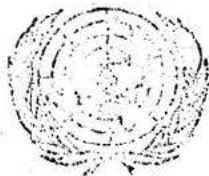


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VERBATIM RECORD OF THE FIVE HUNDRED AND THIRTY-EIGHTH MEETING

Held at Headquarters, New York
on Friday, 18 June 1954, at 2 p.m.

President:

Mr. URQUIA

(El Salvador)

Note: The Official Record of this meeting, i.e., the summary record, will appear in provisional mimeographed form under the symbol T/SR.538 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

54-17440

EXAMINATION OF CONDITIONS IN NAURU: ANNUAL REPORT OF THE ADMINISTERING AUTHORITY
(T/1111, 1122, 1125; T/L.472) [Agenda item 4 (d)] (continued)

At the invitation of the President, Mr. J. H. Jones, special representative for the Trust Territory of Nauru, took a place at the Council table.

Observations of members of the Council (continued)

Mr. S. S. LIU (China): As on previous occasions the Council has during the present session devoted very close attention to the question of what to do with the inhabitants of the Trust Territory of Nauru when its phosphate deposits are exhausted. This is by far one of the most important problems which confront the Administering Authority and the people of the Territory. We have noted from the opening statement of the special representative that the Administration views the problem with concern and there is evidence that steps are being taken by the Administration to sound out the opinion of the population in regard to the planning that has to be commenced.

However, from the observations of the special representative, we have been given to understand that the comparative ease of their living has misled some of the local inhabitants into the belief that they can afford to put off the resettlement plan for as many as forty to fifty years. Judging from what we have heard from the special representative about the Nauruans' mounting oblivion of their traditional methods of agriculture and fishing and of the unsuitability and insufficiency of the land area on the Island for agriculture, it is evident that the complacency of some of the people of the Territory is totally unfounded. It therefore behooves the Administration to give the populace the necessary guidance and continue to press forward with effective planning for gradual resettlement. In this connexion we share the opinion of the United States delegation that the proposal of the 1953 Visiting Mission on the establishment of a resettlement fund should be given some serious thought.

According to the report and the information supplied by the special representative, the former misunderstanding regarding the functioning of the Local Government Council is being dissipated and the Administration is prepared

to clothe the Council with enlarged powers after the councillors have familiarized themselves with the exercise of their present function. This information has interested my delegation immensely and we hope that the Administration's promise to increase the powers of the Local Government Council will be fulfilled in the not-too-distant future.

The process of what may be termed the "Nauruanization" of the administrative service is being carried on at a good pace. The addition of at least two indigenous incumbents to the senior service is particularly gratifying. Since the placement of Nauruans in the higher and more responsible posts is the surest way of training them for the management of their own affairs and of preparing them for their ultimate self-government or independence, there can be no doubt that the number of such top-ranking Nauruans must still be considerably increased. That the Administering Authority is doing what it can towards this propitious end is shown by the increase of scholarship students who are pursuing higher studies abroad. We wish the Administration every success in its training programme and in reaping the products which are desired.

A matter which has been of serious concern to my delegation, as well as to the Council and also to the General Assembly, is the retention in the statute book of the system of corporal punishment for two remaining offences. Although the penalty was not actually imposed during the period under review, we would like to see the formal ending of this inhumane form of punishment. The fact that it was not applied during the year in the case of one offender on whom its imposition would have been permissible under the existing law is indicative of the propriety of its replacement by another form of punishment. At the risk of repetition, we would appeal once more to the Administering Authority to heed and implement the numerous resolutions of the Trusteeship Council and the General Assembly on this subject.

With regard to the separation of the accounts of the British Phosphate Commissioners, which has been demanded by the Local Government Council, we would ask the Administration to reconsider the matter and see its way to acceding to the request of the Council. It seems to my delegation that the request is a reasonable one. The fact that the Local Government Council has not asked outright

for an increase in the royalties on phosphate without first examining the financial condition of the British Phosphate Commissioners, although the royalties are obviously rather low, shows the caution and reasonableness of the Council in approaching this matter, which naturally concerns very intimately the interests of the indigenous inhabitants. It would therefore be well for the Administration to show some consideration on its part and endeavour to overcome the difficulties it may have in submitting separate information on the financial operations of the British Phosphate Commissioners for the Trust Territory alone.

In the social field, my delegation has been gratified to learn of the adequacy of the medical and health services and the housing development to meet the needs of the Territory. We have been equally interested to hear from the special representative what the Administration proposes to do for the improvement of housing conditions of the Chinese workmen's quarters. In view of the fact that there are seventy-seven dwellings out of 131 housing Chinese and Gilbert and Ellice islanders which have only one living-room each with four to twelve persons in it, conditions in such buildings are hardly satisfactory and call for immediate relief.

We are pleased to note that some additional Chinese families have been brought into the Territory under conditions to which our attention has been called before. However, while reiterating our appreciation of the improvement of the situation, we would like once again to invite the consideration of the Administering Authority to the relaxation of the existing restrictions wherever this is possible. We also await with interest further information on the applications which some former Chinese workmen have made to the Administration for re-employment in the Territory.

My delegation has listened carefully to the explanations which have again been given by the special representative in justifying the retention of the ordinance restricting the freedom of movement in the Territory. We regret that we remain unconvinced of his argumentation. We believe that whatever the views of the indigenous inhabitants may be, it is incumbent upon the Administration to explain to them the incompatibility of such restrictions with human rights and the basic principles of the United Nations Charter. We would ask the Administration to give further consideration to the resolutions of the Trusteeship Council and the General Assembly with regard to the review of legislation and practices in the Territory containing discriminatory features.

Finally, in the educational field my delegation has been impressed by the progress achieved during the period under review, the details of which have been amply noted by UNESCO in its observations and need not be specified here once more. I would like, however, to pay a tribute to the Administration for one particular achievement, namely the establishment of the Education Advisory Committee. We regard it as a wise step and one which is calculated to bring greater co-ordination in educational planning.

With regard to the comments of UNESCO, I should like to add also -- and we agree with that specialized agency -- that in the past there has been some difficulty in getting the exact amount of expenditure for education, because that expenditure was defrayed partly by the royalty trust fund and partly by the Administration.

However, we have heard from the special representative that hereafter the whole of the expenditure in that connexion will be the responsibility of the Administration. We share the hope of UNESCO on this point that we may be able to have the exact figures covering the total expenditure for education in the Territory and that such figures will be contained in future annual reports.

In conclusion, it remains for me to voice my delegation's thanks to the special representative for the competence and patience he has exhibited in clarifying numerous points raised during the question period and for enabling the Council to gain a clearer picture of the conditions prevailing in the Territory.

Mr. MAX (France)(interpretation from French): When considering the problems inherent in the administration of a small island like Nauru it is necessary to look at them on a proper scale. If one loses a sense of proportion, it is not possible to contemplate the problem of political development in the Territory nor to speak of the creation of a legislative or executive power which will enable the population in a short time, as we are led to hope by the special representative, to administer their own affairs as they would conduct the affairs of a small municipality. A poor imitation of a government would not contribute to the welfare of the inhabitants.

The future welfare of the inhabitants presents pressing problems which are still more serious and which call for a solution. Without waiting for the exhaustion of phosphate deposits, the Administering Authority, which has carried out wide research in this field, will doubtless wish to examine the possibility of the establishment, in one of the Territories which it controls, of a more favourable region reserved for the Nauruans. Such a place has all the more reason to be established since, in the future, such land which has not been reclaimed might become the subject of appropriation.

Furthermore, if one considers the rapid evolution of the people of Nauru, the capacity which they show for administrative and industrial work and their distaste for work on the land, it would seem that the Administering Authority might well study the possibility of employing them in the administration of New Guinea where such needs might arise.

The report rendered to the Council leaves little room for criticism. My delegation has learned with pleasure that a new hospital, worthy of the other achievements of the Administration, was to be completed at the end of the present year. I was also happy to hear the explanations of the special representative as to the solution of the question of the airport. The Visiting Mission had, in fact, in 1953 been the object of requests concerning this matter, to the effect that it should not be extended too much; it is rather like a tempest in a teapot. Nevertheless, I am glad to learn that the claims of the inhabitants on this point have been satisfied.

The French delegation, after reading the report and listening to the discussion, has acquired the reassuring impression of vigilance and sympathetic interest on the part of the Council towards the Trust Territory of Nauru. We should like to express our warmest thanks to the special representative for the kindness with which he has responded to the questions of my delegation.

Mr. DORSINVILLE (Haiti) (interpretation from French): The fact that an indigenous population of less than two thousand people lives under conditions less favourable than those which exist in other Trust Territories raises a delicate problem, for which a solution must be found before many years have elapsed. This is a matter of resettling the population in an appropriate location for their survival.

The Administering Authority, through its special representative, has given reassurance of its determination to pursue the study of the problem and to discuss it with the most qualified representatives of the Nauruan people, whose wishes will be given due consideration when any concrete plan emerges.

My delegation has noted what was said by the special representative, but we do not believe that it would be superfluous to emphasize the time factor. Each year which passes without the Administering Authority's telling the Council that a certain concrete measure has been taken renders future prospects more questionable. After all, forty years pass quickly and it would be unpardonable to leave the solution of the problem to the next generation. We of the United Nations are responsible to the Nauruans of today as well as to their grandchildren. My delegation hopes that the next report of the Administering Authority will contain complete information on the results of the study which

was undertaken by the Commonwealth Scientific and Industrial Research Organization concerning the possibility of developing the schools in the Territory. The terms of reference are comprehensive and the study should enlighten us regarding such a possibility.

As regards liberty of movement of the indigenous population, my delegation must state that it is not satisfied with the present situation. Those who are not free to move about after certain hours are being deprived of basic human rights because of the fact that certain elements have conducted themselves in an improper manner. A vigilant authority should be able to identify the guilty and punish them.

