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EXAMINATION OF ANNUAL REPORTS: NEW GUINEA, YEAR ENDED  
30 JUNE 1948

Report of the Drafting Committee on New Guinea

Chairman: Mr. Raul Noriega (Mexico)

The Drafting Committee on New Guinea 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 Australia on the administration of New Guinea for the year ended 30 June 1949 was received by the Secretary-General on 9 February 1949 and, having been transmitted<sup>1/</sup> to members of the Council on 4 March 1949, was placed on the agenda for the fifth session of the Council.

During the eleventh meeting of that session Mr. J. R. Halligan, Secretary of the Department of External Territories, who had been appointed as special representative of the Administering Authority, submitted written answers to written questions<sup>2/</sup> addressed to him by members of the Council on the report and on the administration of the Territory. During the eleventh, twelfth, thirteenth and fourteenth meetings, the representative and the special representative of the Administering Authority answered supplementary oral questions of members of the Council.

During the fourteenth and fifteenth meetings, the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to conditions in the Territory.

During the eighteenth meeting the Council appointed a Drafting Committee on New Guinea, consisting of China, Mexico, New Zealand and the United States of America 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 its meeting on the

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2/ T/354

/PART I.

PART I. OUTLINE OF GENERAL CONDITIONS AS STATED IN THE REPORT  
OF THE ADMINISTERING AUTHORITY AND BY THE  
SPECIAL REPRESENTATIVE

1. POLITICAL ADVANCEMENT

General administration

The Territory continued to be provisionally administered during the year under the Papua-New Guinea Provisional Administration Act 1945-1946 in which the power to make ordinances for the peace, order and good government of the Territory is vested in the Governor-General of the Commonwealth of Australia. The division of the Territory into eight districts for purposes of administration remained unaltered.

No fundamental changes were made in the composition of the administrative staff. In a total of 1,686 classified positions in the various departments of the Administration for both Papua and New Guinea, a staff of 1,022 Europeans were on duty 30 June 1948, indicating an increase of forty-seven over the previous year. Approximately 600 officers of the Administration are stationed permanently in the Territory of New Guinea. In addition, the Administration employed 9,272 indigenous inhabitants and was represented in the villages of the Territory by 11,048 other indigenous inhabitants, consisting of Iuluais, Tultuls, and Medical Tultuls.

Approximately 8,000 square miles in the Central Highlands district were added to the area under administrative control during the year under review.

No legislation furthering the political advancement of the Territory toward self-government or independence was passed during the year.

Judiciary

Legislation for the establishment of Native Courts which are to be composed exclusively of indigenous inhabitants was being prepared.

Indigenous authorities

A number of experimental village councils was set up in the New Ireland District. In New Britain Advisory village councils were particularly active around Rabaul in bringing village affairs in closer contact with Administration officials.

## 2. ECONOMIC ADVANCEMENT

### Agriculture

There were no significant changes in the acreage devoted to the principal agricultural products which are copra, cacao, and coffee. The Administration encouraged and assisted the indigenous inhabitants in the production of copra and the growing of coffee and other crops. Provision was made for the appointment of European project managers to organize and lead native communities in the production of economic crops. Projects already in operation include copra, coffee and rice production. Native produce is to be marketed by the Administration for producers. For the purpose of improving the living standards of indigenous women, two European female agriculturists, University graduates in Agriculture, have been selected to take up duties in the Territory.

In several instances indigenous communities undertook to produce copra from European-owned plantations on a share basis, and in the Sepik District co-operative societies under the leadership of indigenous inhabitants leased two copra plantations from the Administration.

### Livestock

A chief was appointed to the Division of Animal Industry and sites were selected near Administration Centres for stock-breeding stations, quarantine areas and for the teaching of methods of husbandry. Breeding stock was introduced to stock stations near Lae and Rabaul and also to some Agricultural Stations.

### Fisheries

A survey of Territorial waters was in progress to ascertain and develop the fish and shell resources of the Territory. The training of indigenous divers was included in this project.

### Forests

Ten sawmills were in operation and four more were being constructed. Approximately 9,000,000 superficial feet of log were converted into sawn timbers for use in the Territory, and 400,000 super feet of logs were exported.

### Minerals

Gold is the only mineral being exploited at the present time. Other mineral resources have not been found in sufficient quantities to warrant development.

### Foreign trade

The total foreign trade, consisting of imports valued at £3,105,098 and exports valued at £1,927,075, amounted to £5,032,173, an increase of £3,465,207 over the previous year. Foodstuffs, non-alcoholic beverages,  
/apparel,

apparel, textiles and manufactured fibres, metals, metal manufactures and machinery were the principal imports in terms of value, being approximately two-thirds of the total. Approximately 75 per cent of the total exports consisted of gold and copra. The export of gold rose from 27,966 ounces valued at £179,548 in 1946-1947 to 126,092 ounces valued at £851,569 in the year under review. Copra exports totalled 18,887 tons valued at £625,662.

The Territory obtained approximately 67.9 per cent of its imports from Australia, 12.8 per cent from the United States of America, 4.8 per cent from the United Kingdom and 4.1 per cent from China. Australia received approximately 99 per cent of its exports.

#### Public finance

In the year under review internal receipts amounted to £589,709 and a grant by the Australian Government of £1,109,494 totalled £1,699,203. Expenditures, including £227,664 paid to indigenous inhabitants for war damages and war injuries, amounted to £1,656,926. The closing surplus at the end of the year was £155,259. Information on the capital position of the Territory was not available.

