

United Nations

Nations Unies

UNRESTRICTED

TRUSTEESHIP  
COUNCIL

CONSEIL  
DE TUTELLE

T/P.V. 171 17  
24 June 1949

English

TRUSTEESHIP COUNCIL

Fifth Session

VERBATIM RECORD OF THE SEVENTH MEETING  
(Transcription from sound recording)

Lake Success, New York  
Friday, 24 June 1949, at 2.30 p.m.

President: Mr. Roger GARREAU France

Note: The Official Record of this meeting, i.e. the summary record, will appear in provisional mimeographed form under the symbol T/SR.171 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

The PRESIDENT (Interpretation from French): I declare open the seventh meeting of the fifth session of the Trusteeship Council.

EXAMINATION OF ANNUAL REPORTS

NAURU, YEAR ENDED 30 JUNE 1948 (T/233, T/347)

The PRESIDENT (Interpretation from French): Today we shall proceed to the consideration of the report submitted by the Australian Administration of the Territory of Nauru.

I shall invite the special representative of the Administration of Nauru Island to sit at the Council table. At previous sessions, the special representative sat at the end of the table; for reasons of convenience, however, this procedure will be modified and the special representative will sit next to the representative of Australia which will permit him, if necessary, to exchange views with the representative of the Australian Government.

At the invitation of the President, Mr. Halligan, Special Representative of the Administering Authority for the Island of Nauru, took his seat at the Council table.

/ The PRESIDENT:

The PRESIDENT (Interpretation from French): We shall first start a general discussion on the report submitted by the Australian administration. We shall then examine it chapter by chapter, starting off with general questions, then political questions, economic questions, social questions, and educational advancement.

I hereby declare the discussion open on the whole of the report of the Australian administration of the Trust Territory of Nauru Island.

As for the report on Nauru Island, it relates to the administrative year ending on 30 June 1948. You have all had ample time to peruse this report and to study it. This report is a rather voluminous one, and on all items of concern to the Trusteeship Council, this report contributes a good deal of information as complemented by the replies to the written questions submitted to the Australian delegation.

You have this special document, T/347, which embodies the answers to the questions of the members of the Council. On the basis of the two documents -- the report and document T/347 -- it will be very easy, I think, for us to examine this item in a systematic manner.

I now invite the representatives to address themselves to the general discussion of this topic.

If there are no general questions to be asked, I shall call upon the Council to take as a basis document T/347 first, and we shall examine rapidly in succession the questions asked and the replies furnished by the Administering Authority.

In document T/347, we therefore pass to the examination of Chapter I "General." A certain number of questions had been presented by members of the Council, and you have been informed of the replies which were made by the Administering Authority. I will ask the members of the Council concerned to be good enough to start putting questions to the special representative.

Mr. INGLES (Philippines): In answer to question 1 in Chapter I of document T/347, taken in connexion with question 19 on page 20 of the same document relative to the plans of the Administering Authority for the inhabitants of Nauru after the expiration of a period of seventy years when the phosphate deposits in the Island will have been exhausted and what remains of the Island will be, in the language of the special representative, mere "coral pinnacles" in the ocean, it was stated that this problem "has not been lost sight of" by the Administration, and that part of the long-range plan might possibly be the evacuation of  
/the people

the people of the Trust Territory to another island.

The first question that arises is whether the Administering Authority has any concrete plan, or even the embryo of a plan, to take care of the inhabitants of the Territory when the seventy-year period will have expired.

Mr. HALLIGAN (Special Representative): I think the answer that I have given to the supplementary question, which is quoted in document T/347, replies to that further enquiry that has just been made. I said there:

"The matter has not been considered in all its aspects nor has any project been discussed with the Nauruan population. It has been deemed wise, however, to contemplate the possibilities at an early stage, and the inclusion in the 1947 revision of phosphate royalties of an item for the Nauruan community is designed to make the necessary financial provision for the Nauruans when the phosphate deposits are exhausted."

I think that part of the question indicates the stage we have reached. The matter has not been definitely considered, but we can see the possibilities and we are starting now -- the seventy years is quite a long way off and is only an estimation in any case, but we see that at that stage the conditions of Nauru will be quite different from what they are while the phosphates are working -- to make financial provision and ultimately definite plans will be formulated to deal with the position when it arises.

Mr. INGLES (Philippines): In this reply to question 1, it is true that the Administering Authority is thinking of the possibility of having to transfer the inhabitants to another island, but it is thinking of this, not as an immediate problem, but as a long-range one. It may be asked whether the period of seventy years does in fact provide much time to think about this problem. At the end of seventy years the whole economic basis of the Territory and its people will come to a sudden end. All the technical training and experience they will have had in the phosphate industry will suddenly become useless. Whatever advance they may have made towards self-determination on the present economic basis will be suddenly checked. They will be moved to another island, and perhaps asked to grow coconuts and start all over again.

/It must be



It must be asked, therefore, whether the Administering Authority should not immediately undertake a serious study of this problem in order to decide definitely one way or the other whether the Nauruans would like to be moved.

The question that arises then is: Would the Administering Authority be prepared to make such a study in conjunction with the Trusteeship Council and perhaps with the assistance of a special mission?

/Mr. HALLIGAN

Mr. HALLIGAN (Special Representative): The study has commenced. It is not very intensive, but the possibilities are seen by the Administering Authority. In regard to the second part of the enquiry, with relation to cooperating with the Visiting Mission, I understand that the programme of the Trusteeship Council envisages a visit to the Pacific Trust Territories, including Nauru, in the year 1950, and I can assure the Trusteeship Council that the Administering Authority will be very happy to cooperate with the Visiting Mission in the consideration of this problem.

Mr. INGLES (Philippines): The special representative has indicated that the study has commenced. Will he be good enough to inform the Council how far that study has gone today?

Mr. HALLIGAN (Special Representative): I would ask the representative if he could be a little more specific in that enquiry, and state exactly what he has in mind when he makes that request.

Mr. INGLES (Philippines): The special representative said that the study had commenced without indicating the particular aspects or the different subjects to be taken into account in the study of the problem.

For example, if it is agreed that the inhabitants will have to be moved to another island, a new home for the Nauruans should be chosen at once; a new basis for an economy should be worked out and a plan should be drafted for the purpose of adapting them to this new economy.

These are the subjects that I had in mind when I asked how the study commenced by the Administering Authority has so far progressed.

Mr. HALLIGAN (Special Representative): One point of the enquiry assumes that the only solution for this problem will be removal to another island. That is not the case. A study of the problem may not lead to that conclusion.

My request for further details and more specific indication has enabled me to see exactly what was in the mind of the representative, but all I can say is that it is a complex problem and the study so far has progressed in a general way only. I should not be able to

/give the

give the slightest indication as to what conclusions we are likely to arrive at, but I can tell the representative of the Philippines and the Council that this matter is one that we are viewing from all angles. It will probably be quite a considerable time before we make sufficient progress to give any definite indication as to what we consider to be the solution of the problem.

Mr. INGLES (Philippines): The special representative has indicated that removal to another island is only one of many possible solutions. May I enquire whether the reclamation of the worked-out phosphate lands is another possibility in the mind of the Administering Authority?

Mr. HALLIGAN (special representative): No, that is not a possibility. A description of the Island of Nauru is given in the report, and, briefly, this is the description of the Island.

It is twelve miles in circumference and is surrounded by a coral reef. The waters beyond that coral reef are of extreme depth, going to about 2,000 fathoms. Inside the reef there is, as described, a coastal belt extending in depth from 200 to 800 yards, right around the Island.

That surrounds a plateau with a maximum height of 200 feet and it is on that plateau that the phosphate deposits are, leaving the coastal strip, with a 12 mile circumference and that varying depth, of somewhat fertile land.

That is where the Nauruans live at present. Only a very small number live on the plateau in one small section where there is a lagoon. The living area for the Nauruans is around the coastal belt and the calculation of the area will give an indication of the number of people that that would sustain.

It is not possible to reclaim the worked-out phosphate lands, as, after the phosphate has been extracted, all that remains are coral pinnacles of varying depths, probably to 50 or 60 feet. If the phosphate is extracted from between those pinnacles it is not possible to resoil or do anything with that land.

The coastal belt provides some opportunity and it may be that Nauruan people, in the long term that we are looking to, may desire to remain on the Island, occupying that coastal belt.

/Mr. INGLES

Mr. INGLES (Philippines): The explanation of the special representative shows that there is a possibility that the coastal belt which would be left for the inhabitants after the exhaustion of the phosphate deposits might not provide enough living space for the present inhabitants of the Island and the possible growth of population. Therefore the transfer to another island of all or part of the present inhabitants may indeed be a real possibility.