Now I come to the question of corporal punishment which, we are told, has to be maintained according to the desire of the population. This reply is given to us every time we raise the question in the Council or in the Assembly. I say once again that my delegation is not satisfied with this reply. There are other methods of punishment.

During the question period I endeavoured to obtain some clarification concerning the gravity with which the indigenous population or the Administration considers the offences which are still punished by corporal punishment. Undoubtedly I did not make myself clear, but I did not receive a satisfactory reply. The special representative will agree with me that there are different degrees of the gravity of an offence. For example, in one instance an individual was punished by being given eighteen months' imprisonment. As regards garrotting, when it leads to the death of the victim, of course, it is murder. Obviously, one must take into consideration the gravity of the crime. We are told that progress is being made towards the abolition of corporal punishment. We hope that the Administering Authority will act on the recommendations contained in various resolutions of the General Assembly and the Trusteeship Council on this point. Such a punishment is not suitable.

As regards education, we have taken note of the progress achieved since 1951 through the introduction of secondary education. However, it does not seem that, as in France for instance or as in our country, this education leads directly to a baccalaureate. In particular, the report of the Administering Authority points out that Nauruans are not capable of understanding certain delicate or specific points of the English. One could assume that this is not due to a lack of intelligence but rather to a lack of training. One must assume that Nauruans will be encouraged to pursue their studies and to carry them on to a baccalaureate. The means should be given to them. This is necessary in order to make it possible for them to have access to superior education and if we want to have engineers and other Nauruan technicians.

I have said nothing about politics in the Territory. This is not that my delegation is not interested in political questions but because the urgency of other problems on which the survival of the indigenous population depend makes the consideration of political matters secondary. This community is very small and, therefore, political considerations are secondary.

In conclusion, my delegation asks the Administering Authority to consider as an urgent problem to which it should devote its special attention the search for a new area of settlement for the population of Nauru. We recommend that the Administering Authority should activate the study of agricultural possibilities of the Territory and all relevant information should be contained in the report. The Trusteeship Council, without such information, will not be able to make useful recommendations.

Mr. SERRANO-GARCIA (El Salvador) (interpretation from Spanish): I have asked for permission to speak in order to refer to some of the political, social, economic and educational aspects of the Territory which we have been considering.

From a study of the report and on the basis of the information given to us by the special representative, we have reached the conclusion that Nauru is a Territory which is sui generis as compared with the remainder of those which, at the present time, are subject to the Trusteeship System. The smallness of its territory and the short life to which it is condemned mean that as we formulate

our comments we are perhaps a little more exacting than we are on other occasions. As far as political matters are concerned we feel that before proceeding to hold elections all sorts of propaganda should be carried out through all those dissemination media which the Territory has available to it in order to ensure that its inhabitants are duly informed of all those prerequisites and details which the regulations require both as far as being a candidate for election and an elector is concerned. This, we feel, is the main recourse available to the Administration in order to ensure that in the future unpleasant situations will not arise either for the Administration or for the inhabitants. This was the case, for instance, when, owing to the fact that all the prerequisites which the electoral law prescribes had not been fulfilled for the appointment of candidates/^{the} candidacy of one of the candidates had to be renounced although he actually had much popular support.

As far as the Local Government Council is concerned, we also feel that, in addition to its functions as a consultative body, it should also be given such attributes as might permit it to intervene more actively in the administration. On this point we agree with what has already been stated by the Visiting Mission which said that the ordinances and regulations should be revised in order to avoid any possible misunderstanding which might exist at the present time. All the necessary measures should be taken to explain to the inhabitants of Nauru the functions and duties of the Council and of the members thereof.

From reading the report of the Administering Authority and the report of the Visiting Mission, our impression is that there are persons in the Territory who, through their preparation and background, might occupy important positions which at the present time are exclusively occupied by Europeans with the exception of one position. We would urge the Administration to promote to key posts those natives who, in view of their theoretical and practical knowledge, for years have been occupying posts in the Administration. In this manner one might increase the number of Nauruans who have in their hands positions of real responsibility.

Similarly and with all our enthusiasm, we suggest to the Administering Authority that it study the best manner of ensuring that in the future the inhabitants of the Territory may participate in the activities of the Trusteeship Administration in accordance with the recommendations made by the Council and the

warmest wishes expressed in this regard by the General Assembly. We realize the problem facing the island with respect to its natural resources. Its only source of income is represented by the phosphates, the exploitation of which is slowly diminishing and will eventually be utterly exhausted. One cannot contemplate agricultural production because this is not permitted by the size of the Territory or by the fertility of the soil. The destiny of the community is intimately connected with phosphates and, when they are exhausted, the community is destined to disappear. The condition can be envisaged in which the community would have to be transplanted to another region of the Pacific. This is rather complicated, especially if one bears in mind the different political, economic and social factors which are involved in the problem. The only thing which we feel could be done in this respect would be to educate the population so that when the fateful day would dawn they would be able to immigrate to other places with the certainty that they would have sufficient skill and knowledge to earn their living by means of professions or occupations which have been assigned to them.

We are happy to take note, on the other hand, that corporal punishment has been limited thanks to the reforms which have been introduced. Unfortunately, however, this practice still prevails. Although it was very much the fashion in the Middle Ages, it does seem monstrous in the twentieth century. There is no reason for one to continue to apply it. Although it may be said that it is used for punishing criminals for sexual crimes and strangulation, these crimes, however monstrous they may be, do not justify corporal punishment. We would therefore exhort the Administering Authority, in keeping with its traditions, to bring the standards of civilized peoples to the Nauruan people who can never be called civilized as long as in their laws, uses and customs, this stain of personal punishment, corporal punishment, is continued.

I would extend this exhortation to all Administering Authorities in whose territories corporal punishment is being continued either because of routine or because of negligence.

In the economic field, we hope that the authorities whose task it is to contemplate an increase in the royalties assigned to Nauruans will favourably consider this matter in view of the increase in the cost of living. We do not think that it was indispensable to have incurred so many expenses and to have proceeded to carry out expropriations in order to expand the airport. According to figures contained in the report we note that during the period 1952-1953 only two aeroplanes actually landed there. This does not explain the difficulties caused to the owners of this land if one remembers the amount of air traffic. We could say that these lands which were expropriated could have been used for the production of vegetables although such production might have been rather limited. This is so if one bears in mind the scarcity of the land and the geographical conditions on the island.

In the social field, we are happy to note that the housing programme is being carried out with great success and that at the end of the period which we are studying 299 houses of a European type were constructed for the housing of workers. We hope that shortly the plan may be completed and the island may be supplied with electricity in the not-too-distant future.

This year, as in the past, I must note with regret that I have to refer once more to the Ordinance which, despite all criticism of it, remains in force. I refer to the Ordinance which restricts the freedom of movement of Chinese persons and natives. The Administering Authority always justified this restriction by saying that it was of benefit to the community and that the persons affected were not actually opposed to it. On the other hand, the Administering Authority states that it is very liberal in granting passes and that, practically speaking, none of these passes has ever been refused to be granted to an applicant. If in practice a pass is never refused, then why should there be any restrictions on movement? Although the persons most directly affected do not object to it, that does not mean that they are in agreement with it. What happens, in our opinion, is that an anomalous situation has come to be accepted as something customary and normal.

In a Territory in which women have been granted political rights and in which the Administration has distinguished itself by its brilliant co-operation and by its constant enthusiasm for progress, it is a pity that its work should be detracted from and that it should not shine out in its proper brilliance because of the Administration's intention of keeping in force the Ordinance I have mentioned. We sincerely hope that the Administration will in the near future announce the complete elimination of the restrictions which now affect the Chinese and the Nauruans.

We are glad to note the efforts which are being made in the educational field to improve teaching. Similarly, we wish to praise the interest that the Administration has evinced in furnishing schools to the population together with desirable teaching facilities. We hope that this effort will be applied also to professional and higher education.

In conclusion, I should simply like to express my gratitude to the special representative for the courtesy with which he answered all the questions I put to him.

The PRESIDENT (interpretation from Spanish): There are no other delegations who wish to speak today in the general debate on the Territory of Nauru. Perhaps the other representatives wish to make their statements on Monday and perhaps the special representative would be prepared on either Monday or Tuesday to answer their statements so that we could complete our examination of conditions in that Territory.

Mr. Jones, special representative for the Trust Territory of Nauru, withdrew.

EXAMINATION OF CONDITIONS IN NEW GUINEA (T/L.473):

- (a) ANNUAL REPORT OF THE ADMINISTERING AUTHORITY (T/1114, 1114/Add.1, 1122, 1124)
[Agenda item 4 (c)]
- (b) PETITION CIRCULATED UNDER RULE 85, PARAGRAPH 2, OF THE RULES OF PROCEDURE OF THE TRUSTEESHIP COUNCIL (T/PET.8/L.1) [Agenda item 5] (continued)

At the invitation of the President, Mr. J. H. Jones, special representative for the Trust Territory of New Guinea, took a place at the Council table.

Political advancement

Mr. ROBBINS (United States of America): I have several interrelated questions in the field of political development which I should like to address to the special representative. The first of these is that this Council has seen from the annual report, from the report of the Visiting Mission and from the opening statement of the special representative the record of success and the difficulties encountered in fostering native village councils. It is clearly recognized that these councils are a fundamental factor in the political development of the Territory. I think that all members of the Council are interested in the nature of the difficulties which have been encountered. I wonder, therefore, if the special representative, in expanding on this point, could explain to us why all village councils successfully established to date are on the smaller islands and why none as yet have been established on the main island among some of the more sophisticated people of the coastal area.