#### Transportation and communications

Mails to all areas except Bougainville are now serviced by air as well as by surface transport. A bi-weekly service has been established from Australia and Papua to Rabaul.

Telephone services were extended at Lae, Madang and Rabaul and a small telephone exchange was constructed at Garoka in the Central Highlands.

Improvements in transport and communications include wharves and cargo storage facilities at Lae and Rabaul.

#### Public works

Arrangements were made for the Department of Works and Housing of the Commonwealth of Australia to take control of all public works in the Territory and the neighbouring Territory of Papua.

An additional 183 employees were added to this Department of Public Works for the two Territories, making a total of approximately 430 European employees, the majority of whom were employed in the Territory of New Guinea.

Electricity has been made available in the towns of Lae and Finschafen and Rabaul.

In addition to the completion of eighty-nine cottages suitable for use as married quarters, the following projects have also been completed: single quarters for men and women; indigenous labour houses; European, Asiatic and indigenous schools; hospitals, nurses quarters; X-ray block; public library; police station and constables quarters; indigenous produce markets; supreme court buildings and judges' chambers; stores, and workshops.

### 3. SOCIAL ADVANCEMENT

#### Social welfare

The only legislation directly affecting social welfare was the Native Labour Ordinance, 1946, which became effective on 15 September 1947.

A Social Development Planning Committee was set up to inquire into and make recommendations concerning social security.

Two senior female officers, with specialist, anthropological and social welfare qualifications were conducting a survey during the last nine months of the year for the preparation of plans to improve the general social status of indigenous women and girls.

The introduction of adult evening and special classes for 150 selected indigenous and Chinese students was a special feature of social welfare work.

#### Prisons and crime

The number of persons charged and convicted in the courts was 2,360 and 2,229 respectively. This was more than twice the number for the previous year when 1,095 were charged and 1,052 were convicted. The number committed to prison was 1,905, an increase of 776 over the preceding year.

Penalties of corporal punishment in certain cases are provided by law, but no sentences of corporal punishment were imposed.

#### Labour

The chief problem regarding labour and working conditions is the inability of labour resources to meet the demand for skilled, semi-skilled and unskilled workers required for the rehabilitation and developmental plans which have been formulated. It is estimated these require 24,000 more workers than are now employed.

The numbers of indigenous inhabitants employed increased from 16,016 on 1 July 1947 to 25,924 by the end of the year under review. An additional 1,170 were serving in the Police Force. Indigenous labourers were employed as follows:

Plantations	9,109
Mining	4,647
Administration	7,102
Domestics	1,506
Shipping, commerce and industry	1,784
Miscellaneous	776
	<hr/>
Total	25,924

On 30 June 1948, 8,102 labourers were employed by the Administration, and 9,048 indentured labourers and 8,774 non-indentured labourers were employed by private employers.

/The trend

The trend in indigenous labour is from indentured toward non-indentured forms of employment. This is apparent if comparisons are made with the years preceding World War II when nearly all workers were indentured.

Trade unions and labour disputes

No trade unions have been established, and there is no machinery for collective bargaining in the Territory. Industrial disputes during the year were of a minor nature; no claims remained unsettled.

Public health

The number of official medical centres increased from 38 to 49 during the year. The number of official medical officers increased from 6 to 9 and the total medical personnel serving in Public Health activities increased from 815 to 984. Government hospitals had 80 beds for Europeans and 6,947 beds for non-Europeans. During the year they treated 911 European in-patients, 52,592 non-European in-patients, 2,647 European out-patients and 45,219 non-European out-patients.

Instruction was given to 240 indigenous inhabitants in the medical training centres at Lae, Garoka and Mount Hagen. Additional schools were opened during the year at Wewak and Rabaul. Seven students were sent to Suva, Fiji to be trained at the Central Medical School for Native and Indian practitioners.

The amount expended on Public Health including grants to missions totaled £227,527, an increase of £38,109 over the previous year.

4. EDUCATIONAL ADVANCEMENT

Thirteen additional schools were established during the year. Instruction was given at 5 primary European schools, 5 primary Chinese schools, 2 primary part-Malayan schools, and 26 indigenous village, area, and district schools, including one technical school. An incomplete survey of mission schools totaled 1,463 which are described as village, intermediate and higher schools.

The enrolment in Government schools increased from 1,793 to 2,561 pupils and included 108 Europeans, 431 Chinese, 123 part-Malay, and 1,899 indigenous children. Mission schools were estimated to have a total of 60,000 students. The number of teachers in Government schools increased from 54 to 88; of these, 18 were European, 10 were Chinese and 60 were indigenous teachers. Mission schools were estimated to have 60 European and 1,500 indigenous teachers.

Educational expenditures, including a £21,750 grant to Mission schools, amounted to £52,256, an increase of £15,561 over the previous year.

PART II. CONCLUSIONS AND RECOMMENDATIONS APPROVED BY THE COUNCIL

1. GENERAL

General advancement

1. The Council, in presenting to the General Assembly the conclusions and recommendations arising from its examination of the Report on the administration of the Trust Territory of New Guinea for the period of 1 July 1947 to 30 June 1948, draws attention to the fact that in its examination of the annual report on New Guinea it has taken into account the inability of the Administering Authority during the year under review, to act upon the recommendations arising from its examination of the previous annual report, since those recommendations were not made until after the end of the year covered by the present report. The Council therefore suggests that the next annual report should indicate fully the progress made by the Administering Authority in implementing or acting upon the recommendations made by the Council in 1948.

