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VERBATIM RECORD OF THE FIVE HUNDRED AND THIRTY-FIFTH MEETING

Held at Headquarters, New York  
on Tuesday, 15 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.535 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

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EXAMINATION OF CONDITIONS IN SOMALILAND UNDER ITALIAN ADMINISTRATION (T/L.471, L.474 and L.475):

- (a) ANNUAL REPORT OF THE ADMINISTERING AUTHORITY (T/1116, 1117 and Add.1 to 3, 1122) [Agenda item 4 (a)]
- (b) PETITIONS CIRCULATED UNDER RULE 85, PARAGRAPH 2, OF THE RULES OF PROCEDURE OF THE TRUSTEESHIP COUNCIL (T/PET.11/L.9 to 11) [Agenda item 5] (continued)

At the invitation of the President, Mr. de Holte Castello (Colombia) and Mr. Salah (Egypt), members of the Advisory Council for Somaliland, and Mr. Mochi, special representative for Somaliland under Italian administration, took places at the Council table.

Observations of members of the Council (continued)

Mr. TSARAPKIN (Union of Soviet Socialist Republics) (interpretation from Russian): The majority of the representatives around this table have dwelt in detail on the conditions existing in the Trust Territory of Somaliland. They laid stress on the particular fact that these conditions are far from satisfactory, especially because this specific Territory by 1960 will have to become an independent sovereign State.

The special representative of the Government of Italy, in his statement before the Trusteeship Council, attempted in relating the conditions in Somaliland to sketch for us a rather idyllic and over-sugar-coated picture of the conditions existing in that Territory. However, in actual fact, things are quite different from the image that the official representative of the Administering Authority portrayed to us.

The question of the conditions in Somaliland and the policy of the Administering Authority with respect to this question is, I say, of special significance because of the supreme fact that this Trust Territory has to become an independent entity by 1960. It is from this viewpoint that we should approach the evaluation of the conditions and the administration of the Territory by the Administering Authority.

In the report of the Administering Authority and in the other documents, we see that it has failed to take the necessary steps that would ensure progress in the Territory in the political, economic, social and cultural fields. The Administering Authority has pursued a policy that is not aimed at the most

expeditious fulfilment of its assumed obligations stemming from the Trusteeship Agreement.

In the political field, the conditions remain more or less unchanged. We see extant in the Trust Territory colonial laws that were codified as far back as 1885, and the Administering Authority fails to take the necessary measures to promulgate really democratic legislation that would be in line with the purposes of the Trusteeship System. We still have the law of corrective punishment which was touched upon by many people, and in many petitions we read that the indigenous population of Somaliland asks for the revocation of old colonial and fascist laws and the promulgation of democratic legislation. These demands are reflected in the petition contained in T/PET.11/L.11 signed by ninety-four Somalis and in the petition contained in T/PET.11/409 from Chief Dahir Shakul Hussen, Ali Osman Mohamed and Haji Abdulla Isse, and in other petitions. The Administration is in the hands of former colonial officials. These are public officers who are appointed to high places in the Administration of that Territory. It is clear that these people who are so used to old colonial methods cannot implement and achieve the ends and purposes that are set down in the Charter of the United Nations relative to the administration of Trust Territories.

We should also remember that even the very structure of the Italian administration in Somaliland is quite similar in essence to the one existing under colonial regimes. The indigenous inhabitants of Somaliland are still prevented from effectively governing their country -- and remember that there are but five and one-half or six years remaining until such time as Somaliland is proclaimed an independent State.

In annex II of the report, there is data as to the administrative organization. There we see that all the responsible posts in the Administration are occupied by Italians. We fail to see a single Somali listed in that annex who would be in the administrative personnel cadre.

On page 94 we read that in the Trust Territory there still does not exist a proper legislative organ. The legislative power in this Territory is effected by the Administrator. He also is charged with the executive power and is the commander of the armed forces in the Trust Territory. The judges are appointed by the Administrator. In places of power we have commissars and residents who are also appointed by the Administrator. The Residency Councils are only advisory

bodies and they cannot be considered as truly representative. These Councils consist of tribal or local chiefs called personnalités de circonscriptions. In the report too we read that even those advisory councils that are created there, which are not really effective either as a legislative or executive organ, are not elected by the people but are appointed by the heads of the government; and the Administering Authority, as before, continues to rest upon tribal institutes which constitute obstacles to the progress of the indigenous people.