In view of that, I should like to ask whether the Administering Authority has considered whether the exploitation of these phosphate deposits in such a manner that it may cause the inhabitants of the Island to abandon their homes is consistent with the provisions of the Trusteeship agreement and of the Charter concerning this matter.

Mr. HALLIGAN (Special Representative): As I understand it, the question was: is it that the extracts from the phosphate deposits would so treat the Island that it would force the Nauruans to leave their island home; is this correct?

Mr. INGLES (Philippines): All or part of the population.

Mr. HALLIGAN (Special Representative): The answer to that is that the Nauruans were on the Island for quite a time before the value of the phosphates was assessed and before it was known that they were of such value. If we did not extract the phosphate deposits the Nauruans would be in the same position as they were before the extraction commenced.

My answer would be that the extraction of the phosphate deposits has brought nothing but benefit to the Nauruans.

/Mr. INGLES



Mr. INGLES (Philippines): We appreciate the information furnished by the special representative that exploitation of the phosphate deposits has been mutually beneficial to the Administering Authority and to the inhabitants of the Trust Territory.

Regarding the possibility of the future exhaustion of the phosphate deposits, perhaps the Administering Authority might consider the transfer of the phosphate industry to the Nauruans on a cooperative basis, reducing the present large-scale mining in order to prolong the life of the industry, while in the meantime steadily developing further avenues of production such as copra and commercial fishing.

May I have the views of the special representative on this particular suggestion?

Mr. HALLIGAN (Special Representative): What would be the object or the benefit of merely prolonging the life of the phosphate deposits by slower extraction, might I ask?

Mr. INGLES (Philippines): In reply to the question of the special representative, it is precisely in order to enable the Administering Authority to perfect plans for the future of the inhabitants of the island. I am taking into account the probable imminent exhaustion of the phosphate deposits at a time when no concrete plans have been drafted by the Administration to take care of the inhabitants. That covers only one aspect of the question.

The other aspect of the question on which we should appreciate the comment of the special representative is whether the Administering Authority would consider the transfer to the Nauruans of the phosphate industry, let us say on a cooperative basis.

Mr. HALLIGAN (Special Representative): In reply to the first part of the question, a slowing-up of the rate of extraction would merely defer or postpone the solution of the problem. The period, let us estimate, of seventy years will, I think, supply sufficient time in which to work out the solution.

In regard to the other, I can merely state that I take note of the representative's request and shall convey it to the Administering Authority.

The PRESIDENT (Interpretation from French): The question which has just been discussed is a very interesting one, but it does not possess any degree of urgency since we have before us, according to

/evaluations

evaluations made, almost three-quarters of a century. However, it is very interesting to note that the Administering Authority is already concerned with this problem, and has been so concerned for some time. We shall be <sup>over the years</sup> able to see the results of the enquiry which the Administering Authority is undertaking, and provisions which will be made in order to ensure a happy fate for the population at a still very distant date.

We shall now pass to the next questions on general conditions in Nauru.

Mr. RYCKMANS (Belgium) (Interpretation from French): I have no special clarification to ask for; the remarks which I might have to make would be made on the basis of <sup>the</sup> very clear information of the report upon which I do not need any complementary explanations.

I should like to ask the President simply whether this is the time to make the remarks which I think I am called upon to make.

The PRESIDENT (Interpretation from French): The representative of Belgium may do so now if he wishes.

Mr. RYCKMANS (Belgium) (Interpretation from French): I notice that, in reply to question 25 on page 20 of the annual report on the Administration of the Territory of Nauru, it is said that: "Out of the total of 411 male Nauruans over the age of sixteen years, 209 are employed by the Administration".

I admit that the Administration of Nauru is entirely dominated by the main fact of the phosphate extractions, and I am not immediately concerned with what will happen in seventy years time when the phosphates are exhausted, but meanwhile could not the use by the Administration of more than half the male population be considered as somewhat heavy administration? We do not quite understand how it could continue to function when the Island will <sup>have</sup> to live on another basis than that of the extraction of phosphates.

Mr. HALLIGAN (Special Representative): The Nauruans in the employ of the Administration are engaged in all phases of administration, the police force, medical services, teachers, etc. I have a list here, but I mention just a few of the occupations in which they are mainly engaged.

/Of the administrative

Of the administrative staff of Nauru, the European staff numbers about twelve and the remainder are Nauruans. This would appear to be a large number of inhabitants -- two hundred -- but they are all engaged in useful occupations with the Administration, and besides that, it is a training and educational experience for them in this class of employment.

That, of course, is a long-range problem as to how, if they remained on the Island after this lengthy period, they could then be employed. That is something I cannot comment upon. At that time conditions on Nauru may have changed, and some other form of occupation may be available to the inhabitants.

Mr. RYCKMANS (Belgium) (Interpretation from French): Another remark: I asked how the Administration carried out its policy of the encouragement of cultivation, and I was told that it did not have much success. In paragraph 101 on page 33, it is stated that the Administration has introduced no laws to compel the inhabitants to cultivate foodstuffs. On the other hand, there is not enough food with simply the coco-nut palms and other tropical fruits to meet the needs of the population.

Does the Administration not consider that, with an educative purpose in mind, it would be a good thing to encourage the Nauruans to proceed with <sup>the</sup> cultivation of food in their own area, because when the phosphates have been exhausted we do not see any possibility of continuing to import all the foodstuffs needed <sup>by</sup> the inhabitants of the island.

/Mr. HALLIGAN

Mr. HALLIGAN (Special Representative): May I have the number of the page and the question to which the representative of Belgium referred?

Mr. RYCKMANS (Belgium)(Interpretation from French): Page 52, paragraph 101; it is page 33 in the printed report.

Mr. HALLIGAN (Special Representative): Formerly the Nauruans relied largely upon coconuts and cultivated coconuts. On the coastal strip which I described, the largest part of it, a straight strip of probably a mile and a half, was formerly covered with coconut trees but, during the Japanese occupation of the island, all the trees in that area were destroyed and air strips were put on that particular area so that what coconut industry there was has now been spoiled by that.

In my description of the island, I mentioned a small area on the plateau occupied by Nauruans. In the district of Buada in which there is a lake, there is a limited extent of land that is fertile and that, to some extent, is cultivated by the Nauruans but they are not very energetic agriculturists and despite advice by the Administration to proceed with cultivation, so far they have not done so. This is largely brought about by the fact that the whole of the Nauruan male population is in paid employment and this enables them to obtain their foodstuffs from the stores rather than cultivating it.

But that question of agriculture for the future is one thing. No doubt if the Nauruans have to shift from that island, agriculture will be a pursuit which they will probably engage in on another island.

Mr. RYCKMANS (Belgium)(Interpretation from French): The information which has just been given by the special representative leads me to insist upon my question.

Attempts have been made to bring the people of Nauru to cultivate crops in the fertile part of the plateau without success. On the other hand, many coconut plantations have been destroyed by the fact that air strips were set up. I do not know whether these air strips can be put back into cultivation or whether they are covered with concrete. Of course, in the latter case, it would be impossible.

/But I should



But I should like to put this question again. Does the Australian Administration consider that the spirit of democratic institutions prohibits it, if necessary, in the interest of the population which shows itself rebellious to efforts at cultivation when it is simply given advice, from imposing upon the population as an educational measure the setting up of cultivation which the population will need without doubt someday -- whether that population remains in Nauru after the end of the phosphate extraction or whether it is compelled to live on another island where, of course, agriculture will help it to exist?

Mr. HALLIGAN (Special Representative): The point there is that the Administering Authority does not regard that phase as finished just because, until now, no success has been achieved. That will be a subject of continuing interest to the Administration and the Administering Authority and steps will be taken, as we progress, in other directions possibly different from what we have done up to the present which will certainly bring to the Nauruans agricultural knowledge and impress upon them the need to engage in agriculture.

Mr. RYCKMANS (Belgium)(Interpretation from French): On page 33, in paragraph 105, it says that "swine were plentiful before the war but that they were all slaughtered by the Japanese." Since the re-occupation, a certain number of pigs have been introduced. There are now just 57. Would it not be possible to go a little faster by importing a few dozen pigs in order to re-establish this pig-raising which, without any doubt, represents for the population a considerable interest for its food supply. Fifty-seven pigs are not very much.

Mr. HALLIGAN (Special Representative): The number of pigs at the end of the period under review was only 57. Pig-raising is not really an industry; it is just for the use of the population. I shall take note of the remarks by the representative of Belgium that it might possibly be wise to look into the question of increasing the pigs at a greater rate than is noted here.

Mr. RYCKMANS (Belgium)(Interpretation from French): The total of expenditures and receipts of the Territory is balanced at about 27,000 Australian pounds. I am prepared to admit that phosphates represent a considerable wealth and the Administration may

/spend in Nauru

spend in Nauru a comparatively higher amount than it would be prepared to spend in another island of the same importance where there would not be phosphate extraction.