2. The Council, considering the backward character of the Territory, and considering the efforts of the Administering Authority in carrying out the obligations which it has assumed under the Trusteeship Agreement, commends the Administering Authority for the good work which, on the whole, it has carried out on behalf of inhabitants, and expresses the hope that the Administering Authority will make every effort to advance the inhabitants of the Territory, as rapidly as possible, towards the objectives of the International Trusteeship System.

3. The Council, noting the backward character of the Territory, noting the devastation caused by the war, and noting the intentions of the Administering Authority to raise the political, economic, social and educational standards of the Territory, commends the Administering Authority for its achievements so far, especially in the field of rehabilitation, and considers that it must nevertheless exert more vigorous efforts if the objective which it has set itself as the Administering Authority for the inhabitants is to be attained in the near future.

Peaceful penetration

4. The Council, while approving, in principle, the method of peaceful penetration as a means of bringing uncontrolled areas under the control of the Administration, recommends that the Administering Authority (a) review the actual application of this policy with a view to preventing the recurrence of such tragic incidents as the killing of five members of the

/Dika tribe

Dika tribe, (b) recruit more mature and more adequately trained patrol officers, and instruct them in the principle and proper practice of the policy and (c) take all possible steps to establish such conditions in the controlled areas that the inhabitants of the uncontrolled areas may realize the benefits that modern administration may give them.

## 2. POLITICAL ADVANCEMENT

### Legislative Council

5. The Council, noting the allocation of only three seats to unofficial indigenous members in the joint legislature for the Trust Territory and Papua, recommends that the Administering Authority (a) study the possibility of increasing the number of indigenous members of the joint legislature; (b) study the possibility of establishing a separate legislature for the Trust Territory; and (c) give increasingly greater participation in the legislative council to the indigenous inhabitants, leading to the eventual establishment of an indigenous majority.

### Indigenous organs

6. The Council, considering that the tribal system does not offer sufficient opportunity for the progressive political development of the inhabitants toward self-government or independence, recommends that the Administering Authority take steps to provide for a gradual transfer from the tribal system to a modern system of self-government based on democratic principles.

7. The Council reiterates its previous recommendations on the subject of advisory village councils, and recommends that in framing the proposed ordinance defining the powers and functions of the village councils the Administering Authority specifically take into account the previous recommendations of the Trusteeship Council and in particular recommends that provision be made in the ordinance for the training of village councils in the essentials of handling public finances and that these councils be entrusted with a certain amount of financial responsibility.

8. The Council recommends that the Administering Authority take suitable measures to give, whenever appropriate, legal status to traditional indigenous courts and practices and bring them into relationship with the existing court system.

### Administrative service

9. The Council, noting with appreciation the great increase which has taken place in the number of administrative positions established, considers that the shortage of staff in the Trust Territory is a serious obstacle to its development and suggests that the Administering Authority consider whether the conditions of service are sufficiently good to attract the most suitable

/type of staff



type of staff in adequate numbers, and that it consider the advisability of employing in the Department of District Services and Native Affairs a number of older men on five or ten year contracts until such time as a new generation of officials may be trained.

### 3. ECONOMIC ADVANCEMENT

#### General

10. The Council considers that in the economic and financial development of the Territory consideration should be given and measures taken to increase the participation by the indigenous population in the development of the abundant resources of the Territory.

#### Agriculture

11. The Council notes with appreciation the achievements of the Administering Authority with regard to agriculture, fisheries and animal husbandry, and in particular its work in agricultural experimental stations, and expresses the hope that this work will be continued and expanded.

#### Co-operative societies

12. The Council commends the Administering Authority for its initiative in the enactment and contemplated operation of the Co-operative Societies Ordinance of 1948 and expresses the hope that the Administering Authority will, in every way possible, foster the development of co-operative enterprises.

#### Taxation

13. The Council reiterates its previous recommendations on taxation and hopes that the Administering Authority will consider the possibility of increasing the royalty on gold production and of abolishing the law dealing with the native head tax which the Council is glad to note has been suspended since the resumption of civil administration.

### 4. SOCIAL ADVANCEMENT

#### Human rights and fundamental freedoms

14. The Council recommends that the Administering Authority revise the Police Offences Ordinance and other laws, regulations and practices relating to the powers of arrest and curfew.

15. The Trusteeship Council recommends that the Administering Authority review all the legislation and the administrative practices of the territory with a view to the abolition of any laws and practices, especially in the laws on immigration, which may involve discrimination.

#### Wages and labour conditions

16. The Council recommends that the Administering Authority conduct as soon as possible cost of living surveys, at the beginning only in some typical rural, urban or mining communities, and transmit the results of those surveys to the Council.

/17. The Council

17. The Council recommends that a special study should be conducted as to the possibility of increasing the minimum wage of 15 shillings per month paid to indigenous workers.

18. With regard to the principle of equal pay for equal work and with regard to the establishment of some form of collective bargaining, the Council reiterates its recommendations of last year and in this connection recommends that the Administering Authority (a) take all possible steps to readjust the existing salary and wage rates in order that there should be no differentiation except on the basis of skill, and (b) whenever possible, encourage the establishment of trade unions in the territory.