The tribal chieftains, dependent as they are upon the Administration, have as their aim and task to administer the tribes in such a way as would be concordant with the directives from the Administering Authority.

The outdated colonial system and its vestiges are seen reflected in the membership of the Territorial Council as well. Even this purely consultative body, deprived of any real powers or authority, is not constituted in a democratic fashion, and it cannot be considered a body in which the indigenous inhabitants would be truly represented. In actual fact, the majority of this Council is made up of tribal chieftains, who are, in essence, the paid officials of the Administration.

In the municipal elections that took place this year, we do not see that the local system of administration has been transformed on to democratic bases. First of all, we have to point out that, in line with Decree 168 of December 1953, the municipal elections saw about 60,000 electors participating, whereas there are 1.2 million people in general in the Territory. And only males have the right to vote -- and settled population, at that. The women and the nomadic peoples who constitute about three-quarters of the inhabitants still are deprived of the right of suffrage.

We have heard around this table cries of acclaim and applause as to these elections. They have been called a symbol of progress and of the enlightened administration of the Administering Authority. But these elections, which some praise to high heaven, were carried out in a situation of police rule and arbitrary action. In documents T/PET.11/361, 364, 366, 367, 369, 380, and in many other petitions that we have received from this Trust Territory, we have read complaints by the indigenous people as to the arbitrary actions of the police and Administration officials, complaints of illegal arrests, incarceration in jails, beatings, etc. Although the representative of Italy has said that the municipal elections in Somaliland were carried out in an atmosphere of calm and order, the Trusteeship Council still has a number of petitions from the Somali Youth League, for instance, in which there will be found complaints as to violations of the election law and as to pressure exercised by the Administration on the electorate, with the electoral lists

being changed illegally. And here I would invite the members of the Council to acquaint themselves with documents T/PET.11/402, 411 and 418, which petitions speak of the situation in Somaliland during the municipal elections.

In connexion with the unsatisfactory conditions in the political field in this Territory, it can be seen how necessary it is to have legislative and other steps taken immediately by the Administering Authority to ensure the participation of the indigenous inhabitants in the executive, legislative and judicial bodies of the Territory. To ensure political progress in Somaliland, the Trusteeship Council should direct the attention of the Administering Authority to the need to adopt measures which would bring about a transition from an outdated tribal system to a system of self-rule based on democratic foundations.

The economic situation in the Trust Territory is characterized by the backwardness of the economy of the indigenous people, on the one hand, and, on the other hand, the penetration into the economy of American, English and Italian corporations which assert their economic dominion over the economy of the Trust Territory.

In 1952, the Italian Administration gave to an American company, the Sinclair Somali Corporation, a large concession of 200,000 square kilometres -- 40 per cent of common land -- to carry out oil-well researches. In the event that oil is found, this company has the right to exploit the oil wells and the natural gas for a period of forty years. Therefore, all the oil wealth of Somaliland -- a Territory which, it will be remembered, is to be an independent State in 1960 -- has been sold in advance for a period of forty years, without even heeding the will of the indigenous inhabitants.

There are many other companies that participate in the looting of the natural wealth of Somaliland. In 1952, a concession of 28,000 kilometres was given to an Italian corporation to exploit Somali minerals, and another Italian company received a concession of 6,000 hectares for the exploitation of silver and gold ore.

Europeans occupy 73,000 hectares of the richest soil along rivers, and these Europeans are growing crops for export on this land. The agricultural regions in Afgoi, Genale and Juba specialize in the growing of bananas that go almost wholly for export. And European farms differ radically from the indigenous ones, since the Europeans have the possibility of utilizing machinery and modern techniques of agriculture and since they make use of irrigation schemes.

In the Territory, there are a few enterprises of mining and processing types. These are in the hands of Italians and are administered by Italian officials.

All of the foreign trade and the major part of the domestic trade is concentrated in the hands of large foreign firms such as Besse, Mitchell and Cotts Co., Séférian and others.