Nevertheless, it does seem to me that such expenditure, which reaches approximately 25 pounds per head, is a very considerable expenditure. I wonder whether it is wise to place the general level of the inhabitants of the island on a footing which it will not be in a position to maintain after the phosphate wealth has been exhausted.

Mr. EALLIGAN (Special Representative): That expenditure is higher than normal because this period covered is largely a reconstruction period.

Mr. RYCKMANS (Belgium): I am referring to the 1940 figures, which give 27,000 pounds as receipts and 26,000 pounds as expenditures. That is a great deal for a population of 1,000.

Mr. EALLIGAN (Special Representative): The population at that time was 1,800 and increasing. If the comparison the representative of Belgium is making is on the basis of 1,000, the conclusion at which he has arrived is not correct. The population in 1940 was over 1,800.

Mr. LIU (China): I should like to ask two questions in connexion with the riot of 7 June 1948.

In answer (d) to question 4 on page 4 of document T/347, it is stated that the coroner found "that excessive force was used by the special constables detailed to guard the prison compound." Can the special representative tell us what action has been taken since that fact was established? Has some disciplinary punishment been meted out to those responsible for the use of excessive force?

Mr. EALLIGAN (Special Representative): The special constable responsible then was the constable mentioned as having been required to face trial on three counts. One trial I have described as having been heard and another one is in course. I have no information as to the action taken in regard to any other constable except that one.

In order for the second trial to take place, it was necessary to send from Australia a legal party consisting of a judge, the necessary counsel and advisers. That party was about to leave for the Territory a few weeks ago when I left Australia.

/Mr. LIU

Mr. LIU (China): My second question is in connection with the sentences passed on the forty-seven offenders involved in the riot. To my mind there must have been a distinction in the degree of responsibility of these forty-seven men. Some of them must have been ringleaders and some just accomplices. I wish to be enlightened as to why the same punishment was given to all of these forty-seven people without distinction.

Mr. HALLIGAN (Special Representative): Those sentences were passed by the court after a formal and judicial inquiry. The sentences imposed were within the competence of the court and I am unable to say what would lead the court to impose the same sentence in every case. But that is what the statistics on page 69 of the report indicate: "Nature of Offence; Rioting." "Nationality of Offender; Chinese, 47." "Conviction; Three years hard labour." You will notice also "Extortion by threats" in the case of ten of them, who were each fined and ordered to refund the money extorted.

Mr. LIU (China): Will the special representative furnish further information on the basis of the sentences passed on these people?

Mr. HALLIGAN (Special Representative): If that is a request as to why they were all the same, as I have already said, that was a decision and judgment of the court and I am not able to say what led the court to give identical sentences in all cases.

Mr. LIU (China): I would like to have further information later.

Mr. HALLIGAN (Special Representative): What is the nature of the further information that the representative of China desires?

Mr. LIU (China): The judgment of the court.

/ Mr. HALLIGAN

Mr. HALLIGAN (Special Representative): I will endeavour to obtain it and make it available to the Council.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In connection with Question 4 and reply thereto under the heading of "General" on page 4 of document T/347 I would like to have clarified certain facts regarding the police attack on the Chinese workers employed in the phosphate organization.

In the reply it is said that two of the Chinese died of knife wounds, one died from a bullet wound through the heart fired by a person unknown and the fourth was beaten to death.

With the exception of one case in which the name of the police officer is known -- the police officer who was arrested and tried -- the names of the killers are not known; the names of those who stabbed two Chinese workers and shot a third are not known to the authorities.

The question arises as to how many police participated in the attack? That is the first thing. Secondly, it is quite clear that the weapons of any military group or any police group are handed out in a specific manner and everyone knows exactly who has these weapons. If a group has to do sentry duty or carries out any action they are given a certain number of bullets and shells and they have to account for the bullets and shells which are used.

It is said here that it was impossible to determine who fired. We must assume that only armed groups were in possession of firearms. It is obvious that the Chinese workers did not fire, because they were fired upon by police units who were in possession of firearms. Was this a merciless attack upon the Chinese workers whereby a mass attack was carried out and so much firing went on that it was impossible to determine who was firing and how many shots were fired? That is another thing that should be cleared up; who had bullets and how many were fired? Thirdly, who ordered the police to fire on the workers and how was the order phrased?

It seems to me that these questions are very simple and can be replied to in a simple way and I should be grateful to the special representative if he could reply to them now.

/ Mr. HALLIGAN



Mr. HALLIGAN (Special Representative): In the first place, a state of emergency was declared and the number of police was something in the nature of forty Nauruans and twenty special European constables, who were called in for special duty. The number of people rioting was in the vicinity of 400 or more. They were armed with improvised weapons but also with explosives, such as dynamite.

I think the representative of the Soviet Union stated that it was not known that two of the Chinese died of knife stab wounds. That does not coincide with page 4 where the answer I furnished was that two of them had died from stab wounds inflicted by a bayonet attached to a rifle. Another Chinese had died from a bullet wound during the course of the rioting, and the fourth died from a fractured skull which was sustained in the course of the rioting itself.

I think that covers all the points raised by the representative of the Soviet Union.

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): Unfortunately this does not reply to the questions which I asked.

I asked for a clarification of the circumstances under which this armed attack took place on the Chinese workers, and I asked certain concrete questions regarding who ordered this attack, what were the contents of this order -- how was it worded?

/ Further I asked

Further, I asked how much ammunition was used, what was the total and what was the accounting for it. I want to know why it was impossible to determine who shot the Chinese workers since we know that 40 Nauruan police and 20 special European constables participated in this. Each one of these police had a certain amount of ammunition and they were ordered to expend it. In other words, what was the order for firing, how were they ordered to expend this ammunition and what was the accounting for the ammunition which was expended? If there were five shots fired and five constables had fired them then it would be quite easy to determine who did the killing. There are no insurmountable obstacles here to determine this. If only two policemen fired it would be still easier to determine who killed the Chinese workers. If there was only one shot fired then there is no question at all as to who did the killing. Since one worker was killed by a bullet through the heart and if only one shot was fired it should be quite easy to determine this.

Therefore I would like to have the special representative tell the Council the circumstances of this armed attack, how it took place and what occurred there. That is the first part of my questions regarding the armed attack of the police on the Chinese workers. I would like to have this clarified first in order to ask the second group of questions which are concerned with the reasons for this attack.

Mr. HALLIGAN (Special Representative): The answer to question 3 covers to a considerable extent the enquiries made as to the circumstances. The representative of the USSR has no doubt read that in conjunction with question 4. To follow that up, the circumstances are outlined generally there and were such that the Administrator formally declared a state of emergency on the island after having called upon these workers, who had barricaded themselves within their working area and were denying entry to anyone other than more workers, to disperse. The Administrator thereupon, all other efforts having failed, declared a state of emergency and took the measures necessary to quell the disturbance. I think there was a question asked by the representative as to the authority for that action. That action was on the authority of the Administrator by virtue of the state of emergency that he had declared.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I must state that the special representative has not replied to the questions which I asked him. I do not know whether it is necessary for me to repeat for the third time these selfsame questions.

The PRESIDENT (Interpretation from French): I think that the special representative has heard the questions. He replied briefly to them and I think that he has no other specifications or details to give on this special point. If you like we can ask the Administering Authority to give us a supplementary report on the circumstances of this riot. If the representative of the Administering Authority has no other details to give now perhaps he could give us extra information in a special report.

Mr. HALLIGAN (Special Representative): The only question I did not answer then as I thought the representative of the USSR was making it in two sections was the enquiry as to how much ammunition was issued and how much was expended as disclosed by a check after the events. I am not in a position to furnish those details and if it is the wish of the Council I shall arrange for the supplementary information desired by the Council to be included in my later report.

Sir Alan BURNS (United Kingdom): I see on page 4 of document T/347, answer (a) that "two of the Chinese received bayonet wounds in the jail actually. Can the special representative say whether that was during the riot or after the riot? Were they in the jail as a result of the arrests made during the riot?"

Mr. HALLIGAN (Special Representative): As a result of the riot arrests were made and the people arrested were taken from the area in which the riot occurred to the jail, which is about a mile away. It was during the course of the transfer of the offenders from the area in which the riot occurred to the jail -- they were actually at the jail and they were being placed in the cells there -- that the death of these two Chinese occurred as a result of a bayonet wound from one of the guards. It was not during the riot, it was when they were taking the offenders away from the riot area to the jail.

Sir Alan BURNS

Sir Alan BURNS (United Kingdom): I see in paragraph 20 on page 19 of the report that "Sheer weight of numbers made it necessary to use firearms, firstly as a warning and later in self-defence." May I understand that "firstly as a warning" implies that some shots were fired in the air as a warning to the mob?