19. The Trusteeship Council, noting that a minimum period of five years has been fixed for the abolition by legislation of the system of indentured labour, recommends that the Administering Authority consider appropriate measures in order to hasten the abolition of this system.

#### Public health

20. The Council in reiterating its recommendation of last year with regard to public health recommends that the Administering Authority take all possible steps to expand and develop the Public Health Services.

#### Penal organization

21. The Council, noting the unlimited power vested in the Administrator to prolong indefinitely the incarceration of a convicted person declared an habitual criminal, recommends that the Administering Authority review the legislation with a view to ensuring provision for judicial declaration of an habitual criminal and for the fixing of the minimum and maximum period of further punishment.

22. The Council, while noting the statement in the annual report that no sentences of corporal punishment have been imposed since the resumption of civil administration, recommends that the Administering Authority formally abolish corporal punishment.

#### 5. EDUCATIONAL ADVANCEMENT

23. The Council, recognizing the serious efforts that have been made in the field of education and noting the relationship between the administration and the religious missions in this field, commends the Administering Authority for the present arrangements giving it supervisory control over the whole programme.

24. The Council, noting the considerable increase in the expenditure for education from 1946-1947 to 1947-1948, but noting that the expenditure is still low, reiterates its recommendations of last year regarding educational advancement and higher education and recommends that the Administering

/Authority

Authority undertake a further increase in expenditure in order to cope with the widespread illiteracy of the inhabitants and to provide for secondary and higher education and other cultural requirements.

6. MISCELLANEOUS

25. The Council requests the Administering Authority to provide in the next annual report, in addition to detailed answers to the Provisional Questionnaire and information arising from the foregoing conclusions and recommendations, information with regard to the present system of preferential treatment extended to certain goods exported from the Territory.

PART IX. OBSERVATIONS OF INDIVIDUAL MEMBERS OF THE COUNCIL

1. GENERAL

General advancement

The representative of Iraq stated that the Council should observe that in its examination of the present annual report it had taken into account that its recommendations arising from the previous annual report could not have been acted upon by the Administering Authority during the year under review, since the recommendations were not made until the end of that year.

The Council should further note that conditions in the Territory and the state of advancement of the inhabitants towards the objectives of the Charter remained generally unchanged during the year under review.

The Council should express the hope that in these circumstances the next annual report would indicate fully the progress made by the Administering Authority in implementing the Council's recommendations of 1948 and would reflect a more rapid advancement in the letter and spirit of these recommendations, towards the goals of the International Trusteeship System.

The representative of France fully agreed with the observations made by the representative of Iraq concerning the recommendations made by the Council on the previous annual report on New Guinea.

The representative expressed the opinion that it would be wise to reiterate these recommendations as a whole; to insist that the Administering Authority attach all the necessary importance to the implementation of the recommendations; and, to obtain from the Administering Authority an assurance that the next annual report would include the results of the implementation of the recommendations.

The representative of the United States of America expressed the concern which his delegation felt over the failure of the Administering Authority to make available to members of the Council a sufficient number of copies of the report on New Guinea in time to make possible an adequate study of the report.

He suggested further that the Administering Authority should exert every effort in the future to provide full information in the report, not only in reply to the questions in the Provisional Questionnaire, but also in compliance with the requests made during the present session of the Council by the various representatives. His delegation was particularly interested in receiving as much information as possible concerning the broad developments in matters of general interest and

/believed

believed that the experience gained by the Administering Authority in undertaking surveys, building programmes, agricultural experiments and health projects should be described in some detail in the report so that other Administering Authorities might have the information available as possible guides to them concerning improvements which they might undertake in the Trust Territories under their administration.

He considered that the Administering Authority was making every effort to carry out the obligations it had assumed under the Trusteeship Agreement and believed that the report itself and the answers given by the special representative revealed a situation which in general was worthy of the Council's approbation.

The representative expressed the view that the Council in considering the report and in making its recommendations and observations thereon, should keep in mind several fundamental facts. Firstly, the Territory was extremely backward and primitive, secondly, much of the Territory was undeveloped and there were great difficulties of geography and climate and thirdly, the Territory was a battle area during the Second World War. The task of rehabilitation was a very complicated one and the Council should commend the Administering Authority in its stated aim of not only rehabilitating the inhabitants, but also of effecting as quickly as possible further improvements in their situation.

The representative of the Union of Soviet Socialist Republics noted that both in the report itself and in the replies of the Special Representative there was not sufficient factual data regarding a great number of important questions contained in the Questionnaire. In neither the report nor in the replies of the Special Representative was there information given regarding the conditions of life and the normal requirements for minimum subsistence for the indigenous population, and that there were insufficient data regarding the conditions of education and health. No information was furnished regarding the participation of the indigenous population in the political life of the Territory. He emphasized this insufficiency of information as evidence that on a number of questions there was no information given because the Administering Authority had not taken the necessary measures to carry out and to implement the objectives and principles of the International Trusteeship System.

The representative of the United Kingdom noted that obviously much remained to be done in New Guinea, a fact admitted by the Administering Authority and which indeed was the case in many countries which were not Trust Territories. New Guinea was still a backward territory and that

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was the reason why it was placed under Trusteeship, a fact which was sometimes overlooked.