The best index of the true policy of the Administering Authority is the budget for the Territory. Budgetary appropriations for police needs for the eighteen months of the 1953-54 budget period constitute an excessively large sum -- over 14 million somalos -- and exceed the appropriations for public health and education needs.

We should note that the appropriation for police needs outside of the expenditures for personnel for 1953-54, when compared with the previous year, have grown threefold or more, and we did not hear a satisfactory explanation on this point from the representative of the Administering Authority that would justify the increase in the appropriation for police needs and the overall appropriations for the armed forces; the police, judicial bodies and jails for 1953-54 constitute about 40 per cent of the overall budget for the Territory whereas appropriations for economic needs and services in 1954 have been cut as compared to the 1953 appropriation, which is to be seen in Annex IV of the report.

Because of the failure of the Administration to fulfil its obligations, the indigenous inhabitants in Somaliland find themselves in extremely difficult conditions. There is a backward economy which is carried on along primitive lines. There is an unfair taxation system whereby taxes are levied irrespective of the ability of the person to pay; there are very low salaries paid, and remuneration for hired labour -- all these things force the Somalis to eke out a hungry existence. The Administering Authority testified that conditions in Somaliland are in general not satisfactory, and you will find this on page 253 of the report.

We see in the report of the Administering Authority that 40 per cent of the inhabitants of Somaliland are nomads and cattlemen. Their standard of living is very primitive, and this is stated by the Administering Authority itself. This sector of the population is chronically underfed and is almost completely illiterate.

The standard of living of agricultural and cattle workers, which constitute 30 per cent of the population, is also low. We see this on page 181 of the report. Agricultural labourers receive only two to two and one-half somalos per day and women half of that amount. In private industry the Somalis receive two and a half somalos, which is even less than what is paid in administrative or public enterprises although in the private field the working day is two hours longer than in public enterprises. It is characteristic, indeed, that for this remuneration or salary you can buy only 1 1/2 kilogrammes of tomatoes. As far as the salary levels during 1953-54 are concerned, the two and one-half somalos

paid per day would not suffice for a single visit to a doctor for which three somalos would have to be paid.

It is often seen that the Administering Authority prevents increases of pay to salaried workers. For instance, in T/PET.11/393/Add.2 you read that:

"Although the above-mentioned firms were prepared to grant an increase of pay, as they realized that cost of living in this area has increased, the Chisimaio Authorities refused to agree to an increase of pay, saying that natives must not be paid over So. 3. - per day."

The extremely difficult situation of the indigenous inhabitants is made worse by the very unsatisfactory state of affairs in public health because of the low standard of living, the inadequate nourishment and the inadequate sanitation system as well as public health conditions. The indigenous inhabitants do not have sufficient resistance to the various diseases that abound in Somaliland. Tuberculosis and malaria incidence is high. A characteristic example of the difficult social conditions in the lives of the indigenous inhabitants of the Trust Territory is to be found in the fact that more than 20 per cent of the inhabitants of Somaliland suffer from venereal diseases; this can be found on page 251 of the report of the Administering Authority.

The Administering Authority does not build new hospitals and clinics regardless of the many demands for same by the people. The Administering Authority tries to excuse this failure by stating that the existing medical institutions allegedly are sufficient and that an increase in their number would be an overwhelming burden for the future Somali State. But facts give evidence to the contrary. The existing hospitals are quite inadequate, and this can be seen from the fact that in the Midjertein region with 32,000 inhabitants, in the Mudugh region with about 140,000 inhabitants, in the Webi-Shebali region, with about 176,000 inhabitants there is but one hospital.

Many of the indigenous inhabitants in the Territory are ill from tropical sores because of the constant undernourishment. This could be cured by improving the nourishment and by hospital treatment, but the hospitals do not have adequate space and, as we see in the report, the hospitals take in only those who are

seriously ill; this can be found on page 244 of the report.

There were just three public hospitals in the whole Territory in 1953, the same number that existed in 1951. No change, as is evident, has been made, and outside of the auxiliary hospitals and clinics the number does remain the same. Clinics with available beds have decreased in number, and yet these figures are offered to us as symbolic and illustrative of the progress that has been effected in the Trust Territory in the field of public health. They even state that the number of medical institutions has increased.