Mr. JONES (Special representative): As I explained in my opening statement, we are endeavouring to extend local government to the people as and when they are able to accept that responsibility. The more sophisticated people are naturally in the islands because they have been in contact with Europeans for a much longer period, but I admit that on the main island there are also quite a number of areas in which we had hoped by now to have established or proclaimed official councils. In particular areas -- and I have in mind the Madang District particularly and in parts of the Sepik area -- we have established unofficial councils which, as I explained last year, I think are more or less a training period for councils before they are proclaimed as official councils. We have been pushing ahead with these unofficial councils in these particular areas and, as you know, we have specialized officers who assist the district staff in this particular development. We have recently expanded that particular section, and some of the officers are now in those areas endeavouring to bring the people to the right point where they can accept the full responsibilities of an official council.

It has been explained to me that one of the reasons why, in certain cases, no proclamation has been made is that the people themselves considered that they were not really ready, even though the Administration considered that they were, to accept the full responsibilities of an official council. In such cases, we have delayed making the proclamation at the request of the people themselves. I can assure the representative of the United States that we are going ahead in the particular areas he mentioned, and I hope that in the next two or three years there will be quite a number of councils in those areas.

Mr. ROBBINS (United States of America): In asking my second question, I shall try not to go unduly into the field of social development. However, one aspect of community development is that it is by means of such projects that it is possible to lay the groundwork for sound and rapid political development, that is, relatively rapid in that area. I have some knowledge of the inception of community development schemes in the Pacific Islands in varying circumstances, such as those of Tabar in the Trust Territory of New Guinea, the Nimboran area in Netherlands New Guinea, and the Moturiki project in Fiji. One basic problem in regard to such projects is their continuity after the initial effort has been made to bring about their establishment. I wonder if the special representative could say to what extent local people have been utilized in spreading the ideas which must be learned before a village is willing to accept a village council as a local institution.

Mr. JONES (Special representative): We have made quite an extensive use of local people in regard to community development schemes or projects, and we have found that one of the most successful methods is to select some local people and get them really interested in a scheme. Such people have played a very important part in Tabar. In fact, we are now using some of the people who assisted us in Tabar in other areas, and consideration is being given to special training for some of the indigenous inhabitants in this particular work.

So far as community developments themselves are concerned, it will be noted in our reply to a resolution of the Council that we stated that community

development, which is an integral part of Native Affairs Administration, is receiving the close attention of the Administering Authority. The approach to the problem is that every indigenous community should be a living project and should get the maximum attention which its nature dictates and its resources permit.

That, briefly, explains our approach to this problem. I appreciate the question of the representative of the United States in regard to the assistance of indigenous inhabitants who are really interested in this particular work and who have had experience in a pilot project such as that which has been carried on for two years at Tabar, and which is still continuing and which we are using as a training ground.

Mr. ROBBINS (United States of America): The 1953 Visiting Mission expressed the view that at the present stage in the Territory's development the Legislative Council of Papua and New Guinea has little but educational significance for the indigenous inhabitants, and the Visiting Mission suggested the possibility of enabling the inhabitants to participate in the work of the Council as observers. In the annual report, the Administering Authority states that the most effective way of developing an understanding of the legislative processes among the inhabitants is through the work of village councils and the assistance given in that work by the District Officer. The Administering Authority also stated that consideration is being given to other practical steps, including informative addresses to village councils and by specific provisions in school syllabi. Is the special representative in a position to give the Council any additional information on the steps which the Administering Authority intends to take to extend the understanding of the inhabitants with regard to legislative processes? Secondly, has the Administering Authority given any consideration to the possibility of sending certain of the more advanced among the leaders to attend meetings of the Papua and New Guinea Legislative Council as observers?

Mr. JONES (Special representative): I can assure the representative of the United States that we are going ahead along the line which he has suggested, and giving instructive lectures to village councils and including suitable material in the training syllabi. So far as observers to the Papua and New Guinea Legislative Council are concerned, the suggestions of this Council were conveyed to the Administering Authority and recently a select committee was set up to go into certain matters relating to the Papua and New Guinea Legislative Council. One of those matters was the appointment of observers to the Council. The position is that this matter, and a number of other matters, are now receiving the attention of the authorities. All I can state now is that it has been recommended that observers be appointed to the Council, and that they shall have the right to take part in the debates, but without the right to vote. If I remember correctly, that was a suggestion of this Council, and I feel quite confident that that suggestion will be approved, though, of course, I cannot make a concrete promise.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 13 of the annual report reference is made to a census of the indigenous population. This was carried out in June. Are the results known?

Mr. JONES (Special representative): So far as the results are known, they have been reflected in the figures relating to the enumerated and estimated population which are given in the appendix to the report. As will be appreciated, the taking of a census in the Territory is quite a task, and we are very fortunate if we are able to complete a census within the twelve months' period. In addition, the census, as such, is only complete in those areas in which we have complete administration. In many of the areas, the first census is merely a rough check of the people we contact, and we do not make any attempt to have a complete census. That comes later on, though it may be some years before a complete census can be made of an area. Therefore, when the word "census" is used in the report, it really means "enumerated". We get particulars of the people whom we are able to contact. The results obtained are reflected in the figures given in this year's report; next year's report will reflect the information obtained during the current year.

Mr. RYCKMANS (Belgium) (interpretation from French): This is not what we call a census in a developed country, which would be a census taken every five years and where the status of the population is checked on a specific date. This is a continuous undertaking of the Administration where they are endeavouring to determine what the population is in various centres. But the results will not be the total of the population in one given day. Therefore this is not exactly a census as we take it.

I might point out something peculiar to the special representative, namely, a reference to adults, meaning everyone who is about thirteen.

On page 23 of the annual report the Belgian delegation has noted with satisfaction the fact that the representation of New Guinea in the Legislative Council is double that of the Territory of Papua, as far as indigenous and other members are concerned. This is in line with the previously expressed wish or recommendation of the Council. On page 24 of the annual report mention is made of various councils, and I believe that one should congratulate the Administering Authority on having begun the work from the bottom, so to speak. They have begun to deal first with village affairs and this is the best way to train the indigenous population in public administration. I hear that there is a question concerning two new councils. That constitutes progress which the Trusteeship Council will note with satisfaction, although it will of course regret that more have not as yet been established.

On page 27 of the annual report there is a reference to the acquisition of land by the Vunamami Council, namely "150 acres of good agricultural land". I should like to know about this acquisition of land. Are these lands which belong to the indigenous inhabitants? Were these alienated lands which had been bought back? Were these occupied lands and, if so, how was the acquisition effected?

Mr. JONES (Special representative): That land would be obtained in exactly the same way as land obtained by any other applicant, whether he be European or indigenous. In this particular case they would obtain a lease for ninety-nine years. It would be Administration land. That is land which has been acquired from indigenous owners at some time or other and which is considered by the Administration not to be required by those particular owners.

Mr. RYCKMANS (Belgium) (interpretation from French): I wonder whether this question of indigenous land is not an economic question. This has to do with statistics. On page 157, appendix VIII of the annual report, reference is made to "Other (including land reserved for public purposes and land available for leasing)". This would not be unalienated land of 58 million or so acres.

Mr. JONES (Special representative): The land referred to in that particular table and shown as unalienated land totalling more than 58 million acres is land which has not been alienated and which has not been leased or is not held as freehold land or is not classified as Administration land. Therefore, until it is proved otherwise, it is recognized as belonging to the indigenous people.

Mr. RYCKMANS (Belgium): Then may I ask why did the Council have to acquire the land if it belonged to the indigenous people?

Mr. JONES (Special representative): I take it that this was a case where a corporate body desired to obtain land for a specific purpose. As it is stated on page 27 of the report, it was to extend the agricultural syllabus to include pig and fowl breeding. As a matter of fact, I think I can say that this particular Council has land which would have been suitable for this purpose except that it was too far away from the school. Their desire was to obtain land close to the school for this specific purpose, and therefore they acquired the land in the usual manner, such as any other settler would, and obtained it on a ninety-nine-year agricultural lease.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 31 of the annual report, with regard to the rights of suffrage, the following is stated: "Every person resident in the Territory, not being a native or an alien as defined in the Nationality and Citizenship Act" is a voter if he has been living in the Territory for at least twelve months. Hence, foreigners cannot become voters, and I mean non-Australians.

Mr. JONES (Special representative): The position in regard to the Legislative Council is that the persons who may be electors are mentioned as every person, resident in the Territory, not being a native or an alien as defined in section 5 of the Nationality and Citizenship Act, who is under a certain age and who has resided continuously in the Territory for at least twelve months preceding his application for enrolment is entitled to enrolment as an elector. The definition of alienation, which is contained in the Nationality and Citizenship Act, means a person who is not a British subject or Irish citizen or a protected person. An Australian protected person is a person having been born in New Guinea, whether before or after the commencement of the regulations, and is not a British subject and has not, in accordance with the regulations, renounced his status and ceased to be an Australian protected person.

Therefore, persons resident in the Territory who fall within the category of a British subject or Australian protected person are therefore entitled to enrolment as electors, subject to the qualifications specified in section 8 of the Legislative Council order, which is the usual bar to certain people with criminal offences and other things.

Mr. RYCKMANS (Belgium) (interpretation from French): If I settled in New Guinea, I could never get the vote.

Mr. JONES (Special representative): I am afraid that we are getting down to a legal point now.

Mr. RYCKMANS (Belgium): I think that is the case. I merely wish to draw the attention of the Australian Government to the problem, because there certainly does seem to be a problem here.

Mr. JONES (Special representative): I thank the representative of Belgium for drawing attention to that point. It certainly will be looked into.

Mr. RYCKMANS (Belgium)(interpretation from French): Page 32 of the report states: "Apart from the judges of the Supreme Court all judicial functions are discharged by administrative personnel". I understand perfectly well that in a country which is as primitive as this one, it is sometimes better that there should be two district officers who carry out judicial functions rather than to have only one district officer and one judicial officer, a judge who will only have judicial functions. However, it seems that only the Supreme Court judges cannot be administrative officers, and this situation calls for correction, if possible.