In his view the Administering Authority had, on the whole, done good work on behalf of the inhabitants and should be commended.

The representative of the Philippines agreed that a resolution of the Council should be formulated calling the attention of the Administering Authority to the recommendations of the previous year. However, that should not be all, as the answers of the special representative had shown certain facts upon which specific action might be taken by the Council, either as new recommendations or as amplification of previous ones.

The representative considered that much remained to be done in the Territory. He noted the intentions of the Administering Authority to raise the political, economic, social and educational standards of the Territory, but contended that good intentions were not enough. While the Administering Authority should be commended for its achievements especially in the field of rehabilitation, it was apparent that it should exert more vigorous efforts if the goal which it had set itself as Trustee for the peoples of New Guinea was to be attained in the near future.

The representative remarked that the report was inadequate and he was disappointed that the additional information previously requested by the Council for inclusion in the present report was not in fact included.

The representative of Australia commented that care should be taken by the Council in formulating its recommendations not to give undue repetition from year to year to recommendations which had a bearing over a long period of years. Recommendations adopted by the Council on the previous annual report were still the substantive recommendations of the Council. The Council had yet to learn the reactions of the Administering Authority where they existed on those recommendations and therefore it was proper for the Council before embarking on a new series of recommendations, to await the action which would follow from the previous recommendations. The representative further pointed out that the Administering Authority had in some cases initiated action similar to that suggested in some recommendations, before the Council had itself adopted the recommendations.

The representative further recalled that the Council would despatch a Visiting Mission to the Territory in 1950. Many of the implied criticisms and observations apparent in the discussion might then be found subject to reversal or considerable modification.

/The representative

The representative further emphasized that the Council should keep in mind that the Territory was at the most primitive stage of development. No startling or dramatic changes could be introduced suddenly and it was necessary to think not only in terms of years, but in terms of tens of years in some of the developing processes in New Guinea, especially regarding political development. Before the inhabitants could exercise their eventual political rights they would have to learn the meaning of abstractions. In other words the basis of development was education, first on the primary level gradually leading to universal literacy, then secondary education and finally higher education, until eventually these concepts and ideas began to be grasped by the great masses of the population.

#### Peaceful penetration

The representative of the Philippines approved fully the principles of peaceful penetration, but doubted whether the practise of this policy tallied with the principle.

The Trusteeship Council should, while approving the principle of peaceful penetration recommend that the Administering Authority review the practise thereof with a view to preventing the recurrence of tragic incidents such as the killing of five Dika tribesmen, and should recruit more mature and trained patrol officers and indoctrinate the native police in the principle and proper practice of the policy of peaceful penetration.

The representative of the United States stated that, although certain regrettable incidents of violence had occurred as the various primitive tribes were brought under control, his delegation considered that the policy of peaceful penetration was a realistic one and considering the magnitude and difficulties of the task there seemed to be no reason to believe that the policy was unsound or not designed in the interests of the inhabitants.

The representative of Australia referring to the remarks made by the representative of the Philippines on the incident of July 1947 when five natives were killed stated that if no other construction were put on the incident, the record might show that it was a more or less willful act resulting from a deliberate application of the policy of peaceful penetration. But in fact, this was primarily a fortuitous expedition into an uncontrolled area. It had not been undertaken in pursuance of the general policy of peaceful penetration as such, and strictly it should never have taken place at all if the orders given by the superior officer had been followed. The result of the incident was deplorable, but it  
/should not

should not be represented, nor should the consequences of the incident be represented as necessarily the policy itself. The policy itself was intended precisely toward the avoidance of incidents of this kind and had in the main been a complete success in that respect.

General

## 2. POLITICAL ADVANCEMENT

The representative of the Union of Soviet Socialist Republics noted that there was no information regarding the participation of the indigenous inhabitants in the administration and government of their country. This was so because there existed no legislation or other measures by which they could participate in the legislative, executive or judicial organs of the Territory. The 112 indigenous inhabitants employed by the Administration had a very rudimentary education and were engaged only as chauffeurs, couriers and in similar tasks.

The representative of Australia stated that a perusal of the report and a study of the replies of the special representative would certainly seem to indicate that the Administration was undoubtedly trying to achieve by the gradual acquirement of control over previously uncontrolled areas, the transformation of the tribal system into a public order. This was being done without unnecessary destruction of native beliefs and usages which were not in themselves repugnant.

He further pointed out that as far as the participation of the indigenous inhabitants in the administration of their own affairs was concerned that the present Act regarding the Territories of Papua and New Guinea prescribed that the intended Legislative Council should include three native members.

### Administrative Union of Papua and New Guinea

The representative of the Union of Soviet Socialist Republics noted that the Government of Australia had united in 1949 the Trust Territory of New Guinea with the adjacent Australian Colony of Papua in a system of so-called administrative union. This union interfered with and actually made impossible the further development of the Territory along independent lines and led to the complete administrative and economic engulfment of the Territory. It was in violation of the status of the Territory and would lead to the annexation of the Territory.

The creation of this union was incompatible with the basic aims and principles of the International Trusteeship System. In this connection the delegation of the USSR considered that the Council should recommend to the Administering Authority that it establish in the Trust Territory legislative and administrative organs, not subordinated to any organs created on the basis of a union between the Trust Territory and the

/colony



colony of Papua. For this purpose the Administering Authority should introduce legislative and other measures which would provide for the participation of the indigenous inhabitants in the legislative, executive and judicial organs of the Trust Territory.