Mr. HALLIGAN (Special Representative): Yes, I understand that was the case. The "weight of numbers" I gave there as approximately 400. I think there were somewhat more than 400 rioters.

Sir Alan BURNS (United Kingdom): Therefore if a number of shots were fired in the air it would be quite impossible to say how many were fired at the mob later on when it was natural to fire in self-defence?

Mr. HALLIGAN (Special Representative): That is so.

Sir Alan BURNS (United Kingdom): Thank you. I just wanted to bring out those points. Only one man was actually killed by a bullet during the riot; another one apparently died as a result of blows inflicted during the riot, whether by police batons or otherwise, but only one man was actually shot.

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): I would like to continue my questions. I was aided by my colleague from the United Kingdom who clarified certain points as to how the beatings of the Chinese workers took place but those clarifications do not give us any new material since they are contained in the report itself and in the replies contained in document T/347. I think they were known to the members of the Council.

It is not a question as to when these two Chinese workers were killed.

/The fact that



The fact that two Chinese workers were killed after a large number of them had been arrested and transported to gaol and that these two were killed in prison complicates the situation and makes the entire situation more intolerable -- that is, the situation whereby the beatings/continued even in the gaol itself and resulted in the death of two Chinese workers, <sup>and attacks</sup>

The degree of severity applied to the Chinese is a separate matter and I think it should be the subject of a special investigation; but that is not what interests us at this particular moment. What we are interested in at present is the entire picture, the entire situation which led to the unjustified bloody beating of the Chinese workers engaged in the phosphate works in the Island of Nauru.

Specifically, I should like to ask the special representative to tell us the reasons which caused the Chinese workers to impose certain demands and to barricade themselves and refuse to accede to certain counter-demands issued by the Administration.

In the reply to question 3, the special representative says that everything was caused by one interpreter who was serving the British Phosphate Commissioners. Another thing that is pointed out is that a number of Chinese employees of the British Phosphate Commissioners "who were already resentful at the termination of their contracts, took the occasion to try to pay off scores against the interpreter and persuaded some 200 other employees who were awaiting repatriation after completion of their contracts, to refuse pay-off and board the vessel by which they were to be repatriated."

I think it is quite clear to all of us that the circumstances set forth here are very simple, and it is very difficult to envisage such circumstances leading to the utilization of firearms and they could hardly be considered a reason for a bloody attack on the part of the Administration on Chinese workers. I do not understand what has happened here. Why did such insignificant causes lead not only to the beating of these Chinese workers but the killing of Chinese workers? I cannot see how these insignificant facts led to such incidents on the Island of Nauru and I would ask the special representative to explain this.

Mr. HALLIGAN (Special Representative): I agree with the representative of the Soviet Union that it is rather difficult to  
/understand

understand why such insignificant facts, as he describes them, should lead to the situation; nevertheless, those insignificant facts did lead to a riot of 400 workers armed with improvised weapons and with explosives -- and the number I gave should have been 500 who participated and at the same time another 400 recruits who had just arrived on the island <sup>and who</sup> were in quarantine broke from quarantine during the course of the riot, but fortunately they did not take an active part.

The representative of the Soviet Union will see from the mere mention of the numbers that some action would be necessary on the part of the Administration to quell the riot, and that action was taken. It was not anything in the nature of a deliberate and unprovoked beating of Chinese workers.

The other remark in regard to the Chinese who met their death at the gaol -- that was not caused by a beating, that is, a deliberate and unprovoked beating, but by a guard, a duly constituted member of the police force in the exercise of his duty taking action to prevent what he took to be an effort on the part of the offender to escape from custody.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Before continuing my questions, I would like to quote the special representative's own reply contained on page 4 in reply to question 4 in paragraph (a):

"(a) that two of the Chinese had died from peritonitis caused by stab wounds in the right lower abdomen feloniously inflicted with a rifle and fixed bayonet by First Class Constable Agoko in the Nauru gaol."

I would like to have the word "feloniously" explained to me -- what does this word mean in English?

Mr. HALLIGAN (Special Representative): Those are the exact words of the coroner's finding. "Feloniously" would mean there that, as he saw it, the constable exceeded his duty, and that is the reason he was committed for trial.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Of course the special representative does see the difference between the first explanation which he gave regarding the  
/killing of

killing of the two Chinese in prison and the explanation for their death which was given by the coroner.

Further, I would like to ask the following question, in connexion with this armed attack and this beating of the Chinese workers which took place in the Trust Territory of Nauru: Were there, on the part of the Administration, any efforts made for a peaceful settlement of the conflict which arose? If there were such efforts, what form did they take and what part in these efforts towards peaceful settlement was played by the Administrator, the highest representative of the Administering Authority in the Territory?

Mr. HALLIGAN (Special Representative): All peaceful methods were employed to settle the difficulties by the Administrator and his staff. You will see in the answer to question 3 that:

"Notices were posted in the Chinese settlement forbidding the entry of Europeans and Nauruans thereto, barricades were erected and a European labour inspector threatened with knives."

That action was taken during the course of efforts to bring about a settlement and before the extreme action which had to be taken by the Administrator when other efforts had failed.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would ask for a clarification as to the matter of how long the action took place and how long the entire conflict lasted.

I would also like an explanation of how <sup>the</sup> conflict developed, how it began and what part in the development of the conflict was taken by the Administration in order to bring about a peaceful settlement and how that fitted into the time picture of the entire matter.

/In other words,



In other words, would the special representative tell us that the whole matter began at such and such a time; certain Chinese workers had certain complaints, and so forth? Then he would tell us how the entire dispute continued, so that we could have before us a clear picture of the entire situation regarding the dispute, the armed attack, and the beating and the bloody attacks, I would say, which took place on the Chinese workers.

The PRESIDENT (Interpretation from French): Before I call on the special representative, I would like to point out that it would be advisable, according to the decision taken by the Council, to put the maximum number of questions in writing before they are put orally. This would make us save a good deal of time, because if the special representative had been informed of the questions the representative of the USSR has just put in detail, he would have had the necessary time to prepare the reply.

I make this remark in the general interest of the Council. Will the special representative reply to the questions which have been put to him?

Mr. HALLIGAN (Special Representative): The actual period of the disturbance -- I have not the precise figures in front of me -- was about one hour to my recollection, and the disturbance occurred on 7 June and the negotiations and the unrest were manifest for some two or three days before. That, I think, is roughly the time factor that the representative of the USSR asked to have explained.

On 5 June there were some signs of unrest and negotiations were carried on in those intervening days, and the actual disturbance took place somewhere about mid-day on 7 June and lasted a little over one hour.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): First of all, in reference to the President's comment, I would like to explain that during the fourth session of the Trusteeship Council it was clearly decided and there was a definite ruling of the Chair to the effect that oral questions were the main questions and that written questions were the supplementary questions. Furthermore, the representative of the USSR does not think too much even of oral questions and does not ask too many oral questions, either. I do not think that the President's comment can serve to prevent me from asking all the necessary questions that I feel should be asked

/on this matter



on this matter, which were requested, by the way, in written form by other delegations but which, I feel, were not completely answered by the special representative. I would like to point out that even if the USSR representative had asked written questions, the replies would have been the same as here, and unfortunately his replies are not sufficiently exhaustive.

I would think that for the Trusteeship Council it would be necessary to have <sup>a</sup>more detailed description of this armed attack which took place on the Chinese workers in the Trust Territory of Nauru, and I would like to have this statement of mine recorded in the records of the Council.

Furthermore, my last question is this: Was there a special commission set up to investigate this matter which took place in the Trust Territory of Nauru? Inasmuch as I am familiar with the practice of the political life of Australia, very often for even rather insignificant questions, as far as Australia itself is concerned, Royal Commissions of Enquiry are set up. Of course, the term "Royal Commission of Enquiry" does not quite fit in this case, but perhaps a "commission of investigation" or a "commission of enquiry" would be suitable as far as the Territory of Nauru is concerned.

Therefore, I would like to ask whether any measures were taken by the Australian Administering Authority other than the sending of legal personnel. I do not know. Perhaps a special commission was sent -- I do not have any information on this score, and I would ask the special representative to give us more details on this fact.

Mr. HALLIGAN (Special Representative): Yes, a special investigator, quite apart from the legal aspects of the matter, was sent to the Territory, and the investigator was Mr. A. Taylor, who was formerly a senior officer and Director of District Services and Native Affairs in the territory of New Guinea. He was commissioned to undertake the enquiry into the circumstances surrounding this disturbance, and the answer to question 3 briefly sets out, as I say, what the investigations disclosed. The answer to that question is based on the results of his investigations.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The words in the reply to question 3, "the investigations," refer to the investigations carried on by Mr. Taylor? Is that the way I am to understand it?