On page 33 of the report a reference is made under the heading of "Penalties" to certain offences committed by natives in respect of other natives. "In regard to such offences a special code, namely, the Native Administration Regulations 1924, has therefore been created...". Would it be possible to obtain the text of these regulations of 1924?

Mr. JONES (Special representative): The regulations referred to concern mainly offences by one indigenous inhabitant against another and also regulations concerning offences to meet the special needs of the indigenous people. I do not have a copy of the regulations with me, but I shall be quite happy to make a copy available to the representative of Belgium.

Mr. RYCKMANS (Belgium) (interpretation from French): Page 34 of the report, under the heading "Native Law and Custom", states:

"The Laws Repeal and Adopting Ordinance provides that the tribal institutions, customs and usages of the aboriginal natives of the Territory shall not be affected by this Ordinance, and shall, subject to the provisions of the Ordinances of the Territory from time to time in force, be permitted to continue in existence in so far as the same are not repugnant to the general principles of humanity."

I should like to ask the special representative whether the judicial organization is considered as a tribal institution? In my view it is clear that the judicial organization constitutes a tribal institution. According to the Laws Repeal and Adopting Ordinance, all tribal institutions remain in force unless they are repugnant to the general principles of humanity. Are the customary judicial institutions of New Guinea repugnant to the general principles of humanity? If they are not, then under the law they remain in force. Yet, the following paragraph states very clearly that they are not recognized. "The Native Administration Regulations provide for Courts for Native Affairs ...". The indigenous tribunals, the tribal institutions recognized by the law, are no longer functioning. How can one explain this apparent contradiction?

Mr. JONES (Special representative): The laws of the Territory of New Guinea do take note of the tribal customs and usage. The tribal institutions mentioned in the second part of the paragraph are given administrative recognition, but they have not as yet been given any statutory authority. As I mentioned in my opening statement, this matter is now receiving the very serious consideration of the Administering Authority with a view to giving statutory recognition to these indigenous tribunals. If and when that is done, I think it will answer the question raised by the representative of Belgium.

Mr. RYCKMANS (Belgium): My point is that I believe that they should not be given statutory recognition because they have statutory recognition. The Laws Repeal and Adopting Ordinance provides that the tribal institutions shall not be affected and shall be permitted to continue. According to the Statute, the native judiciary institutions shall be permitted to continue without any further statutory recognition.

Mr. JONES (Special representative): As I have said, they are administratively recognized. Concerning the Court of Native Affairs, that is to some extent to supplement and meet the more modern needs of the Territory and the people themselves. It is to supplement the indigenous tribunals, which are already recognized administratively. It is really an additional tribunal with statutory authority.

Mr. RYCKMANS (Belgium)(interpretation from French): What interests me primarily is that the question should be considered by the Administration. It is a question of principle which, it seems to me, should be resolved. The Administration should be consistent in recognizing that the judiciary institutions deserve as much respect as the others.

Mr. PIGNON (France)(interpretation from French): Perhaps my first question may be considered to be indiscreet, and I shall ask the special representative to pardon me for asking it. The report of the Visiting Mission in 1953 states, in paragraph 28:

"The Mission fails to see why the District Commissioners having such a detailed knowledge about conditions in the districts under their Administration, should not be entrusted with this important task. The development of local government should be a basic duty for administrative officers generally and not regarded as an exclusive field in which only specialists can operate."

This comment interests me personally as I was somewhat responsible for its inclusion in the report. I should therefore like to ask the special representative what the Administering Authority thinks of this comment made by the Visiting Mission. Does he still consider that District Commissioners are not able to set up the village councils and that only specialists are qualified for this task?

Mr. JONES (Special representative): In my closing statement last year I endeavoured to make it quite clear that the political development and stability of the native people were the full responsibility of the administrative staff, particularly of the District Commissioner who was administering the district, and that the special officers were available to advise him in this particular sphere of work. I pointed out that District Commissioners had many duties and responsibilities and that their officers perhaps could not give the full time that was necessary in this field. I should like to make it quite clear that when they are posted to a district they become members of the staff of the District Commissioner and work under his direction and instructions.

So far as the unofficial council is concerned on the mainland, which matter was referred to recently by the representative of the United States, I mentioned that the work was going ahead. In those particular areas all the work done up to date to bring those unofficial councils to a stage where they are now almost ready -- in our opinion some are ready -- to be claimed as official councils, has been carried out by the District staff, and the posting of the special officers to those areas is merely to assist the District Commissioner to bring the preparatory work to fruition.

Mr. PIGNON (France)(interpretation from French): When I was a member of the Visiting Mission to New Guinea I noted that the District officers were remarkable persons, specially qualified for that type of work. I am ready to agree with the special representative that they have a great deal of work to do. I think, however, that the task of creating village councils, which is a political task par excellence, is normally that of an official responsible for the District. It is his first task, and even more important than the details of administration. That is why I think that the opinion put forward by the Visiting Mission is still valid. The first task of the Administrator -- and I have, myself, observed that Australian administrators are particularly competent, and I should like to pay tribute to them -- and the most urgent one is that of carrying out the political work. That is his primary task, and I think it would be better to leave the secondary task to others. That is a professional opinion, but I do not press it.

My second question refers to a comment by the Visiting Mission as contained in paragraph 29 of the Mission's report. The Visiting Mission had pointed out that there were many different regions in New Guinea, some of which had experienced a certain amount of civilizing influence. There were also the Eastern and Western Highlands, containing rather backward populations -- not incapable of development; on the contrary, they had extremely interesting populations -- which were geographically and historically isolated from the world. Therefore, they have not had the advantage of contact with the trends of civilization. The Visiting Mission put forward an idea that in these almost entirely virgin lands -- I am speaking mostly from the point of view of agriculture, but also from that of the culture of the people concerned -- it might be valuable to begin the work of political education of a new kind, not necessarily conforming to the conventional kind of education in other countries. The Visiting Mission suggested -- of course it had no time to carry out a detailed study -- that the Administration would be well-advised to seek, for these virgin regions, some new formula. I should like to know what the Administering Authority thought of that suggestion.

Mr. JONES (Special representative): The Administering Authority made note of that particular point and an officer was appointed to that area, after having spent nearly twelve months at headquarters in Port Moresby where he, more or less, specialized in local government and made studies of it. He was appointed District Commissioner and is at present in that particular area, where he is making a study, through his officers, of any indigenous institutions which may exist there peculiar to those people, with the idea that when the study has been completed, a decision will be made as to the best approach to the preparatory work connected with giving them some form of local government. The matter is still in the preparatory stage, but the point was appreciated, as there are totally different people in those areas from those who live on the coast.

Mr. PIGNON (France)(interpretation from French): My next question is rather a matter of personal curiosity. I should like to ask the special representative if the Council of the Island of Baluan continues to fulfil the hopes which were placed in it. I remember that when we visited that island we were very favourably impressed. I should be glad to know if that Council is continuing to function in the manner which we noted.

Mr. JONES (Special representative): It gives me great pleasure to comment on this particular Council because, as Director of District and Native Affairs, I had a good deal to do with setting it up and I am sure that it still remembers the circumstances in which it was established. It is making excellent progress and, since the visit of the Visiting Mission, quite a number of the other islands in that area, which were in no way connected with what was known in those days as the Paliau movement, have now joined the Council, and I should say that the progress which is being made is even better than we could have anticipated.

Mr. PIGNON (France)(interpretation from French): In his preliminary statement the special representative gave us some very good news concerning the establishment of the auxiliary corps of public service. I know it is stated that the legislation which will regulate this corps is being prepared now and, incidentally, a certain number of details of interest have been furnished to us. However, if the special representative could give us some more information -- something more concrete -- I would be most grateful, for this is something new and something which I consider most important.

Mr. JONES (Special representative): At this stage I am afraid there is little I can add to what I said in my opening statement. I endeavoured then to give the fullest information that I had been able to obtain before leaving for New York. We have been giving consideration to this step for some considerable time; it was only a question of the best method of approach.

The Council will appreciate that, in starting this auxiliary division which is a stepping stone to the higher divisions, we have also intended making full provision for indigenous inhabitants who qualify for entry into this auxiliary division to have every opportunity. They will have access to the Institute and to the lectures and they will be placed on exactly the same footing as a European officer. Their opportunities for advancement will be just the same.

I do hope that the other point which I brought out was also noted by the Council -- I am sure it was -- namely, that in addition to the auxiliary division, provision is going to be made so that indigenous inhabitants or other residents of the Territory who have the necessary qualifications can enter the higher divisions directly without going through the auxiliary division. Of course, they must have the technical and other qualifications that are required for entry into those higher divisions. However, there will be no other bar.

Mr. PIGNON (France) (interpretation from French): I have no further questions on this chapter. I am most grateful to the special representative for his replies. I might even tell him that he gave me great pleasure by giving us very good news which was close to my heart. I have seen the Australian officials who fulfilled their tasks with devotion and tact, to which I wish to pay public tribute.

Mr. DORSINVILLE (Haiti) (interpretation from French): I should like to ask the special representative for the term for which the members of the Executive Council are appointed. I ask this question because in the report there is the following: (continued in English) "during the pleasure of the Governor-General". (continued in French) Could the special representative tell me if the members of this Executive Council are appointed to and relieved of their duties according to the pleasure of the Governor-General as it seems to say here or do they have a specific term of office?

Mr. JONES (Special representative): The appointment of officers to the Executive Council is in the terms and under the conditions explained by the representative of Haiti. As will be seen from the list which I think is given

in the report, the members are appointed from the permanent heads of the various departments. The provision that they shall hold office at the Governor-General's pleasure is, as I explained last year, a procedure which is followed so far as such appointments are concerned. If for any reason it is decided to change the number of officers or persons who are members of the Council, that is done. If I remember correctly, the number has actually been reduced since the Executive Council was first established. It was considered that some of the heads of some of the departments actually could not contribute to the work of the Council and its membership was reduced to the number of which it consists at present.