#### Legislative Council

The representative of the Philippines considered unsatisfactory the designation of only three unofficial native members in the legislative council which was composed of 29 members, and in which membership was to be divided among the residents of Papua and the Trust Territory.

The representative of Australia remarked in reply to the representative of the Philippines that whether or not three native members of the intended Legislative Council was sufficient or not was a matter of opinion. It was intended to start with three and the results would be carefully watched with a view to further development at the earliest possible time.

#### Advisory councils and village councils

The representative of the United States of America expressed interest in the advisory village councils which had been established in the Territory and he looked forward to receiving information on the further development of these councils as set forth in future reports. He believed that the Trusteeship Council should recognize that the significant development of these councils must be based on a solid foundation of understanding and education.

The representative of the United Kingdom suggested that the village councils should be entrusted with a certain amount of financial responsibility, however limited it might be, in order that the members of these councils might receive preliminary training in the handling of public finances, which was essential if they were ever to stand on their own as an independent people.

The representative of New Zealand was particularly interested to know whether the advisory councils would possess treasuries because it was only when these people learned financial responsibility that they could take over fuller responsibilities.

The representative of the Philippines expressed the view that the last year's recommendation of the Council concerning the review of the constitution and powers of the advisory councils should be made a continuing recommendation. The same held true for the native village councils, although it was hoped that the ordinance defining the powers and functions of the village councils would take into account the recommendations of the Council.

/The representative

The representative expressed his delegation's disappointment that the special representative was unable to enlighten the Council on the contents of this ordinance.

The representative felt that the Trusteeship Council, as well as reiterating its recommendations of the previous year on the advisory and village councils, should recommend that the proposed ordinance specifically take into account the recommendations of the Trusteeship Council and that copies of the ordinance should be attached to the next annual report.

The representative of Australia stated that the advisory councils on native affairs and the native village councils which had been provided for by an Act of the Australian Parliament would be carefully watched with a view to further development at the earliest possible time. If it proved possible, the terms of the proposed ordinance for the establishment of the native village councils would be made available to the Council before the time the report of 1950 was transmitted to the Council. It was not possible at the present time to give the Council all the details which the Council would normally expect, since many of these details remained to be settled.

#### Administrative personnel

The representative of the United States of America believed that the Council should note with appreciation the great increase in the number of classified positions which the Administering Authority had established. The special representative had explained that until 1942 the administration considered about 600 positions to be adequate for both the Trust Territory and Papua, now the goal had been set at over 1600. His delegation hoped that as a result of putting the public service in the Territory on a permanent basis, the administration would achieve marked success in filling more of these positions. The representative further noted the assurance of the special representative that future reports would indicate the classified positions which pertained to the Trust Territory alone.

The representative of the United Kingdom considered that the shortage of staff in the Trust Territory was a serious handicap to the development of New Guinea, and suggested that the Administering Authority should seriously consider whether the conditions of service in New Guinea were sufficiently good to attract to the service the right type of men in adequate numbers.

The representative felt that the employment of men of eighteen years of age was unwise. Although it was intended that these men should be trained for the first few years of their service, he feared that it would  
/be impossible

be impossible, in view of the shortage of staff, to avoid placing these young men, from time to time, in positions of responsibility, and in dealing with such backward people as the inhabitants of New Guinea, he thought it essential that men of mature age and of ripe experience should be available, and suggested that the Administering Authority should consider the advisability of employing a number of older men on five- or ten-year contracts to carry on until such time as a new generation of officials could be trained.

The representative of Australia stated that all young men were subject to a period of training before they were called upon to go into the field.

### 3. ECONOMIC ADVANCEMENT

#### General

The representative of the Union of Soviet Socialist Republics considered that the Trusteeship Council should draw the attention of the Administering Authority to the fact that it was not taking the necessary steps to provide for economic progress of the indigenous inhabitants of the Territory. The indigenous population carried on a primitive economy and did not participate in the development of the economic resources of the Territory.

The representative of Australia commented that the remarks of the representative of the USSR concerning the living standards of the indigenous inhabitants were highly extreme and unwarranted and that an honest observer who saw conditions on the spot would revise these opinions considerably. The Administering Authority did not attempt to justify the continued maintenance of a very primitive level of living, but the level was rising and would continue to rise. It would be hard to find an echo in the minds of the peoples themselves of the kind of dissatisfaction implied by the representative of the USSR.

#### Wage rates

The representative of the Union of Soviet Socialist Republics stated that the wages paid to indigenous workers were insufficient not only for the maintenance of their families, but even for the maintenance of normal human conditions required for the life of the worker himself. The beggarly nature of the wages of the indigenous workers could be clearly seen if they were compared with the wages paid to European workers. He considered that the Council should recommend that the Administering Authority put an end to the discriminatory practise with regard to wage rates paid to indigenous workers.

/Taxation

### Taxation

The representative of the Soviet Union noted that the Administering Authority had not carried out the previous recommendation of the Council concerning the introduction of a progressive system of taxation. The Council should recommend that the Administering Authority should introduce measures which would establish a progressive income tax or a simple income tax which would be based on property qualifications and the ability to pay, in substitution for the present capitation tax.