As to the facts on personnel employment in the Territorial Administration we read on pages 352-353 of the Statistical Annex that the number of doctors in 1953 has not risen in comparison with the previous year and constitutes only 44 doctors for the whole Territory; and among these there is not a single Somali. Every one of these doctors was imported. Not a single Somali has been trained as a doctor. In the Webi-Shebelle region, with 176,000 people, there is only one single doctor to serve this whole region.



The Administering Authority laid down certain salary criteria and levels for medical services, but notwithstanding the special levy for medical purposes, the services are far from adequate. We could point out, for instance, that for police needs the Administering Authority appropriates more funds than for public health. They appropriate much more for this, as I have already stated.

A similar unsatisfactory state is to be found in the field of education where the Administering Authority is not taking the necessary measures to liquidate, as soon as possible, the almost ever-present illiteracy, and it is not carrying out the necessary training and preparation of administrative personnel for the future. The report notes the fact that the Somali people yearn for education, strive for it, and that the people energetically demand the establishment of new schools. However, the existing schools in the Territory fail to meet the demand. As we see from the statistical data, Annex XXII, of the report, in the majority of regions the number of elementary schools has remained the same during the four years of Italian trusteeship. In Bender Cassin, in Alula, in Gardo, in El Bur, in Bulo Burti, in Bardera and in other places one will only find one school; it is the same number of schools that were found in 1950 when Italy first received the privilege of administering Somaliland.

We should note that the number of elementary schools for adults has dropped in 1953 as compared with the previous year, such as, for instance, in Bender Cassin, Merca, Villabruzzi and Baideca. During the 1953-1954 school year, we found in the elementary schools only six thousand-odd Somali children in the first classes and two thousand in the fifth classes, making a total of some eighty-five hundred children who were given an education, which is about 3 per cent of the whole school age population of Somaliland. With regard to the higher institutions of learning, there is not a single institute or university in the Territory.

As far as education abroad goes, the indigenous inhabitants are in fact deprived of such a possibility. The special representative has told us that the Administering Authority has provided a scholarship for higher education in Italy. For 1.2 million persons, one single scholarship is available for higher education.



The development of education is prevented by the absence of a Somali written language and a dearth of school teachers. But the Administering Authority is not doing anything to provide this alphabet for a written language and is foisting a foreign tongue upon the indigenous inhabitants, claiming that the only way to fight illiteracy is for Somalis to learn a foreign language. At the same time -- and we ought to pay serious attention to this -- the special representative, speaking in the Council, stated that two-thirds of the Somali people know only the Somali language.

The Administering Authority is not paying the necessary attention to training teachers among the indigenous inhabitants, and this can be seen from the fact that the number of those in normal schools or teacher training schools has dropped in 1953-1954 when compared with the previous school year.

All the above facts, which illustrate the state of affairs in the social, cultural and economic fields, call for the most expeditious measures in order that in the remaining five or six years the Italian administration will fill the task and obligations that were shouldered by it. The Trusteeship Council should point out to the Administering Authority the need for increasing the budget appropriations for public health and educational needs, as well as the need of supplementing the present taxation regime by a more progressive one which would at least take into account the ability to pay and the financial means of the person taxed.

The lands of the indigenous inhabitants should not be given up and handed over to others in the form of concessions or for rent. The Administering Authority should take measures to develop the national economy of the Territory, and it should not just claim, as an excuse, the dearth of resources and call foreign capital and foreign corporations to come to its aid.

Finally, the Administering Authority should take effective measures, legislative and others, that would ensure the earliest participation by the indigenous people in administrative bodies throughout the whole structure of the Administration in the legislative, executive and judicial sectors as well. Only with the adoption of the most energetic measures, without any delay, will the Administering Authority be able to improve matters somewhat and in part perhaps fulfil the tasks and obligations assumed by it in agreeing to undertake

all the responsibility of administering the Somaliland Territory as a Trust Territory within the structure of the United Nations.

Mr. GUIDOTTI (Italy): I think both the special representative and I would like to offer a few final remarks to the Council, and I promise, incidentally, that mine will be very short. But of course Mr. Mochi's will be somewhat more extensive because I am sure that he would like to take up a few of the various and so interesting points made by the members of the Trusteeship Council. Because of this we may need to study carefully these statements, and I am wondering, Mr. President, if you would be agreeable to allowing us to speak tomorrow at the outset of the meeting.