Mr. DORSINVILLE (Haiti) (interpretation from French): On page 24 of the report, we see that the Administering Authority has noted with respect to native local governments that it found much less difficulty than it expected thanks to "the presence on each Council of an element of intelligent and energetic men". I should like to ask the special representative if the Administration contemplates increasing the number of indigenous members of the Legislative Council, which at the moment amounts to three, because the Administration does note that it can find in the Territory "intelligent and energetic men" which satisfy it.

Mr. JONES (Special representative): On quite a number of occasions, I have had the opportunity to explain to this Council the policy of the Administering Authority with regard to the political development of the native people. I think I made it quite clear last year that the appointment of these three indigenous inhabitants to the Legislative Council was more by way of an experiment to see to what extent they could contribute to the work of the Council.

In regard to the political development of the indigenous inhabitants, this is very well expressed in the report of the last Visiting Mission. I feel quite sure that the Council/^{remembers} clearly what was said by that Mission. I shall make one quotation, if I may, from its report:

"The Mission could not help feeling that some of the discussions which had taken place on the political advancement of the indigenous people had been premature."

The position is that, so far as the Administering Authority is concerned, it has the desire and every intention of developing local government and of advancing the political development of the people to the greatest extent and as far as they are competent and capable to accept this added responsibility. We have no reason whatsoever to attempt in any way to retard it. Why should we? We have accepted responsibilities under the Trusteeship System, and one of them is the political advancement of the native people. I should like to assure the Council that we are doing everything possible along that line.

As I said in my opening statement, we do want to lay a solid foundation for the local government of the future. No good purpose would be served by trying to thrust upon these people local government or any form of political advancement until they are ready for it. We are doing our best to prepare them for it and, as we go along, we are determined to see that it is on a solid foundation. It is along that line that we intend to develop the indigenous inhabitants.

The Administering Authority considers that no good purpose whatsoever would be served at this stage of the political advancement of the indigenous inhabitants by adding any more indigenous members to the Legislative Council. It is our intention, as we develop what we call the village councils -- which of course is rather a misnomer because, as the Council is quite aware, they comprise up to twenty to thirty villages -- to take the next practical step that will be understood by the native peoples themselves. When we have a sufficient number of these councils formed in a particular area, we will then establish an area council. It may be called a district council. However, it will be a council from which representatives of the various so-called village councils will be elected by the people themselves. This district council will be given greater power and authority than is at present held by the local village councils.

Eventually, as I have explained before, we may even set up regional councils. At that stage of the political development of the native people we feel confident that they will be able to elect from amongst themselves a certain number of councillors to the Legislative Council of the Territory. By that time, they will be in a position to contribute something real and practical to the government of the Territory.

Mr. DORSINVILLE (Haiti) (interpretation from French): I am much obliged to the special representative for having given us so many details in response to my question.

I should like to have some further information concerning the expression he used about the three indigenous members of the Legislative Council. He said that these three indigenous persons were chosen on an experimental basis. Has the experiment been concluded in the eyes of the Administration and in what sense?

Mr. JONES (Special representative): It has shown quite clearly that as regards these people -- and I have mentioned this before and it is not my desire to say anything derogatory about them because I have known them all for many, many years and they are very nice people indeed -- their outlook is parochial. They have a certain amount of knowledge in regard to their own area, and in some instances they have contributed in a small way, shall we say, to the debates of the Council. I have no doubt at all that it has assisted greatly in their own political education. To support my statement, I should like once again to quote from the report of the Visiting Mission in regard to this particular matter. Page 9, paragraph 52, of that report states:

"Although recognizing the great value which the participation of Native members in the work of the Legislative Council has for the political advancement of the indigenous inhabitants, the Mission feels that at the present stage of political development of New Guinea their participation can only be educational and believes that the Administration may wish to consider the possibility of associating additional indigenous people with the work of this Council, and of sending indigenous observers to attend its meetings, thereby giving them some understanding regarding legislative procedures."

I mentioned the latter part of that quotation a few minutes ago, the part stating that the Administering Authority is considering another step which will assist in the political advancement of the native people -- and that is the appointment of observers to the Legislative Council.

Mr. DORSINVILLE (Haiti) (interpretation from French): Page 33 of the report contains a reference to corporal punishment. It is still legal in the Territory although it is pointed out that it is limited to certain serious offences. I should like to ask the special representative whether these serious offences are the same as those in the Territory of Nauru.

Mr. JONES (Special representative): I should request that I not be asked to make any comparison between the position in the Trust Territory of New Guinea and the Trust Territory of Nauru. They are two different problems, and I think they should be dealt with as such.

In regard to corporal punishment, the Council passed a resolution at its last meeting. I do not think there is any need for me to read it as it appears in the report. The reply to that is given quite fully. That is the considered opinion of the Administering Authority and I feel that as the special representative I cannot add anything to what has already been stated quite clearly as the policy. There is nothing I can add in reply to that particular point. If there were, I would attempt to do so. I will be quite frank, I have nothing to add to that.

The PRESIDENT (interpretation from Spanish): We shall now take a short recess.

The meeting was suspended at 4.5 p.m. and resumed at 4.40 p.m.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I have a few questions concerning the political situation in the Trust Territory. My first question has to do with page 101 of the annual report. What is the explanation for the reduction of the number of inhabitants in the Territory? The data on that page shows that in 1950-51 there were 1,094,000 people and that in 1951-52 there were only 1,090,332 people. The reduction is not significant but there is a reduction and it seems to indicate a demographic trend. I should like to have an explanation from the special representative concerning that.

Mr. JONES (Special representative): It will be noted that the figures given in the statistical summary include those actually recorded in the Village Registries and the number is estimated in the area that has yet to be brought under Administration influence. It will be appreciated that when estimating the number of the population in an area which has not actually been penetrated or visited, the most information we can really have is from air reconnaissance. It is only an approximate estimate and as we penetrate deeper into these areas, we are more or less able, from information and observations, perhaps to arrive at, shall I say, a more accurate estimate, although still an estimate.

The position is that the enumerated population has increased from over 864,000 to 967,000 odd. The difference shown in the total shows that the estimated number of those remaining in the areas is less than was previously estimated.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): Page 17 of the report states that the Papua and New Guinea Act of 1949-1950 provides for the government of the Territory of Papua and the Territory of New Guinea by what is called an administrative union. The report states that this Act provides for the maintenance of the status of New Guinea as a Trust Territory and for the maintenance of the status of Papua as a colony. What is the difference in the policy of the Administering Authority in its approach to the Trust Territory and the colony of Papua?

Mr. JONES (Special representative): Both Territories contain independent peoples. Our responsibilities in regard to those peoples are the same. The fact that one happens to be a Trust Territory and the other an Australian Territory does not mean that we treat them differently. They both require the same help and assistance. Therefore, the policy of the Administering Authority is exactly the same in both Territories.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): The special representative will agree with me that the status of these two Territories is not the same. Papua is a colony and New Guinea is a Trust Territory. In respect of the Trust Territory, there are definite obligations. For example, there is the Trusteeship Agreement. Such obligations do not exist in respect of the colony of Papua. There is no Trusteeship Agreement for Papua. Therefore, there are different obligations. If a uniform policy is followed in respect of both Territories, then how is the fulfilment of the special obligations concerning the Trust Territory ensured, obligations which the Administering Authority has assumed in respect of this Trust Territory?

Mr. JONES (Special representative): The obligations which we have accepted under the Trusteeship System are in fact and in practice also applied to the Territory of Papua. Although the status of the two Territories is different, the treatment is exactly the same.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): Further discussion of this question may be more appropriate in the general discussion.

My next question relates to page 21 of the report, which states that the territorial boundaries of the Territory of Papua and New Guinea are maintained. In this context, what does the word "maintained" mean? Are the territorial borders of the Trust Territory of New Guinea maintained, or is there no border whatsoever there?

Mr. JONES (Special representative): When we state that the identities of the two Territories are maintained and that their borders are maintained, we mean exactly that. Each Territory is divided into a number of districts for administrative purposes. In no case does the boundary of any district overlap the boundary between the two Territories. For example, a district commissioner who is in charge of a district on the boundary, let us say, in the Trust Territory of New Guinea, has no jurisdiction in any other Territory on the other side of the Territorial boundary.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): In his opening statement, Mr. Jones told us that in November 1953 a patrol of the Administering Authority was surprised by an ambush -- it was attacked and two officers were killed. He then told us that a considerable number of suspects were arrested, that soon the normal situation was re-established and that further disturbances were not expected. Has the Administering Authority determined the reasons for this attack? It is stated here that generally the population of this district was friendly and that therefore the attack was unexpected. There must have been some reasons for it. I should also like to know how the Administering Authority proceeded in this case. Was there an investigation? If so, was it a judicial investigation and what have been its results?

Mr. JONES (Special representative): As I mentioned in my opening statement, quite a number of persons have been apprehended as suspects in connexion with the murders on which I gave information. The case is now before the Courts. It is not my desire to withhold information or assistance from this Council in any way at all, but I should like it to be appreciated that since the affair is in fact before the Courts and is being fully investigated, both in the area itself and as the subject of a judicial inquiry, I would like to be excused from giving any additional information at this stage. I can assure the Council that full information will be placed before it next year when the case has been completed.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): My next question relates to the composition of the Legislative Council -- as it is called by the Administering Authority -- of the Territory of Papua and New Guinea. How many members of that Council are appointed by the Governor-General, and what is the total number of its members?