/Mr. HALLIGAN

Mr. HALLIGAN (Special Representative): Yes. That is correct.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would be grateful for further information regarding the investigations which were carried out by Mr. Taylor, and I would like to know what the final conclusions of the Australian Government on this question were. I would also like to see the information which was requested by the representative of China, as to the court proceedings and the findings of the court in the trials of the forty-seven Chinese who were tried.

There is another question which I would like to ask: In one of the replies it was said -- this was the question of the killing of the Chinese by the Nauruan constable, Agoko -- "Having heard the first charge, the Judge felt unable to proceed with the hearing of the second charge and adjourned the case. Arrangements have been made to secure another Judge and he is about to proceed to the Territory." This is at the bottom of page 4.

I would like to have some information as to what happened, what reasons caused the first Judge, who is not named here, to step down and refuse to hear the charge further. Why was he not in a condition to carry on this hearing, as stated in the reply of the special representative? Was this a personal problem of his? Or were the circumstances such that the Judge did not find it possible to continue the hearing? What were the reasons?

Mr. HALLIGAN (Special Representative): <sup>When</sup> the first legal party was sent to the Island, that is the Judge and the other legally qualified people, it was intended that they should deal with the two charges, but the Judge's reason for not proceeding with the second one <sup>was</sup> as stated by him, that the two cases were "largely interlocked" -- in other words, that they occurred within some minutes of one another, and having heard a certain amount of evidence in the first case, the Judge felt that he could not carry on with the second case on account of the fact that the evidence in the second case was already heard in the first one. It was entirely a decision of the Judge himself and for no other reason <sup>that</sup> than the legal part of it impelled him to do that.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): When the special representative speaks of "the second charge" what, specifically, does he have in mind? I am not quite clear as to what is meant by that "second charge". Would the special representative please explain it.

Mr. HALLIGAN (Social Representative): Two Chinese lost their lives, in both cases by bayonet wounds. The constable was required to answer two charges: one in respect of each of the Chinese who lost their lives.

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): The special representative has in mind the two Chinese workers mentioned in sub-paragraph (a) of his answer to question 4: one worker represents the first charge, and the other the second charge. Is that correct?

Mr. HALLIGAN (Special Representative): Yes, that is correct. There are two charges, one in respect of each worker.

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): I should like to check with the special representative as to whether an investigation is being carried out regarding the death of the third Chinese worker, mentioned in sub-paragraph (b):

"(b) that another Chinese had died during the suppression of the riot from a bullet wound through the heart fired by a person unknown."

That would seem to me to be a third charge, and I would further ask whether an investigation is being carried out with reference to sub-paragraph (c):

"(c) that the fourth Chinese died from multiple scalp lacerations and fractured skull caused by constables unknown during the suppression of the riot."

In other words, do we have there a fourth charge? And how about paragraph (d), which says that:

"(d) that excessive force was used by the special constables detailed to guard the prison compound?"

/Is an

Is an investigation being carried out with reference to sub-paragraph (d) also? I would ask for clarification on these points.

Mr. HALLIGAN (Special Representative): The report here is the result of the coroner's enquiries and investigations. Arising out of his findings are the further charges in the court in respect of the person who was charged with the death of the two workers at the jail, i.e., <sup>sub-</sup>paragraph (a).

With respect to sub-paragraphs (b) and (c) the coroner's finding was that the Chinese had died under the circumstances and from the causes mentioned, and in each case that the person or persons responsible for the death were unknown. No further enquiry is possible there.

That answer is the result of the enquiry which the coroner made. I point out that these are reports of the enquiry itself and record what the coroner found.

Mr. SOLDATOV (Union of Soviet Socialist Republics):  
And (d)?

Mr. HALLIGAN (Special Representative): I am not aware of any further enquiry having been made with regard to (d).

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): I do not want at this time to speak about the substance of this question, because we are simply asking questions and we are asking for clarification. But I should like to say that it is not at all clear to me why no investigation has been carried out on sub-paragraph (d), nor why no investigation is being carried out with reference to the order which was given to fire on the Chinese workers -- as to who had given the order, and why. It is quite obvious that the responsibility falls on the person who issued that order without having taken all necessary steps for the peaceful settlement of the conflict.

The circumstances of the conflict seem to be such that <sup>in</sup>no possible way in the world can the use of armed force be justified in handling the matter.

I would therefore ask the special representative of the Government of Australia, as the Administering Authority, to provide complete additional information regarding this matter. I have no further questions on this subject.

/Mr. LIU



Mr. LIU (China): I can see a difference which exists between the answer which the special representative just gave to the representative of the USSR's question with regard to sub-paragraphs (b), (c) and (d) and that which he gave me in connexion with sub-paragraph (d). If I understood him correctly he said that this constable was being tried in connexion with (d).

I think that (a) and (d) are two different findings. The words "special constables" used there in the plural indicate that there is more than one constable responsible for the circumstances indicated in (d), that is, regarding the use of excessive force. Therefore the one constable who is being tried now could not be held responsible for (d) at the same time.

According to what the special representative now says, in answer to the representative of the USSR, that no enquiry is being made, I want to know the reason why an enquiry is not being made and why, since there was excessive use of force, the people who are responsible are not brought to account.

Mr. HALLIGAN (Special Representative): With regard to (d) and the earlier enquiry, the representative of China possibly misunderstood me or I may not have made myself clear. Sub-paragraphs (a) and (d) relate to incidents at the same place, that is, at the jail. As I said, of the constables at the jail, one was being tried in respect of those two specific charges.

I endeavoured to say at that time that (a) and (d) related to incidents at the jail whereas (b) and (c) related to incidents during the course of the actual riot which occurred at a place about a mile and a half away from the jail. When I said that no enquiries were being made in respect of these items I endeavoured to convey that no special enquiries were made, because the enquiry made by Mr. Taylor, to which I replied in question 3, was a general enquiry into all the circumstances surrounding and leading up to the riot there. Mr. Taylor was commissioned to make an enquiry into all aspects of the disturbance.

/I might mention

I might mention there that -- as I think the President stated previously -- if supplementary information is desired by the Council, it will be supplied. I shall suggest that to the Administering Authority.

Mr. LIU (China): In connexion with (a), the two Chinese who died from stab wounds in gaol had been taken from the scene of the incident to the prison. I would like to know if proper care was taken of these wounded men on their way to prison, and if not, who was responsible for failing to give such care, which resulted in their death so shortly after their arrival in prison.

Mr. HALLIGAN (Special Representative): The two Chinese workers referred to in (a) were not injured during the course of the riot, but were taken to gaol as arrested offenders. The injuries they sustained which caused their death occurred at the gaol, and very soon after they occurred, the injured men received medical attention and were conveyed to hospital.

Mr. LIU (China): I have no further questions to ask, but I would ask the special representative and the Administering Authority to furnish all the details which I, as representative of China, and the representative of the Soviet Union have asked for.

The PRESIDENT (Interpretation from French): I think that the Administration of Nauru will be good enough to send with its next report information on this point.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): This armed attack and beating of the Chinese workers took place more than a year ago, in June 1948. Now, a year after the event, we are taking up this question. If we wait another year for additional information on the matter, it means we shall be taking it up two years after the incident took place. I wonder, therefore, if the Administering Authority could not possibly submit this information earlier. I do not think it would be too difficult for the Administering Authority to submit this information during the current session of the Trusteeship Council. We might request this information, and if it were not possible to wire it here, it might be forwarded by airmail. I do not think the information contains anything particularly secret, and therefore I am raising the  
/question

question as to the possibility of having this information, not included in the forthcoming report of the Administering Authority of Nauru, but supplied as additional information at a much earlier date.

The question of the investigations which are being or which might be carried out is, of course, another matter, and the Administering Authority might not be able to give us additional information until those investigations are completed. From the replies it is not quite clear whether an investigating commission went out or not, but if it did and if information on the result of its efforts is available, that also I think could be furnished to us during this session.

Therefore, as the representative of the Soviet Union, I would ask the Administering Authority to supply this information as soon as possible. I feel that the Administering Authority does have the possibility of so doing.

Mr. FLOOD (Australia): I assumed from the first request of the representative of China for certain supplementary information that we should certainly try to supply it during this session. That is the practice which has been followed in the past, and I had no other thought than that we should attempt to do the same this time.

May I make one or two quite general observations with special relation to the observations which the representative of the Soviet Union asked to have recorded?

In the first place, this, of course, was a regrettable episode, and the only anxiety of the Australian Government in this present context is to assist the Council in every way proper and necessary to form whatever conclusions the Council may think appropriate. That is our wish and our intention, and I submit that that is what the Administering Authority has, in fact, done.