The representative of the Philippines considered that the head tax should be abolished, not only because it was a badge of serfdom, but also because it was not based upon the individual's ability to pay and was imposed solely upon the native inhabitants and, moreover, non-payment thereof was subject to imprisonment with hard labour for a period not exceeding six months.

The representative of Belgium noted the very small proportion of revenues derived from export duties especially from copra which by reason of high prices might well have been able to bear heavier taxes.

He was of the opinion that it would be interesting to the Council to know the profits of those taking part in the gold industry in order to be in a position to appreciate whether the present physical arrangements assure to the Territory an adequate participation in the exploitation of its mineral resources.

### Preferential treatment

The representative of China expressed his doubt as to whether the preferential treatment given to certain products of New Guinea on their importation to Australia was compatible with Article 76 (d) of the Charter and the Havana Charter for the International Trade Organization, which formed the basis of the general agreement of tariffs and trade.

He requested the Council to recommend that the Administering Authority review the present system of preferential treatment being given to certain goods exported from the Territory.

The representative of the United States of America had noted with appreciation the statement of the special representative that all members of the United Nations receive equal treatment in economic matters and that the provisions of Article 76 (d) of the Charter are fully adhered to in the Trust Territory.

The representative of France considered the question raised by the representative of China concerning the entry of goods coming from a Trust Territory into the metropolitan country as not within the scope of the discussions of the Trusteeship Council. Other international organizations

/might have

might have to deal with such matters, but the Trusteeship Council would have no decision to make in the matter since nothing in the Charter or the Trusteeship agreement dealt with the question which had been raised.

The representative of New Zealand felt that the system of preferential treatment for certain New Guinea products was clearly in the interests of the Territory and its inhabitants. He was unable to see anything in the Charter or the Trusteeship Agreement which forbade such preferences. On the contrary they appeared to be thoroughly in conformity with the letter and spirit of Article 76 of the Charter and with the provisions of the Trusteeship Agreement.

His delegation felt that anything designed to promote the welfare of the inhabitants of the Territory manifestly did not and could not contravene the provisions of the Charter.

The representative of Australia referring to the remarks of the representative of China regarding the preferences given by the metropolitan country to certain products of New Guinea, stated that this was a matter solely for the metropolitan country. They were intended to produce material advantages to the economy of the Trust Territory. In their international significance they had nothing to do with Trusteeship, though they might be concerned with the Charter of the International Trade Organization. However, the obligations assumed by signatories of that Charter were obligations inter se and could not, therefore, be properly discussed in the Council. If any question was to be raised as to the validity of these special tariff measures on the part of the metropolitan territory, it should be raised under and in connexion with the Charter of the International Trade Organization.

#### Commerce and trade

The representative of the Philippines recommended that the Trusteeship Council should request the Administering Authority to give fuller details on the operations of the Australian-New Guinea Production Control Board which purchased and marketed all the copra produced in the Territory. This information should include the purchase prices of copra fixed by the Board, its profits, or losses if any, and the disposition of its funds.

The representative of the Philippines noted that practically the whole retail trade of the Territory was controlled by non-indigenous inhabitants. The Administering Authority should be urged to give further impetus to the organization of native co-operative societies. In this

/respect,

respect, the Administering Authority deserved commendation for its initiative in the enactment and contemplated operation of the Co-operative Societies Ordinance of 1948.

#### Agriculture, Fisheries, Animal Husbandry

The representative of the United States of America considered that the sections in the report concerning agriculture, fisheries, and animal husbandry were worthy of the favourable mention of the Council. Particularly praiseworthy was the experimental work which had been done in the agricultural experimental stations. This work gave great promise of improving the general agricultural situation in the Territory.

#### 4. SOCIAL ADVANCEMENT

##### Discriminatory practices

The representative of China considered that emphasis should be laid by the Council on the existence of racial discrimination in the legislation and administration of New Guinea. An instance of discriminatory legislation was the law relating to the 9 p.m. curfew. Another concerned the restrictions on immigration. Various examples had been given to show that the discriminatory provisions in such laws were designed for the protection of local inhabitants. While none of the examples given were found to be applicable in the particular instance which was under discussion, this argument, if carried to its logical conclusion, would nullify all the provisions in the Charter and in the Trusteeship Agreements in relation to the respect for and observation of human rights and fundamental freedoms.

If the Council accepted as valid the sweeping plea for the protection of the local inhabitants, even making the most liberal allowance for the most specious arguments that had been advanced, the representative found it difficult to see what bearing it had on the immigration restrictions. These restrictions were based mainly on those applicable in the metropolitan country, which based its immigration legislation on the so-called "White Australia" policy. The restrictions in question gave evidence of racial discrimination in that they made distinctions as to race and language.

The representative was of the opinion that there should be a distinction between the immigration laws of New Guinea and those of the metropolitan country because Article 76 (d) of the Charter imposed on the Administering Authorities the specific obligation of ensuring "equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals".

The representative requested the Council to recommend that the Administering Authority eliminate racial discrimination in the laws of the Territory, especially in the laws on immigration.

/The representative

The representative of the Union of Soviet Socialist Republics felt that the regulation which prohibited the movement of the indigenous inhabitants from 9 p.m. to 6 a.m. and the regulation which gave the right arbitrarily to arrest indigenous inhabitants, and other discriminatory regulations should be revoked. The existence of these discriminatory regulations were evidence of the violation of the provisions of Article 76 (c) of the Charter of the United Nations.