Mr. JONES (Special representative): The membership of the Council is given on page 23 of the annual report. The list on that page sets out the official members, showing both their names and designations; then it gives the names of the elected European members, the Mission representatives, the indigenous members and the other non-official members.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I was referring precisely to that data on page 23 where mention is made of official members, elected members, Mission representatives, indigenous members and other non-official members. I take it that we should interpret this as meaning that only three members of the twenty-nine are elected since in the case of the remainder it is not stated whether they are elected or appointed.

Mr. JONES (Special representative): The information with regard to the method of selecting the appointed members has been given on quite a number of occasions. So far as the Mission representatives are concerned, the opportunity

is taken at the annual meeting between the Administration and all the Mission bodies in the Territory for them to get together themselves and to submit to the Administration the names of those they would like to represent Mission interests. The indigenous members are selected after consultation with the various District Commissioners and others, and with quite a number of the representatives of the indigenous people themselves. The other non-official members, who are more or less representing commercial interests in the Territory, are also selected after consultation with the various commercial undertakings, and if there is no reason why they should not be appointed to the Council the nominations of the various bodies are accepted by the Administering Authority and the appointments duly made.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): On this same subject of the composition of the Council, I have the following point which I should like clarified. In the Legislative Council there are two representatives -- or, rather, two indigenous individuals -- from the Trust Territory of New Guinea. I should like to know how they were appointed, and by whom. How were they introduced into the body of the Legislative Council?

Mr. JONES (Special representative): When consideration was being given to the appointment of members to the Council -- and again I would refer to my previous remarks with regard to the reason they were actually appointed -- a panel of names was submitted by each District Commissioner and also, as I have mentioned, by various unofficial councils and others. From that final panel of names these two particular members were selected as being considered the most suitable of those available.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): Does the Administering Authority intend to increase the number of members who are indigenous inhabitants of the Territory? Are there concrete plans to increase the indigenous representation? The Council now has twenty-nine members, of whom only two are indigenous inhabitants. If lists are submitted to the District Commissioners and then to the councils there is no doubt that quite a number of persons are included from whom a choice could be made. What are the obstacles to a broadening of the indigenous representation in this Council?

Mr. JONES (Special representative): I dealt with that quite fully, I think, in my reply to the representative of Haiti, and I feel that nothing would be gained by my trying to add to what I have already said on this particular subject. I dealt with it as fully as I possibly could then with a view to saving the Council's time by not having to reply continually, as it were, to the same question from various members of the Council. If I thought that I could possibly add anything I would willingly do so, but in fact I have nothing to add to what I have already said in reply to the representative of Haiti, who asked a similar question.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): I listened attentively to the reply of the special representative to the question of the representative of Haiti. If he has nothing to add, then I think it is not necessary for him to repeat his statement. But it seems to me odd that the Legislative Council, which is said to be an organ of the Trust Territory, and is composed of twenty-nine members, contains only two indigenous members. Furthermore, these two are not elected by the indigenous population; they are selected from lists compiled by officials. In such conditions it cannot be said that there is no one who could be appointed. Obviously, everything depends on the Administering Authority. Therefore, this matter of the composition of the Legislative Council should be reconsidered and provision made for more representation of the indigenous population. There are people who can be elected democratically, and I should like to draw the attention of the special representative to this aspect of the matter. However, if he has nothing to add to what he has already said, I shall not press the point.

Mr. JONES (Special representative): I have nothing to add. I think I have explained it clearly in my reply to the representative of Haiti. I have given the reason why there are three indigenous members, two of whom represent the Territory, and why it is not the intention, in the immediate future, to increase the number.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): My next question refers to the functioning of the Legislative Council. Under what conditions do the non-official members have the right to take legislative initiative in that body?

Mr. JONES (Special representative): It is provided under the ordinance that any member of the Council has the right to introduce a measure to the Council for consideration.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): On page 22 of the report, it is stated that the right to propose legislation "is governed by sections 47 and 48 of the Papua and New Guinea Act... and by the Standing Rules and Orders regulating the order and conduct of the Council's business and proceedings". Since it is not stated in the report what is contained in those various sections and since it is further stated, "Subject to these requirements, and particularly the restriction on any act involving government expenditure, non-official members are empowered to introduce legislation", I have raised my question. There is a phrase here "Subject to these requirements". What are the requirements which are referred to?

Mr. JONES (Special representative): I do not have a copy of the ordinance before me. However, I repeat that any member of the Council has the right to bring a bill before the Council. In proof of that, I would mention that at the last meeting of the Council, which I attended personally, one of the elected members introduced a bill relating to the growing of cocca. There have been other instances where private bills have been introduced before the Council.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): Have there been instances where such draft laws were introduced by these two or one of the two indigenous representatives of the Territory of New Guinea?

Mr. JONES (Special representative): No, there has been no case.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): My next question has to do with the activities of the District Advisory Councils and the Town Advisory Councils. These Councils are composed of non-indigenous inhabitants appointed by the Administrator. The Administering Authority tells us that the Councils, for their work, have to do with such

questions as "aerodromes; copra and copra production and other aspects of economic advancement; navigation aids; wharfs; shipping and air services; educational facilities; treatment and hospitalization of the sick; conditions of employment of indigenous labour; tariffs; town planning; housing; telephone services; fire-fighting services; electricity and water supply; streets and roads and roads maintenance". These are the terms of reference of these Councils. At the same time, on page 29 of the report, it is stated: "These councils deal with matters predominantly of non-native interests and membership has so far been confined to Europeans and Asians." How can we reconcile this assertion with the true position since we see that the Councils deal with such questions as directly affect the interests of the indigenous population?

Mr. JONES (Special representative): The matter of the District Advisory Councils and the Town Advisory Councils has been discussed at length in this Council on previous occasions. It has been explained and it is actually explained in the report which is being examined that in both cases, in particular in the Town Advisory Councils, the matters dealt with are predominantly of non-native interests. They do not directly affect native interests. In quite a number of cases, they may have some indirect impact on indigenous interests within a district. However, as I have mentioned before, the government officers, as members of the Council, have the responsibility of seeing that there is no adverse effect on native interests. The Village Councils deal with matters which are predominantly of native interests.

Recently in the New Britain area where there are quite a number of the official councils at the present time, various matters were dealt with by those councils which had some impact on non-native interests. However, that is no reason why it could be suggested that we appoint Europeans to native Village Councils. There is provision under the Act for the appointment of Advisory Councils in the districts and it is provided that the majority of the members of those Councils shall be indigenous inhabitants. As and when the time is considered ripe to establish such Councils, every care will be taken to see that both non-native and native interests are represented on them. Until that time arrives, the Administering Authority cannot see how it would assist in any way to have indigenous people appointed to these Councils which predominantly deal with matters of non-native interests.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): Here I must say that the special representative does not make ends meet, so to speak. If some reasons which are not convincing and which depart from reality are adduced in the report, that is something that follows from the reading of the report. Now the special representative is adducing different reasons, namely, that the time has not yet come to make such appointments. He says that when the time comes indigenous inhabitants will be appointed to these Councils.

Let us begin with the first assertion which is contained in the report of the Administering Authority and which was repeated here by the special representative to the effect that District Advisory Councils and Town Advisory Councils allegedly deal with matters which are essentially not of interest to the indigenous population. But even Town Advisory Councils deal with matters which directly affect the situation of the indigenous inhabitants of the town and of Europeans. The activities of the Councils directly affect their status or situation.

Let us take such matters as the copra production or at least look at educational facilities, treatment and hospitalization of the sick or the conditions of employment of indigenous labour and so forth. What could affect the interests of the indigenous populations more than these questions? Or do you consider that only Europeans have the right to determine the terms of the hiring of native labour?

If the indigenous inhabitant is hired, then does that mean he should not have the right to pronounce himself on such a question? The Administering Authority tells us that the question does not affect the interests of the indigenous population. How can one say that this does not affect their interests since we are dealing with the employment of these indigenous inhabitants? Then there are other questions such as the housing development, the maintenance of roads, water supplies and so on. The question is: who is maintaining the roads? Are only Europeans engaged in such tasks? It seems clear to me that any unbiased person who reads this would see that the terms of reference of the Council concern questions which do affect the interests of the indigenous population of the Trust Territory. Yet there are no indigenous inhabitants in these Councils; they are excluded from them. How can that be explained? How can one resort to such inconsistent arguments such as the one that their activities do not affect the interests of the indigenous population? I doubt that the special representative can give us any convincing reasons because I do not believe there are such reasons.

Mr. JONES (Special representative): As is shown in the report -- and I repeat it -- the matters discussed are predominantly of non-native interest. It would appear that some matters would affect native interests. It is the non-native angle which is actually discussed. In other words, these Councils are non-statutory; they are merely set up as advisory councils to advise the local District Commissioners in particular in regard to matters affecting non-native interests. It concerns the non-native angle of these particular matters. Discussions with the indigenous people take place and their interests are covered in every case.

Mr. OBERENKO (Union of Soviet Socialist Republics) (interpretation from Russian): I do not press for a reply. I simply wish to make an observation. How can the interests of people be defended if those people concerned are not represented?

My next question relates to page 33 of the report. It is stated there that, according to the Jury Ordinance of 1951, Europeans who are convicted and subject to capital punishment must be tried by jury. This does not apply to

indigenous inhabitants; they are not to be tried by jury. Why is there such a distinction despite the fact that it is asserted in the report that one of the basic principles of English law is equal treatment for all in the courts. We do not see this equality of treatment here.

Mr. JONES (Special representative): It has been considered that the stage of advancement of the native people generally has not reached a point where the application of the jury system for the indigenous inhabitants would serve any good purpose. It is considered that the present system of the judge, as judge and jury, is far more satisfactory under the circumstances.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): This is an attempt to give an explanation which can be found on page 33 of the report. It is stated there also:

"The indigenous people are not subject to trial by jury for the reason that in their present state of development it would not be appropriate for civilian members of the European community to constitute..." It is not quite clear why Europeans should not constitute a jury for the trial of a native accused of a criminal offence. Yet it is not quite clear why this system can be applied to Europeans. Why cannot this system be applied to indigenous inhabitants? If there is really such a distinction, regardless of the reasons, then why does the Administering Authority tell us on the very same page that:

"One of the basic principles of English law is equal treatment for all in the courts, irrespective of nationality, and this principle is always observed throughout the Territory"? This is a clear inconsistency. Either one refrains from making such declarations concerning equal treatment or else it should be explained why there is such a distinction, why there is such unequal treatment in practice.

