests of a few villages that may become increasingly short of land.

Attention was drawn to the reply of a previous special representative to the effect that if the use of Estates land for commercial purposes conflicted with the requirements of the Samoans for settlement and the maintenance of their own livelihood, there was no question that the latter would be given preference.

As to the intentions of the Administering Authority in relation to the ultimate return of these lands to the indigenous inhabitants, the special representative of New Zealand stated that the New Zealand Government is the legal owner of the lands as the legal successor of people or
/institutions

institutions who gave value for them in the last century. In 1891 and 1894 the three land commissioners nominated by the United States, Germany and Great Britain worked on the claims submitted to them by those who claimed to be the owners of Samoan lands and as a result of the work of that commission, original European titles called court grants were issued to those who were able to substantiate their claim. Those titles issued by the commission form the basis of the present land registry records of Western Samoa.

4. Social Advancement

Legal Status of Inhabitants

The representative of the United States observed that one of the exceedingly complex problems faced by Western Samoa was the legal distinctions between persons of European, Samoan and part Samoan status. He also observed that like all problems of this nature distinctions such as these were apt to arouse deep feeling and resentments. The representative of the United States considered that the Administering Authority's policy of permitting the newly formed legislative assembly to get its feet on the ground before dealing with such a complex problem was a wise one: He felt sure, however, that the Administering Authority would keep the Council currently informed as to the study which it was making on this problem.

Health Services

The representative of the Union of Soviet Socialist Republics observed that the Administering Authority had not shown sufficient concern with the improvement of medical services for the indigenous population. There was an insufficient number of medical personnel and there were no facilities for secondary or higher medical training in the Territory, and there was not a single maternity home in the Territory. The question of water supply had not been satisfactorily solved, and even in the city of Apia there were dangerous sanitary conditions. The Administering Authority should make increased budgetary allocations for health and social services generally.

Sanitation

The representative of Costa Rica observed that in the city of Apia there were septic tanks in a great number of European houses, whereas the native houses had cesspools and some other native houses did not have even that facility. There seemed to be a deficiency in this matter.

Western Samoa to the end that the basis of representation in the Legislative Council may be progressively broadened.

Civil Service

The Council welcomes the policy of the Administering Authority of training the Samoans for the Civil Service so that they may gradually assume responsible administrative posts in the Territory.

2. Economic Advancement

Economic Development

The Council notes with satisfaction that the financial situation of the Territory is at present excellent. It is, however, aware that this prosperity is mainly due to abnormally high prices for copra and cocoa and is concerned with the possible repercussions of a fall in these prices on the economy of the Territory, and therefore recommends that the Administering Authority should continue to take all possible steps to protect the economy of the Territory against a fall in world prices by diversifying the production, by introducing secondary industries into the Territory and by any other measures that may be found possible.

The Council recommends that the Administering Authority intensify its efforts towards the development and utilization of the resources of the Territory in order to raise the standard of living of the indigenous inhabitants and requests the Administering Authority to elaborate an over-all plan for the economic development of Western Samoa.

Preferential Treatment

The Council takes note of the statement made by the representative of the Administering Authority that an inquiry regarding the existing preferential treatment of 11 per cent in favour of British goods is under way.

3. Social Advancement

The Council urges the Administering Authority to intensify its efforts in the improvement of the health and social services in the Territory.

The Council requests the Administering Authority to consider the possibility of taking sample studies of the standard of living of the inhabitants.

4. Educational Advancement

Secondary and Higher Education

The Council welcomes the proposed establishment in the Trust Territory of a new secondary school with full time educational facilities
/and recommends

and recommends to the Administering Authority that it intensify its efforts to increase existing opportunities of higher education for the people of the Trust Territory.

Compulsory Education

The Council urges the Administering Authority to continue its efforts towards increasing the number of Samoan teachers so that compulsory primary education as well as more extensive education in middle schools may become feasible as soon as possible.

Cultural Development

The Council considers that the Administering Authority should further encourage the development of the national culture and the true national art of the indigenous population.