It is unfair, I think, to complain of an alleged inadequacy in the replies to the written questions. If the replies are looked at carefully, they will be seen to be exactly the replies to the questions which were written. Naturally they are not replies to questions which were neither addressed in writing nor in any way intimated to us until this afternoon. There is no obligation on the Administering Authority to have information ready for all kinds of hypothetical questions. To give reasonable and due notice

/is the most

is the most orderly way of proceeding in that case. Of course, the written replies have to be read in association with the actual text of what the report itself says: on page 19 of the report there is a longish paragraph, paragraph 20, devoted entirely to this episode. If that is read in association with the written answers to the questions in document T/347, it will be found to supply what I think most members of the Council would regard as a completely reasonable and adequate account of the circumstances.

If further information is needed -- and it has been asked for by the representative of China in one specific instance -- we shall certainly try to supply it.

But that leads me to a point which I feel bound to make: that is that the Council would not wish to put the Administering Authority in a position in which it is <sup>requested to</sup> supply data and facts and material evidence which have already come under judicial or semi-judicial review. It is one thing to ask, for example, the full findings of a Coroner's Court or the full judgment given in a particular criminal charge; but I do not think it is the function of the Council either to receive or to expect all the details, facts and evidence which were before the coroner or the judge or the magistrate at the time the judicial ruling was given. In other words, the Council ought not in any event to constitute itself <sup>as</sup> a body of review of judicial, magisterial or coronial decisions in a Trust Territory. That, I think is manifest and should hardly need to be stressed, but it was necessary to make those remarks in order to make clear what, in the opinion of the Administering Authority, are in this case the reasonable limits in the supply of information.

/I should just



I should just like to add that, regrettable as the episode was and although certain aspects of it are still to be finally determined, it can be said that the prompt handling of the situation, both from its general aspect and from its legal, judicial and criminal aspects, has to a large extent mitigated any adverse and unfortunate reactions which might well have been expected from this kind of episode. This incident has not left in the island of Nauru any serious rankling, resentment or hostility.

I think it is to the credit of the Administration in the action which it took subsequent to the incident that that is the case.

Mr. KHALIDY (Iraq): Is it in order to pose questions of a political nature? Are we in the "General" or the "Political" section? I have two questions on the "Political" section.

The PRESIDENT (Interpretation from French): For the time being, we are dealing with general questions.

Mr. KHALIDY (Iraq): Then I shall wait until later.

Mr. RYCKMANS (Belgium)(Interpretation from French): We have spoken at length about these regrettable riots which occurred in June 1948. I think everyone is agreed to ask the Government of Australia to keep us informed of the results of this incident. But these events occurred right at the end of the period under examination and the inquiry which has been started is taking place in the following year. Naturally, in the next annual report, we shall expect Australia to give us the results of the special investigation which was ordered and a statement of the existing situation and relations between Chinese workers and their employers, the British Phosphate Commissioners.

I think it is impossible to go any further at the present time with a discussion on matters to be dealt with the following year.

The PRESIDENT (Interpretation from French): That is how I understood the situation. I thought we should point out that the Administering Authority would be good enough to give the Trusteeship Council all necessary extra information in its next report. This would delay receipt of that information by one year, but since the investigation is not yet completed, it would simply be a question of asking the Administering Authority to inform the Council in its  
/next report

next report of the results of the investigation which is now being carried on.

The representatives of China and the USSR, however, asked whether it would not be possible to obtain complementary information during this session. It will be for the representative of the Administering Authority to tell us whether the Australian Government can supply this information during the present session.

Mr. SOLDATOV (Union of Soviet Socialist Republics)(Interpretation from Russian): I do not know why the question arose now as to when the information could and should be supplied. The representative of Australia said that he understood that the Administering Authority would try to submit the information available to it during this session. It is quite obvious that the information which it cannot provide during this session will be included in the next annual report. I do not see why this question should call for any particular discussion here in the Trusteeship Council.

It would better for the Council to discuss the substance of the questions and answers before us rather than this secondary question, particularly since the representative of Australia has agreed to the procedure to be followed.

We are now asking questions and receiving replies to those questions. We are not speaking on substance. A rather broad statement was made here as to the type of information which should be or should not be supplied by the Administering Authority. This statement by the representative of Australia puts us in the position of having to reply to him. But we are not going to do that now; we shall have to do it at a later time. It was my understanding that we were not going to have a general discussion now but were simply engaged in a question and answer period.

Mr. RYCKMANS (Belgium)(Interpretation from French): I apologize for returning to this question. If the representative of Australia would be good enough to give us complementary information during the present session concerning events which have occurred during the year 1948/1949, we of course shall be extremely grateful to him, but if I raise the question, it is because I wish to warn the Council that it is concerned with questions of the same kind, not questions of revolts or riots. The Trusteeship Council sometimes

/puts questions

58-60

puts questions which made it necessary for the local administration to make lengthy inquiries outside the work period required to prepare the annual report for the year under study.

We have received from the local authorities at Ruanda-Urundi urgent requests not to address continuous requests during the year for complementary information and to limit ourselves, if possible, to the replies and information contained in the annual report. That is why I believe, outside of absolutely exceptional cases, it is not desirable for the Trusteeship Council to ask the local authorities to submit extra information in addition to the annual report.

It is natural that events between 1 July 1948 and 30 June 1949 will be included by Australia in the drawing up of its annual report for that period. It is in this sense that my Government would wish the Trusteeship Council to limit itself, as far as possible, to such a procedure and not to ask continually for information from the local authorities dealing with events outside the period under discussion. That requires very considerable work in the gathering of information which detracts the staff of the administration from its duties in the territory.

Mr. HOOD (Australia): I am in entire agreement with the observation made by the representative of Belgium. In order to conclude this matter for the moment, I should like to make it quite clear what I understand the requests for information to be, and what I understand will be our efforts to meet those requests.

The representative of China asked for a fuller account of the findings of the coroner. That comes within the category of supplementary information and the Australian Government will do its best to meet that request.

The representative of the USSR asked for certain details, such as the issue of ammunition to special constables, the instructions which were given to the constables for handling the riot, and so on. That sort of request raises another aspect which I touched on before. One must assume that all those matters were before the coroner and subsequently before the judge in judicial proceedings. I am not sure that it would be proper to submit that information unless the Council had a very special reason for desiring it. However, we shall see what can be done.

/As for the rest

As to the rest, obviously the results of pending judicial proceedings do not come within the category of "supplementary information." They form part of the material for the ensuing annual report and will duly appear therein. That is the distinction and I think it is of value to have it recorded.

Mr. LIU (China): I also asked for a copy of the judgment of the court and for details with regard to (d) - those who were responsible and what punishment, if any, has been meted out to them.

Mr. HALLIGAN (Special Representative): The first request, as I understood it, was for a copy of the judgment of the first trial of the Nauruan constable Agoko, and the second item was a request for further details as to the results of any enquiry in respect of (d).

Both those documents would of course relate to incidents during the year 1947/1948.

The PRESIDENT (Interpretation from French): Does the representative of Australia agree?

Mr. HOOD (Australia): Yes.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I think that the representative of Australia and the special representative are quite clear as to the type of information which I have requested and which they promised to supply. That is, the results of the investigation carried out by Mr. Taylor and of the work carried out by the coroner; further, the circumstances, which might not have been touched upon here but upon which information might be available and which might have been involved in the findings of the coroner and of Mr. Taylor in reference to paragraphs (a), (b), (c) and (d).

It may well be that the coroner and Mr. Taylor will not have complete information on these things and it may be that the Administration might have supplied information on certain aspects. I would ask the Administering Authority to supply this information to the fullest extent possible.

. My final comment



My final comment here is in reference to the statement made by the representative of Belgium. I have already directed this question to the President. It was, are we now going to take up questions which have already been asked and which were not quite clear to the members of the Council in respect to the annual report on Nauru; or are we now going to mix our procedure with general statements? Are we going to ask questions or are we going to make general statements?

The representative of Belgium made a general statement. Can I reply to that? Can I make a general statement here now or not? The representative of Belgium said what sort of information the Administering Authority would submit during the year and what it would not.

The question of petitions arises in connexion with the statement made by the representative of Belgium. If we are to take the position held by the representative of Belgium it means that we cannot ask for any information connected with petitions. That is what that would lead us to.

I do not want to take up the question raised by the representative of Belgium in substance at this time. I would rather take it up in connexion with the report. I do not want to hold our work up now. But I would like to say that if we raised less questions regarding the general work of our Council now, and dealt with the questions and answers before us we would be advancing much more expeditiously.

I would like to point out that the representative of Belgium said that the Administering Authority would present information only on exceptional cases. I do not know whether or not the representative of Belgium would consider an armed attack on Chinese workers in Nauru as an exceptional case. I, as the representative of the Soviet Union, certainly consider it as an exceptional case. I would further say that I could not possibly consider it as any sort of a normal standard. It seems to me to be a regrettable, an extraordinary case. It is not exceptional but it is extraordinary. It is an extraordinarily exceptional case.