Mr. JONES (Special representative): Under the heading of "Method of Trial" I think the reason why it is not applied to indigenous people has been given.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): That is exactly what I pointed out to the special representative. Perhaps I did not succeed and perhaps the explanation did not prove anything. If it proves anything, it proves that there is unequal treatment as between Europeans and indigenous inhabitants. Further below, on the same page, there is a declaration which has no basis; it is to the effect that the Administration ensures equal treatment to all in courts throughout the Territory. In fact, there is no equal treatment.

Mr. JONES (Special representative): My only remark is a brief one, that equality of treatment depends on the application of the law.

Mr. BHANDARI (India): Most of the questions in the political field have already been asked by representatives who preceded me in the questioning. I do not intend to take up too much of the Council's time, but I do have a few questions.

To begin with, I should like to commend the Administering Authority for having decided to create the auxiliary division which would offer a permanent career in the public service to indigenous people. We feel that it is a very great step forward and certainly a very commendable action. In this regard, I just want to know whether there are any indigenous people at the present moment employed in the senior scales or, let us say, the administrative posts. If not, could the special representative tell us what is the most senior post held by any indigenous person at the present time?

Mr. JONES (Special representative): There are no indigenous people occupying senior administrative posts. Most of them are artisans in clerical employment; they are teachers, medical assistants, drivers, etc. The purpose of the auxiliary division is to enable those people who have reached a certain standard of advancement and who have showed promise in their employment, particularly in the clerical divisions, in the Medical Department and in the Lands, Mines and Surveys, where they are assistant draughtsmen and are employed also in other positions like that, to improve their status and qualifications so that they will be able to pass their examinations and enter into the higher divisions.

Mr. BHANDARI (India): The question of the Legislative Council has been dealt with in great detail in the answers given by the special representative to the questions put by the representatives of the United States, Haiti, and the Soviet Union. All I would like to say at this stage is that we are glad to note that the Administering Authority has taken into account the request made by the Trusteeship Council that indigenous inhabitants should be allowed to attend the meetings of the Council as observers. We are glad also to note that there is a plan to allow certain indigenous members of the native councils to participate in the debates, even though they will not have the right to vote. I would express the hope that this plan will soon be carried out.

With regard to the town advisory councils, the question has been asked whether indigenous interests are at stake and are discussed in these councils, and the special representative has said that the interests of the indigenous population are adequately protected by representatives of the Department of District Services and Native Affairs. Would it not be a step forward in the political education of the indigenous inhabitants to have one or two nominated members, perhaps without voting rights, on the town advisory councils? They might then have the feeling that they are participating in the administration of the towns, and they may be able to offer hints regarding housing, public health and education, which necessarily are not projects only for the Europeans and the Asians, but also for the indigenous inhabitants.

Mr. JONES (Special representative): I take it that the representative of India is suggesting that these indigenous inhabitants could attend the advisory councils in a capacity similar to that which we are now proposing for the Legislative Council.

Mr. BHANDARI (India): Yes, as a first stage.

Mr. JONES (Special representative): In that case, I can see the point of the suggestion of the representative of India. Although, as I have said, it is only the non-native angles which are actually discussed, but it would probably assist them in their political education, and I will certainly take note of that particular point.

Mr. BHANDARI (India): I find that no judicial tribunal composed of indigenous inhabitants is recognized by the Administration as part of the judicial system of the Territory. Could the special representative tell me whether any of the indigenous inhabitants have reached such a stage of education that they have qualified as barristers or solicitors, and whether any Asians or indigenous inhabitants are members of the judiciary?

Mr. JONES (Special representative): No, there are only European members of the judiciary. There are no indigenous inhabitants or other people who have qualified as barristers or solicitors.

Mr. BHANDARI (India): On page 25 of the report it is stated that Mr. Salin is one of the indigenous members of the Legislative Council. We have learnt that Mr. Salin made a speech in which he advocated the integration of New Guinea with Australia. Could the special representative let me know whether this is correct and, if it is correct, what are the views of the Administering Authority about a schoolteacher making such statements, particularly a schoolteacher who is also a nominated member of the Legislative Council?

Mr. JONES (Special representative): I find it very difficult to answer that question. I have not the faintest idea of what prompted him to make that statement, and if that statement has been published, then I take it that it was made. I have not read Hansard, so that I cannot confirm whether or not that statement was made, but I accept the claim of the representative of India that it was. I offer, as a suggestion only, the explanation that he is so pleased with the administration of the Administering Authority that he wants to become more closely related to that Authority.

Mr. SERRANO-GARCIA (El Salvador) (interpretation from Spanish): On page 30 of the report it is stated that:

"Eleven officers of the Department of District Services and Native Affairs commenced the course in March 1953, and twenty-six officers are due to complete the course at the end of 1953."

How many of these twenty-six students have successfully completed their studies, and does the Administration plan that these persons should take part in certain administrative offices?

Mr. JONES (Special representative): The twenty-six officers mentioned are cadet-patrol officers, and that is the form of entry into the Department of District Services and Native Affairs. I am very pleased to be able to say that all of them completed their course and have now been posted to various stations. I cannot say how many of the twenty-six were actually posted to stations in the Trust Territory. I might add that there has been a further intake of cadet patrol officers since that date.

Mr. SERRANO-GARCIA (El Salvador) (interpretation from Spanish): I should like to ask the special representative a question concerning two doubts I have regarding the section on penalties, which is contained on page 33 of the report. The report states that corporal punishment is imposed on adults in certain cases, and that this punishment is applied by means of a light cane or a whip. It is applied in private under strict supervision. Is there in existence any regulation concerning the appointment of these supervisors? Who are the persons who supervise, and how is it ensured that such punishment is correctly applied by means of the cane or the lash?

Mr. JONES (Special representative): In the interpretation of the question of the representative of El Salvador, the expressions "light cane", "whip" or "lash" were used. I should like to make it quite clear that on the very rare occasions when corporal punishment is inflicted, it is inflicted with a light cane or a strap.

In other words, it could be best described as the punishment often given to children who do not behave themselves by their parents. As far as the method of inflicting this punishment goes, it is laid down that the senior officer of the prison, a European medical officer and a senior officer of the Department of District Services and Native Affairs must be present, and those three officers have the combined responsibility to see to it that this very light punishment -- it really is light and it is the effect of the punishment more than the severity of it -- is inflicted strictly in accordance with the rules which are laid down governing this particular punishment.

Mr. SERRANO-GARCIA (El Salvador) (interpretation from Spanish):

My thoughts are as follows: among the offences for which the death penalty is imposed there is included the offence of treason. I have some doubts along these lines. We all know perfectly well what the offence of treason consists of when we are concerned with a sovereign State. Then the matter is quite clear. However, when reading that the crime of treason is punishable by the death penalty, one wonders exactly what elements would compose such a crime or offence in a Territory which is actually subject to the system of Trusteeship Administration.

Mr. JONES (Special representative): I appreciate the point raised by the representative of El Salvador and I will certainly see to it that an enquiry will be made as regards that particular offence. I am not in a position at the moment to answer the question but I can see the reason for it being raised and I shall make enquiry about it.

Mr. TARAZI (Syria) (interpretation from French): There are nevertheless a number of questions remaining which I would like to ask the special representative. The report of the Administering Authority deals with reserved areas. I would like to ask the special representative how the reserved areas are administered, because there are over 8,000 square miles classed as reserve areas. Such areas are forbidden areas and it is said that it is outside the authority of the Administration.

I should like to ask how these areas are administered and how the Administering Authority exercises its Trusteeship function with regard to these areas?

Mr. JONES (Special representative): I would be very grateful if the representative of Syria would explain to me what these reserved areas are. I am somewhat at a loss to know what reserved areas have been referred to. Is there a reference in the report?

Mr. TARAIZI (Syria) (interpretation from French): I am referring to an official document of the United Nations for which the Secretariat is responsible. This document is T/L.473 and is dated 10 June 1954. Mr. Aleksander is responsible for it. I am sure that I will not be accused of subversion. Paragraph 10 on page 4 of this document reads as follows:

"Of the 93,000 square miles of the Territory, the area under the control or influence of the Administration was increased during the period under review from 83,107 to 84,500 square miles through the continued policy of peaceful penetration. A total of 8,500 is classified as restricted areas, not under Administrative control or influence. Entry into such areas is prohibited except to Natives, officers of the Administration or persons who receive permits from the Administration." Mr. Aleksander is responsible for this text.

Mr. JONES (Special representative): I can see where the misunderstanding has occurred. The interpretation I heard was "reserved" areas. Actually the area being referred to is the restricted area. I now quite understand the question. I take it that the question is that if it is not under administrative control or influence, how is the Administering Authority able to carry out its obligations under the Trusteeship Agreement? In answer to previous questions and in the report itself, and also in my opening statement, I think I have in a very comprehensive way explained the position and what our plans are in regard to bringing the restricted areas under administrative influence and eventually under full administrative control.

These areas have not yet been penetrated. The natives are still in the stone age. They are primitive peoples, but we are slowly reducing that area year by year. We hoped to be able to do it at the end of this year, but I am afraid that we will not be able to fulfil our plan. However, it is hoped to bring the whole of that area under control in the next year or two. In the meantime, of course, it is an uncontrolled area.

