

UNITED NATIONS TRUSTEESHIP COUNCIL



Distr.
LIMITED

T/L.868
23 July 1958

ORIGINAL: ENGLISH

Twenty-second session
Agenda item 8

ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES

Report of the Standing Committee on Administrative Unions

Chairman: Mr. W.G. THORP (New Zealand)

Introduction

1. During the twenty-first session of the Trusteeship Council, the Standing Committee on Administrative Unions, consisting of Burma, Guatemala, New Zealand and the United States of America examined the operation of administrative unions affecting the Trust Territories of Ruanda-Urundi, the Cameroons under British administration and Tanganyika and reported^{1/} its findings to the Council.
2. During the present session of the Council, the Standing Committee took up its regular examination of the operation of the administrative union affecting the Trust Territory of New Guinea under Australian administration.^{2/}
3. In the course of its 114th to 118th meetings, the Standing Committee examined the relevant parts of the annual report on the administration of New Guinea for 1956-57, the additional information furnished by the Administering Authority during the debate on New Guinea in the present session of the Trusteeship Council and two working papers prepared by the Secretariat, one providing specific information on the safeguards provided for in Trusteeship Council resolution 293 (VII) and the other relating to the composition and functioning of the Legislative Council for Papua and New Guinea.

^{1/} T/L.823, T/L.823/Add.1 and T/L.823/Add.2.

^{2/} The basis of the administrative union is described in the report of the Standing Committee on Administrative Unions dated 30 July 1956 (T/L.716).

4. The Standing Committee was assisted in its work by the Special Representative for New Guinea who provided supplementary information and answers to questions raised by members of the Committee at its 115th meeting.
5. At its 118th meeting, the Committee approved the present report as a whole by 2 votes to one with one abstention.

A. Safeguards

6. In examining the operation of the administrative union between Papua and New Guinea, the Standing Committee paid special attention to the application of the safeguards provided for in Trusteeship Council resolution 293 (VII). With respect to these safeguards, the Committee noted the following information.

(a) Separate financial, statistical and other data

7. The annual report for 1956-1957 notes that the Statistics Ordinance 1950 (No.15 of 1950) provides for the appointment of a Statistician and for the collection and compilation of statistics of the Territory as prescribed by regulations and that separate statistics are compiled for the Territory of New Guinea.

8. Separate statistical information on the Trust Territory is included in twenty-five appendices containing 108 tables which give the figures on indigenous and non-indigenous population, administrative structure of Government, justice, public finance, taxation, money and banking, commerce and trade, agriculture, livestock, fisheries, forests, mineral reserves, industrial production, co-operatives, transport and communications, cost of living, labour, social security and welfare services, public health, housing, penal organization, education, international treaties, conventions and agreements, climatic conditions and religious missions. In addition, further separate statistics are included in various chapters of the report.

(b) Visiting Missions

9. There was no United Nations Visiting Mission to the Trust Territory during 1956-1957.

(c) Separate boundaries, status and identity of the Trust Territory

10. Although providing for the administrative union between Papua and New Guinea, the Papua and New Guinea Act 1949-1957 declares expressly the intention of the Administering Authority to maintain the identity and status of New Guinea as a Trust Territory. No changes were made during the year in any legislation affecting or defining the legal status of the Trust Territory, nor to the boundaries of the nine districts into which the Trust Territory is divided.

(d) Revenue from and expenditure for the Trust Territory

11. The Papua and New Guinea Act expressly requires the Administering Authority to expend in each year, on the administration, welfare and development of the Territory an amount not less than the total amount of public revenue raised in that year in respect of the Territory. Revenue from within the Trust Territory and expenditures for the Trust Territory during the past three years were as follows:

	<u>1954-55</u>	<u>1955-56</u>	<u>1956-57</u>
Revenue	£2,008,445	£2,411,861	£2,652,517
Expenditure	£6,404,654	£7,313,598	£8,150,696
Deficit	£4,396,209	£4,901,737	£5,498,179

During 1954-55 and 1955-56, the deficit was met by direct grants made by the Administering Authority. During 1956-57, the deficit of £5,498,179 was met by a direct grant of £5,379,079 and an advance repayable in 1957-58, of £119,100 made by the Administering Authority. Thus, for each year, the expenditures on the administration, welfare and development of the Trust Territory has substantially exceeded the revenues raised within the Territory.