The PRESIDENT (Interpretation from French): Are there any other remarks concerning the general part of these questions / which you have

which you have before you?

If there are no other remarks concerning this first part we will pass to Part II - questions of a political character.

Mr. KHALIDY (Iraq): I have only two questions to ask on the political section. Question 8, which was posed in written form and which was answered by the representative of the Administering Power, does not seem to me to be quite satisfactory and that is why I would like to have some enlightenment from the special representative, if that is possible.

The question concerns the Council of Chiefs. What exactly are the powers of the Council? Does it have any real powers at all? Does it have a constitution of any kind? This is my first question, on which we could possibly have some enlightenment.

Mr. HALLIGAN (Special Representative): The powers of the Chiefs are not specifically defined. I think it is in reply to this question that I have given a general indication of what their powers are, namely the initial responsibility for the maintenance of order and the well-being of their districts. The maintenance of order would rest on the use of the police -- that is why we say the "initial" responsibility. They have a general responsibility for the orderliness of their districts and the well-being of the people there. There are no specific powers laid down in constitutional form.

Mr. KHALIDY (Iraq): Could the special representative give us any indication as to how it works. I quite realize his difficulty and I will try to help him. Is the Council of Chiefs a traditional Council? Is it, as in many countries -- partly in my own country also in certain sections -- a traditional Council which would meet once in a while, the real power being naturally vested in the administrative branches -- in the actual police force. Is that the type of Council it is?

Mr. HALLIGAN (Special Representative): It is not exactly traditional. It is a Council that meets regularly -- monthly. Formerly it was elected on a hereditary basis but now it is an elective Council and it has no <sup>very</sup> far reaching traditional significance.  
/ In other words

In other words it is a Council to assist in the administration of the island. There are fourteen districts on that small island and the Chief in each district has the task to see what the wants of his people are cared for and that they are orderly and law-abiding citizens and then he comes to the monthly meeting of the Council of Chiefs and expresses there his views on island matters generally and, of course, the special wants of any of the people in his own district.

Mr. KHALIDY (Iraq): The second question closely concerns that, too, and I think that will be the end of it. Is the power of the Council of Chiefs defined by ordinance at all and are the members paid at all?

Mr. HALLIGAN (Special Representative): The powers of the Chiefs are not defined by ordinance. The only Chief that is paid is the Head Chief. He is paid in his capacity as Head Chief. Other Chiefs who are not in employment receive a certain allowance but the Chiefs, besides being Chiefs of their districts, also are employed the same as any of the rest of the people.

Mr. SOLDATOV (Union of Soviet Socialist Republics)  
(Interpretation from Russian): The special representative, in replying to the representative of Iraq, said that other Elders in addition to the Chief receive some grants or subsidies -- I think that is how he said it in English -- and I would like to know what sort of subsidies are envisaged here, subsidies which other Chiefs receive, and I would like to know in what way and from whom do they receive these grants or subsidies?

Mr. HALLIGAN (Special Representative): The enquiry, I think, is based on the remarks I made that the Head Chief is paid and other Chiefs receive an allowance -- that was the word which, translated from English into the Russian apparently gets the definition of "subsidy" -- but it is an allowance in the nature of a payment for attendance at the meeting in the case of a Chief who is not employed. It is a small token payment and is paid by the Administration from Administration funds in the same way as the salary of the Head Chief is paid.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (interpretation from Russian): Could we have some general idea as to the amount of these allowances? Is it L.A. 5 a month or a year or L.A. 10, what is the extent of this allowance?

Mr. HALLIGAN (Special Representative): I do not have the precise figure but it would be something in the nature of a pound a month as an outside figure.

Mr. CANAS (Costa Rica) (interpretation from Spanish): On page 7 of document T/347, replying to question 6, it is stated that the Administration intends to plan the education of the Nauruans so that "in time they will be qualified to fill senior as well as subordinate positions in the Administration." I would like to know whether something has been done in this direction or whether it simply means that the Administration intends in the future to organize this education? In other words, have we already arrived at a situation where something has really been started?

Mr. HALLIGAN (Special Representative): The position has not arrived. I do not think there is any Nauruan who could take a senior position with the full responsibility of that position.

The education of Nauruans up to now has been in a general way. Recently I accompanied the Minister for External Territories to Nauru and one of the points that we considered required further investigation was that the education of the Nauruans could, in as many cases as possible, where the Nauruans are capable of having such higher training, be with the objective in mind to fill certain definite positions such as I mentioned elsewhere in reply to a question -- such as in the case of law or accountancy or some other position where the Nauruan could go to the ultimate and the top position and take the full responsibility of such senior position. That is the review and revision of the education system up to now and I can say at the present time in reply to the enquiry that the position is not at present that in which a Nauruan could take a full senior position with all its responsibility.

Mr. CANAS (Costa Rica) (interpretation from Spanish): I must confess that the reply of the special representative has surprised me somewhat because he seems to say that at present it

/is simply a question



is simply a question of training certain persons to posts referred to whereas the reply which we have received is that it was to draw up the plan of general education for Nauru in such a manner as to give the inhabitants the possibility of filling administrative posts. That is my first concern and doubt and I would have liked the special representative to clarify this question a little more if possible.

Mr. HALLIGAN (Special Representative); Possibly I advanced a little further in my explanation of that question to another question later on and that may have caused the confusion. What I wanted plainly to indicate is that the education of Nauruans generally is with the objective in mind that the Nauruans who are capable and show ability to go in any certain direction will be assisted with the object of the Nauruan ultimately filling that position in the Administration.

The general education of the Nauruans is going on at the same time but from there certain of them will show a capacity in a certain direction and it would be the plan, as we are seeing it now, that those Nauruans should not have further education in a general sense only but with the specific object in mind of filling a particular position.

/Mr. CANAS (Costa Rica):

Mr. CANAS (Costa Rica) (Interpretation from Spanish): This clarifies my doubts, but I would have liked to have a reply to my first question. I wanted to know whether the plan for reorganization of education, for preparing indigenous inhabitants to fill administrative posts, is under study or whether it is actually being implemented; whether the ministries concerned already have plans in the matter or whether they are simply designating experts to start examining the question.

In other words, where exactly do we stand in respect of this plan?

Mr. HALLIGAN (Special Representative): The plan is a revision of the existing education service in the Territory and it has not got beyond the stage of seeing the problem and the preliminary investigations of it are now being carried out. It has not reached the stage where I could tell the Council that the decision has been taken or that such a decision is likely. The revision of the educational system, with that object in mind, is under way at the present time.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I have a question to ask which is linked to the question asked by the representative of Costa Rica.

I would like to have some clarification and a concrete explanation of how the Administering Authority intends to prepare the indigenous population of Nauru for active participation in administration in general and further to have the population of the Territory occupy important and key posts in the administration of the island.

It seems to me that there are no great difficulties here to see concretely what is to be done. There are about 1,500 people on Nauru; probably half of this number, or less, is made up of adults. Therefore we are actually speaking of preparing at the maximum 1,000 people of Nauru for participation in administration.

Furthermore, insofar as the report is concerned, 55% of the population at least are receiving some sort of elementary education and there is even some information to the effect that they study in school up to the age of sixteen. Therefore it seems to be a matter of more actively bringing the population of the Territory into the participation of the political and administrative life and the

/administration

administration of their country.

In many countries -- and in Australia particularly -- during the war, and I think the Australians have a great deal of experience in this respect, when there was some difficulty with labour forces when they were fighting against the Japanese, they used special high-speed courses for preparing "effectives", people to take over departmental jobs who were not previously public servants and who after the war returned to their previous professions and jobs but who during the war were trained with great urgency to take over special jobs.

Experience in this regard does exist and it is in this connexion that I would like a clarification of the following: Are there any concrete projects in mind? Does the Administration intend to have any short-term special courses for the local population, or does it intend in the future or does it now bring in certain members of the local population as apprentices for these services? Or are there any other specific forms or methods for preparing the indigenous population for active participation in the administration of the island?

It is to these questions that I think we would like to have a reply.

Mr. HALLIGAN (Special Representative): In reply to the enquiry, I think it might be clear -- with regard to taking a share in the administration of the island -- as I have previously pointed out, that out of the very small staff, about twelve are Europeans in the Administration and close on 200 are Nauruans. Those Nauruans of course occupy positions subordinate to the European in charge of each of the various departments and there they are receiving training. None of them are yet in the position to take over the full weight and responsibility without supervision and that is the objective -- and probably an accelerated objective -- to train those who show promise to such a stage that they would be able to take over the full running of a branch or department of the Administration.