The representative of the Philippines felt that the information before the Council demonstrated beyond doubt that the 9 p.m. curfew, applicable only to indigenous inhabitants and not to non-indigenous inhabitants, could not be justified on the alleged grounds that it was in the interests of the indigenous inhabitants. Racial segregation in prisons and the special privileges accorded to European prisoners and not granted to indigenous prisoners were also to be noted as being discriminatory practices.

The representative held the view, concerning the statement by the Administering Authority, that the immigration policy of the Trust Territory followed that of the metropolitan country, that whatever the reasons for the application of this policy in the metropolitan territory were, its application to the Trust Territory could not, and should not, be justified.

The representative urged the Trusteeship Council to recommend that the Administering Authority review all discriminatory laws and practices in the Territory with a view to the abolition of racial discrimination in accordance with the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights.

The representative of Australia, replying to statements concerning alleged discrimination in the Territory, pointed out that there were no discriminatory provisions in the immigration regulations of New Guinea. As far as certain ordinances governing the conduct of the native inhabitants were concerned, these measures were either directly, or indirectly, in the interests of the inhabitants themselves and formed part of the responsibility of the Administering Authority towards them under the terms of the Trusteeship Agreement.

#### Labour

The representative of the Philippines appreciated the assurance of the special representative, that the question of labour and labour conditions were under review and that certain amendments to the ordinances and regulations concerning labour were in the course of examination and preparation for promulgation. The representative expressed the hope that  
/these amendments

these amendments would cover an increase in the minimum wage of 15 shillings a month and that the Administering Authority would conduct cost-of-living studies from time to time, and furnish the Council with the results of such studies.

The representative of the Philippines was gratified to note that imprisonment had been abolished as a penalty for breach of labour contracts, but thought it too severe that an indentured labourer could be fined two months' wages for absence without leave for, say, one day.

He could not agree that simple breach of contract should be made a criminal offense, but rather that it should give rise only to a civil obligation.

The representative of China regretted that there were no trade unions in the Territory and that no industry had established machinery for collective bargaining. Owing to the paramount importance of trade unions for the protection of labour, he considered it imperative that the Council should recommend that the Administering Authority should encourage their establishment as soon as possible.

#### Public health

The representative of the United States noted with interest the section of the report dealing with public health which included a frank appraisal of the deficiencies in the present programme. His delegation was confident that this frank and honest approach augured well for the improvement of the situation and had noted the statement of the Administering Authority that health facilities would be increased as rapidly as personnel and equipment became available. His delegation also looked forward with interest to further information concerning the results of both the nutrition survey and the malaria survey which had been conducted in the Territory.

#### Penal organization

The representative of the Philippines, commenting on the unlimited power vested in the Administrator to prolong indefinitely the incarceration of a convicted person declared a habitual criminal after the expiration of the period of his definite sentence, considered that there should first be a judicial declaration that a convicted person was a habitual criminal in accordance with the law and, second, the period of further incarceration, that is, the minimum and maximum range of further imprisonment, should also be laid down by law. He urged the Trusteeship Council to recommend that the Administering Authority review the legislation in this respect.

The representative of China noted that corporal punishment was still in existence in the Territory, although the report stated that

/"no sentences



"no sentences of whipping have been imposed since the resumption of civil administration". He felt that the Council should recommend that the Administering Authority formally abolish corporal punishment. The representative of the Philippines associated his delegation with the statement of the representative of China.

#### 5. EDUCATIONAL ADVANCEMENT

The representative of the United States expressed his delegation's special interest in the emphasis given by the special representative to education and the building programme for schools which had been drawn up for the next three to five years.

The representative further noted with interest the statements concerning the relationship between the administration and the religious missions in the field of education. His delegation felt that the Administering Authority should be commended for the present arrangements which gave the administration supervisory control over the whole programme. These arrangements, it should be noted, were in complete accord with the recommendations which the Council had made in the previous year.

The representative hoped that the Administering Authority would continue to inform the Council of the implementation of the programme of adult education as well as the progress of the Fundamental Education Pilot Project.

He was gratified to receive the information that the expenditure for education of over LA 52,000 for 1947 - 48 referred to the Trust Territory alone. This figure represented a considerable increase over the expenditure for 1946 - 47. According to information from the Administering Authority the estimated expenditure for the coming year was LA 70,000, another considerable increase. It was to be hoped that the Administering Authority would be able to continue to increase this item from year to year.

The representative of the Philippines expressed the view that although the Administering Authority should be commended for the increase in the percentage of the budget devoted to education, from 1.59 per cent in 1946 to 3.2 per cent in 1948, there was still room for a further increase in order to cope with the widespread illiteracy in the Trust Territory and to provide for secondary and higher education which was sadly deficient.

The representative of the Union of Soviet Socialist Republics observed that not a single indigenous inhabitant in the Trust Territory had received secondary or higher education.

/He observed

He observed further that at the third session of the Trusteeship Council and during the present session, it had been noted repeatedly that the Administering Authority should increase its budgetary allocations for education, and should encourage the general overall improvement of educational facilities. The Administering Authority should make education available to the indigenous inhabitants of the Trust Territory, and for this purpose it should organize a network of secondary and higher educational institutions in the Territory. The Trusteeship Council should recommend to the Administering Authority that it increase the budgetary allocation for educational needs, particularly for the development of secondary and higher education as well as for other cultural requirements.

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