12. In relation to the revenues raised within the Territory, the Standing Committee noted the introduction, with effect from 1 January 1958, of a personal tax of two pounds per year payable by all male persons of eighteen years and over with certain exceptions. Until the introduction of this tax, no direct income, business or capitation tax was levied in the Territory except the tax collected by Local Government Councils from indigenous people residing in areas where such Councils had been established. The Special Representative informed the Trusteeship Council that a financial review of the Territory

/...

revenues was being carried out and that the review might result in the introduction of a more extensive system of direct taxation.

B. The Legislative Council for Papua and New Guinea and other matters affecting the administrative union

13. The legal composition of the Legislative Council^{1/} for Papua and New Guinea remained unchanged. The Standing Committee, however, noted the statement of the Special Representative in the Trusteeship Council that a decision had been reached recently to arrange for indigenous observers to attend meetings of the Legislative Council on a regular and organized basis.
14. Elections were held on 31 August 1957 to fill the three elected seats in the Legislative Council. Two of these three seats are allotted to the Trust Territory, which is divided for this purpose into two electorates, the New Guinea Islands Electorate and the New Guinea Mainland Electorate. The Committee noted that the member elected from New Guinea Islands Electorate received 604 votes out of a total of 1,124 votes cast and the member elected from the New Guinea Mainland Electorate received 726 votes out of a total of 862 votes cast.^{2/}
15. All the members of the Legislative Council, except the three elected members, are appointed by the Governor General on the nomination of the Administrator. The Papua and New Guinea Act 1949-1957 provides that the Administrator shall exercise his powers of nomination to ensure that not less than five of the nominated non-official members are residents of the Trust Territory. The Special Representative stated before the Trusteeship Council that of the twelve non-official members of the present Council, seven, including the two elected members, were residents of the Trust Territory.
16. The Special Representative informed the Standing Committee that the Administering Authority had no intention of establishing separate Legislative

^{1/} For details, see the report of the Standing Committee on administrative unions dated 30 July 1956 (T/L.716).

^{2/} Territory of Papua and New Guinea, Government Gazette, No. 50 dated 26 September 1957, p. 480.

Councils for the Territories of New Guinea and Papua in the immediate future but that it might consider the matter when the Territories were more fully developed.

17. With regard to the holding of some meetings of the Legislative Council in the Trust Territory, the Special Representative stated that the Legislative Council might sit anywhere within either of the two Territories, that there were no legal or physical obstacles to such an arrangement and that he would bring the suggestion to the attention of the Administering Authority.

18. The Special Representative, also informed the Trusteeship Council that, while the headquarters of the judiciary, like other central organs of government, are located in Port Moresby, the judges of the Supreme Court of Papua and New Guinea are continuously on circuit and that at any given time there is at least one and on some occasions there are two of the judges of the Supreme Court on circuit in the Trust Territory.

19. At the 116th meeting of the Standing Committee the representative of Burma submitted two draft recommendations, one suggesting the holding of future sessions of the Legislative Council alternately in the two Territories and the other recommending that common central institutions to be established in the future should be located within the Trust Territory.

20. After discussion^{1/} of the two draft recommendations, the Standing Committee rejected them by 2 votes to 1, with 1 abstention.

21. At its 118th meeting, the Standing Committee, by 2 votes to 1, with 1 abstention, approved the following conclusion:

The Standing Committee, having regard to the previous recommendations adopted by the Trusteeship Council concerning the administrative union affecting the Trust Territory of New Guinea, decides that, in the absence of any new significant developments affecting the administrative union, it has nothing to add to its previous conclusions and recommendations.

1/ T/C.1/SR.116 and 117.

22. In explaining his negative vote on the conclusion and the report as a whole, the representative of Guatemala referred to statements made by his delegation at the Committee's 89th, 99th, 116th, 117th and 118th meetings.

23. In explaining his abstention on the conclusion and the report as a whole, the representative of Burma referred to the statement made by him at the Committee's 118th meeting.