I would, however, like to draw attention to one passage contained in document T/L.473 which says that "entry into such areas is prohibited except to Natives, officers of the Administration or persons who receive permits from the Administration". I am not quite sure where that last part came in because I can assure you that we do not give permits to anybody to enter that particular area. The first people to enter that area are experienced officers of the Department of District Services and Native Affairs and they make the first contact with the native people. They are accompanied, on many occasions, by officers of the Department of Health and, on all occasions they are examined to see that they are not carrying any diseases which could be transferred to the native people of those areas. Every care is taken to see to it that peaceable contact is made with them.

Naturally, until such time as we can contact these people and bring them under influence, we are unable to do more than we are already doing in regard to their welfare, and that is to protect them from any introduced diseases.

Mr. TARAZI (Syria) (interpretation from French): With respect to the powers of the Legislative Council, many questions have already been asked. As far as I am concerned, I would like to know on what basis the indigenous members of the Legislative Council are chosen. In other words, what criterion is followed by the Administering Authority for choosing these members? Does the criterion relate to moral qualities, to education or to social position?

Mr. JONES (Special representative): I had hoped that I explained to the representative of the Soviet Union the method by which the three present indigenous members of the Legislative Council were selected. I cannot think of anything to add. In my reply, I pointed out that we selected those whom we considered to be the most suitable for the purpose. Social position did not enter into it, nor did knowledge of reading and writing English. We were influenced by what we considered signs of leadership that the individuals had shown among their own people.

Mr. TARAZI (Syria) (interpretation from French): We note that the meetings of the Legislative Council are very short. They met from 6 to 18 October and from 4 to 8 May during 1953. Is this period sufficient for the examination of all the draft legislation which is submitted to it, or have these drafts already received preliminary examination by the Administering Authority? Is the Legislative Council simply called upon to approve the drafts?

Mr. JONES (Special representative): I am afraid that I am not qualified to say whether or not the time given to the meetings of the Council is sufficient for it to conduct its business. I know that in practice all members of the Council are given every opportunity to discuss and debate to the fullest possible extent any measure.

Mr. TARAZI (Syria) (interpretation from French): Do I understand from the reply just given by the special representative that the members of the Legislative Council have the right to control the Administration, that is to say by means of asking questions, and so on?

Mr. JONES (Special representative): Yes, they have every opportunity to debate the bills and ask any questions they may desire to ask. A number of parliaments have what is known as a gag rule whereby debate can be cut short by the party in power. On no occasion has the official majority of the Legislative Council exercised that prerogative.

Mr. TARAZI (Syria) (interpretation from French): Concerning the employment of indigenous members in public administration, the report informs us of the existence of certain functions carried out by indigenous persons. What is the salary scale paid to indigenous officials in comparison with that paid to non-indigenous officials?

Mr. JONES (Special representative): Appendix XVII on page 169 of the report sets out the totals. The same appendix, beginning on page 166, shows the number employed by the Administration in the various trades and occupations, and also the average wage. I might note that that is the wage paid per month, and that in addition the workers are provided with rations, clothing, equipment and hospital service. In addition to that, their fares are paid to their place of employment and also on their repatriation. If they are accompanied by their wives and families, their fares are also paid and rations and clothing are provided free as well as accommodation and food. I have no record with me of the salaries paid to non-indigenous employees.

Mr. TARAZI (Syria) (interpretation from French): Could the special representative give us some information concerning the status of immigration in the Territory?

Mr. JONES (Special representative): As is usual in a small community like New Guinea, a permit is required and it must be shown whether they have employment or sufficient funds, and, in particular, sufficient funds to pay their way back to Australia should they fail to find employment. They must give some reason for wanting to proceed to the Territory.

Mr. TARAZI (Syria) (interpretation from French): Concerning the organization of the judiciary, does the Administering Authority contemplate a programme for modifying the judicial system as it is practised with respect to the indigenous population and for raising the level of that system by establishing special courts or by unifying the system of courts throughout the Territory?

Mr. JONES (Special representative): The only consideration that I know of is the intention of the Administering Authority to give statutory recognition in some way or other to the indigenous tribunals which are at present recognized administratively.

Mr. TARAIZI (Syria) (interpretation from French): In his preliminary statement yesterday, the special representative stated:

"In addition to the admission of indigenous people into the Auxiliary Division, legislation is also to be prepared to permit them and permanent residents of the Territory, including Asians and persons of mixed blood, to be appointed to other Divisions of the Public Service." (T/PV.537, p. 67)
What does the Administering Authority mean by "persons of mixed blood"?

Mr. JONES (Special representative): It means exactly what it says: persons of mixed blood. They may be part Europeans and part Chinese, part Chinese and part native, part Malayan and part Chinese, and so on. It actually refers to those people who are not defined as natives under the Ordinance.

Mr. TARAZI (Syria)(interpretation from French): I reserve the right to make a comment about that remark of the special representative in my observations during the general debate, because this reflects a certain tendency which is perhaps natural to administrators.

My next question refers to the administrative union with Papua. A moment ago the Soviet Union representative asked a question in that connexion. I should like to know whether the special representative considers whether the administrative union with Papua, as it exists at the present time, is in accordance with the Trusteeship System.

Mr. JONES (Special representative): I understand that the matter of the administrative union is before a special committee of the United Nations, and for that reason I would ask to be excused from answering any questions in that connexion. It is not that I do not wish to give the information, but it would not be correct for me to do so.

Mr. TARAZI (Syria)(interpretation from French): If the special representative does not wish to reply to my question now, I would ask him another question concerning the sovereignty of the Territory.

I have two documents taken from a newspaper, The South Pacific Coast, published at Port Moresby. One of these statements appeared in the issue of 7 March 1952. It accuses the former Minister of Foreign Affairs, Mr. Evatt, of having sacrificed the chance of Australia's making New Guinea a sovereign Australian Territory. Speaking in the Chamber of Representatives during the debate on the Pacific Security Pact, Mr. Anthony stated:

"No country can have so many rights as Australia would have over the Territory of New Guinea, for which it has paid a price of £6,000."

Mr. Anthony said that New Guinea should have been annexed by Australia when the occasion arose after the war. Instead of that, he said, Australia missed the chance of making New Guinea a sovereign Australian Territory like Papua and transferred the real authority to Iran, and Cuba, and Egypt, and any other country which sits in the United Nations Trusteeship Council.

A second issue is dated 1 July 1953 and concerns a statement by Mr. Hugh Robertson, who was a Member of Parliament in Australia and went to New Guinea. He said at Port Moresby that, when he returned to Canberra, he would tell the House of Commons that Australia ought to take New Guinea from the United Nations, and he added that that was the only means of opening to Australia the opportunity of developing the Territory and profiting thereby. Mr. Robertson was a member of a Parliamentary delegation which returned to Australia after having inspected the Territory. He also stated that the lands belonging to the indigenous population ought to be taken over by the Government, if that was necessary, and developed. He added:

"The Government has acquired land in Australia, and there is no reason why it should not do the same here. Why could not what is applicable in Australia also be applied here?"

One of these statements appears to have been made by the Post-master General and the other by a Member of Parliament. I should like to have the opinion of the special representative on this question.

Mr. LOMES (Australia): I was not quite clear whether the representative of Syria was making a statement or asking a question, but I do not feel that the special representative should be called upon to comment on the remarks just made by Mr. Tarazi. Mr. Tarazi has cited a number of individual statements by various persons, and the only comment I should like to make is that the Territory of New Guinea is a Trust Territory administered by Australia under the terms of the Trusteeship Agreement approved by the United Nations, and that, as such, it will be administered by Australia in accordance with the Trusteeship Agreement and the Trusteeship System.

Mr. TARAZI (Syria) (interpretation from French): I take note of that statement and shall elaborate the point during the general debate.

Mr. SCOTT (New Zealand): In the course of his opening remarks to the Council, the special representative referred to the creation of a Department of the Public Service Commissioner. I should like to ask him to what extent the Public Service Commissioner is responsible for policy matters pertaining to the public service. To put it round the other way, perhaps, does the Administrator of the Territory of Papua and New Guinea have any responsibilities with regard to the control and supervision of the public service in the Territory?

Mr. JONES (Special representative): The recent administrative change was to raise the public service branch, which was a branch of the Department of the Government Secretary, to departmental status. It was considered that its importance warranted such a change, and the Public Service Commissioner has full responsibility in connexion with the administration of the public service. He also has the right, of course, to make certain recommendations with regard to policy, and any changes that he thinks should be made for the more efficient administration of the public service. The Administrator has, as it were, no actual authority in relation to the public service itself, but all matters pertaining to public service are discussed with the Administrator and all matters of policy are, naturally, discussed by the Administrator and the Public Service Commissioner with the Minister who is responsible for the administration of the Territory.

Mr. S.S. LIU (China): I should like to ask a brief question which arises from the special representative's reply to one of the questions put to him by the representative of El Salvador with regard to corporal punishment. In that connexion Mr. Jones emphasized and re-emphasized that the punishment was meted out by means of a very light cane and was itself very light indeed. Since that is the case the effect must be very, very small. For that reason I do not understand why the Administering Authority is so insistent on maintaining this form of punishment. Would it not be better for it to accede to the request of the General Assembly and the Trusteeship Council by adopting a form of punishment which was more in accord with human rights but whose deterrent effect might nevertheless be much stronger than that of a light punishment of the present kind?

Mr. JONES (Special representative): Perhaps I had better explain the reason why this punishment is so effective. It is not actually the severity of the physical pain; but the indigenous people attach the greatest sense of shame to this particular punishment. It has a deterrent effect because they lose face, as it were, to some extent if they have received corporal punishment. That is one of the reasons why this punishment has been retained -- its deterrent effect.

The PRESIDENT (Interpretation from Spanish): The Drafting Committee for Somaliland under Italian Administration will meet at 10.30 on Monday morning in conference room 8.

The Council will meet again at 2 p.m. on Monday.

The meeting rose at 6.5 p.m.