The apprenticeship system is in operation and a number of apprentices are employed by the Administration and also by the British Phosphate Commissioners and are receiving training as apprentices. To make my point clear I might state that at the present time there are four Nauruans receiving training at a college in Sydney. Up to  
/the present,

the present, those Nauruans have come without special objective as to what they should do on return other than that they should receive a good general education, and what we see as desirable is to find out what those students would be particularly adapted to and so bend their course of studies with the object of their being able to qualify in those particular subjects -- in addition to their general education, of course -- and be able to take over some important positions in the Administration after they have qualified and had experience.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The special representative keeps saying that when an inhabitant of Nauru becomes qualified he will be in a position to take a post in the Administration.

What hinders the inhabitants of Nauru from taking key posts in Nauru at the present time? It is not a matter of taking a key post in a Territory which has millions of people; this is the question of the administration of a very small number of people on a tiny island. What are the particular qualifications or characteristics which the inhabitants of Nauru have to enjoy if they are to occupy important and essential posts in the administration of about 1,500 people? We must realize that this represents no more than a quarter of the population of Canberra. It is such an insignificant population, and the tasks are so small that I cannot possibly conceive of the great qualifications which are required by an individual for him to participate in taking over such a small population on such a small island, particularly since the inhabitants have studied in school up to the age of sixteen. Teach them for another two or three months how to do administrative work, and it seems to me they will be qualified to take these simple jobs.

/I would like to ask



I would like to ask the special representative if he would not explain to us whether the requirements posed are not somewhat overly great -- in fact, that they are artificial requirements.

Mr. HALLIGAN (Special Representative): The description given by the representative of the USSR of the task of Nauru, I think, is based somewhat on false premises inasmuch as <sup>he</sup> regards a position which has volume in it as much more important than the responsibility of the position. Responsibilities can be just as big in an administrative position for a mere handful of people as for a large number; it is just a matter of assistance in the large number, but the problems that arise are just as big and require as much ability and capacity to solve, whether it is 1500 people or 15,000 in many places. I just make that general remark, and the population there is certainly 1500. It was 1800 before 600 of them were lost during the war, and one of the aims would be to increase the population. There are no artificial barriers to the Nauruans taking their positions in the key places; there are just natural ones. To say "just send them to school and a few months after introduce them <sup>into</sup> an office" and say "run that" -- I do not think that is describing what could be done in an island, whether it be big or small.

The object of the Government Administering Authority will be to see that the Nauruans are in a position to take over; they require training and development of their abilities before they can be placed in and be told to run this administration.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The special representative for thirty years in Australia has engaged in the administration of Nauru. It is true that there was a brief period when the Japanese occupied it, so we shall say "for a period slightly less than thirty years" he has been in charge of the administration of Nauru. I do not understand why, in that length of time, it was impossible to prepare the people for the government and administration of such a small island. I cannot agree that a person who has to be responsible for the administration of New York City, with a population of 11,000,000, and the administration of a small island like Nauru is identical. The obligations of the people who are in charge of those administrations are quite different. I cannot agree with the special representative's explanation.

The thing here seems to be that the Administering Authority has not  
/taken a sufficiently

taken a sufficiently active role in preparing the local population, the indigenous inhabitants of Nauru, for direct participation in administration so that they could take up key posts in the administration of their island.

Otherwise, I could not in any other way understand how, in a period of twenty-five years, the inhabitants of the Territory could not be prepared and trained to take up the administration of such a small island.

The PRESIDENT (Interpretation from French): Does the special representative wish to add anything? This was not a question; it was just a comment, I think, but if he wishes to add something to what has just been said, he is of course free to do so.

Mr. HALLIGAN (Special Representative): The only remark I would make is that -- I have some figures here -- in 1920 the Nauruans employed in the administration were a few in the police force. In 1948, not the Nauruans are employed in the medical service -- 27 Nauruans as medical practitioners, that is, three native medical practitioners, dispensers, health inspectors, and other positions. They are employed in the police and in the various departments, so that progress has been made in the period referred to by the representative of the USSR.

The PRESIDENT (Interpretation from French): Are there any other questions on this part, concerning the political characteristics?

Mr. PADILLA NERVO (Mexico) (Interpretation from Spanish): I would simply like to ask, in respect of the very clear replies which have been made to questions 7, 8, 9 and 14, what kind of questions the Council of Chiefs should examine, and <sup>whether</sup> this Council of Chiefs is simply a council which is the result of opinions, or whether it has some power of government independently of the possibility which it has as a council of chiefs of tribes.

My other question, in respect to this same matter, is the following: What weight does the Administering Authority grant to the opinions of such a Council?

Mr. HALLIGAN (Special Representative): The question, as I understand it, is: Does the Council of Chiefs have any authority apart  
/from its function

from its function of advising the Administrator?

The Council of Chiefs is composed of the chiefs of each district, and the chief, as I explained earlier, is responsible for the general well-being of his district. When they meet in council and as such, they are an advisory body to the Administrator, and the administration discusses matters of island interest with that Council, and they have been of valuable assistance to the administration in carrying out those functions on the island.

Mr. PADILLA NERVO (Mexico) (Interpretation from Spanish): The last part of my question was: Are the questions which the Council presents for consideration by the administration taken into consideration by the administration for action in the field, or does the administration simply take note of the various opinions expressed by this Council?

There is a certain obligation on the part of the administration to take into account the opinions of the Council and to act in respect of petitions or observations presented by this Council, I presume.

Mr. HALLIGAN (Special Representative): I do not know whether I have the question clearly, but I shall express it in my way and ask the representative of Mexico to inform me whether I am clear on it. His question is: Does the administration take note of the requests or representations by the Council of Chiefs, or is the Council of Chiefs able to make a decision? Those are the alternatives, as I understand his question. I would ask him whether I am clear in the interpretation of his question in stating it that way.

/Mr. PADILLA NERVO

MR. PADILLA NERVO (Mexico) (Interpretation from Spanish): That is not exactly what I was driving at. What I want to find out is whether the Administration simply takes note of the remarks or observations of the Council or whether it takes action in conformity with certain desires expressed by the Council on certain matters upon which remarks would be presented by the Council.

Mr. HALLIGAN (Special Representative): I understand the representative of Mexico to mean: does the Administration take note of and consider, or actually take the request of the Council as something it should do.

The Administration takes note. It does not take a request from the Council as a decision or a direction that it should carry that out, but it takes into consideration the representations that are made by the Council in determining any particular matter.

Mr. PADILLA NERVO (Mexico) (Interpretation from Spanish): I have another question which I should like to put. This question deals with the reply given to questions 16 and 26.

In these answers we note that the Head Chief is not only the president of the Council of Chiefs but is also an official on the staff of the Administration <sup>and</sup> in the district tribunal. Therefore the personality of this chief has three aspects.

I should like to know whether, in practice, the Administration has ever met with obstacles or difficulties in the exercis'n by the chief of these three functions at the same time. First of all, he is the mouthpiece of his people as regards government; then he is an official of the government itself, receivin<sub>g</sub> a salary as such; and in the third place he is an impartial magistrate in a tribunal.

Mr. HALLIGAN (Special Representative): No difficulties have arisen, to my knowled<sub>e</sub>, through havin<sub>g</sub> the Head Chief fulfill those three capacities.

Mr. PADILLA NERVO (Mexico) (Interpretation from Spanish): Finally, I should like to note that in the answer to question 12 it is stated that: "Chiefs have been removed from office by the Council of Chiefs" and that "Action of this nature was taken at a meeting of

/the Council of



the Council of Chiefs on 17 April 1947, when the Chief of the District of Ewa was removed for "conduct unbecoming that of a Chief".

In this respect I should like to know whether the special representative could tell us what is understood in this specific case by the words "conduct unbecoming that of a Chief", which led to the fact that this Chief was removed from his office.

Mr. HALLIGAN (Special Representative): I have not the details of the incident. I merely quoted there the words actually taken from the decision of the Council of Chiefs, and that was the published decision of the Council. I have no details and therefore I am unable to describe what would be regarded as "conduct unbecoming that of a Chief", as used in that context.

Mr. PADILLA NERVO (Mexico) (Interpretation from Spanish): The final question which I have in this respect is the following: does the Administrator have the possibility of removing the Head Chief from this Council?

Mr. HALLIGAN (Special Representative): No. That action is taken by the Council of Chiefs. The Administrator would preside at the Council meetings, but could not take action as Administrator, but only in conjunction with the Council of Chiefs.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Before asking any questions, I should like to ask the President when he intends to adjourn our meeting today. I am afraid that my questions are rather lengthy and the replies would also probably be lengthy, so I should like to know how much longer we have today.

If the President feels it possible I can begin now.

The PRESIDENT (Interpretation from French): In that case we will resume discussion of this question on Monday at 2.15 p.m. It is useless to prolong the discussion this evening. We have arrived at the time provided for, since we gained time by not having any recess in the middle of our meeting. We will finish this on Monday, and we will then go on to the following chapter, after we have completed this one.

The meeting rose at 5.17 p.m.