The PRESIDENT (interpretation from Spanish): I do not believe there is any objection to the request made by the representative of Italy. Accordingly, we shall have occasion to listen to him tomorrow.

Mr. de HOLTE CASTELLO (Colombia)(interpretation from Spanish): Although I do not wish to prolong the discussion, my delegation would like to reserve its right to speak until such time as we discuss the proposals in order to clarify certain very constructive ideas which have been repeated for the past four years by the representative of the Soviet Union. We may also have occasion to clarify certain observations of the delegations of India and Syria, and other delegations. Our only purpose in doing this is, of course, to contribute something to the debate. I represent a country of Latin America which has never had anything to do with colonial matters. We are fully opposed to the whole colonial theory, and we are interested in having something to say on this subject because we have been in the country for the last four and a half years. This is the reservation I wish to make in the final debate.

The PRESIDENT (interpretation from Spanish): We shall, as I have said, hear the representative of Italy and Mr. Mochi, the special representative, tomorrow. With regard to the representative of Colombia, I should be glad if he would tell me if he is in a position to make his observations today.

Mr. de HOLTE CASTELLO (Colombia) (Advisory Council for Somaliland) (interpretation from Spanish): The observations which I propose to make I shall make when the final report of the Council intended for the General Assembly is under discussion here.

The PRESIDENT (interpretation from Spanish): Is the representative of Colombia referring to the draft report for the Assembly?

Mr. de HOLTE CASTELLO (Colombia) (Advisory Council for Somaliland) (interpretation from Spanish): When the final report is adopted I shall make my observations, in accordance with my rights.

The PRESIDENT (interpretation from Spanish): Yes, of course.

I think we might now appoint the drafting committee on Somaliland under Italian Administration, and I would suggest as members thereof Belgium, India, Syria and the United States of America. If there are no objections I shall take it that the Council agrees that the committee should be so composed.

It was so decided.

The PRESIDENT (interpretation from Spanish): Subject to the further continuation of our examination of the present item, when we shall hear the representatives who have indicated their desire to speak once the report of the drafting committee is before the Council, we shall now pass to the second item on our agenda.

Mr. DORSINVILLE (Haiti) (interpretation from French): I feel that it is necessary for me to draw attention to an error which occurred in the English interpretation of the observation which I made yesterday concerning the adoption

of Arabic characters to express the Somali language. In the French text of the verbatim record what I said is exactly reproduced, but in the English interpretation the sense has been changed. The English version reads:

"I wonder whether the Administering Authority, in response to the resolution of the Council which recognized the language used by the overwhelming majority of the Somali people, could not accept the Arabic language as the language for Somaliland." (T/PV.534, p. 82)

I think it would be preferable, in order not to misinterpret what I was trying to say, if the Secretariat were to review the English translation of my statement. I do not care to propose an English text, but I think it would be better to say "characters for writing the Somali language". I think that that would convey better what I had in mind.

The PRESIDENT (interpretation from Spanish): Note will, of course, be taken of the comments of the representative of Haiti with regard to the English interpretation of the statement he made yesterday in his own language, French.

Mr. EGUIZABAL (El Salvador) (interpretation from Spanish): I should like to ask the President when, approximately, we shall be able to examine the draft resolutions submitted by the delegations of Haiti and El Salvador with regard to the Trust Territory of Somaliland under Italian Administration.

The PRESIDENT (interpretation from Spanish): It seems to me that the appropriate time would be when the Council had the drafting committee's report before it, since in that report the drafting committee will propose comments, observations and draft resolutions which it thinks the Council should submit to the General Assembly. In my opinion that would be the time for the Trusteeship Council to deal with the two draft resolutions, one of which deals with the boundary between Ethiopia and Somaliland under Italian Administration, and the other with the possibility of obtaining a loan from the International Bank for Reconstruction and Development. Consequently, if there is no objection that is when I propose we should deal with the Haitian and El Salvadorean draft resolution.

Mr. de Holte Castello (Colombia) and Mr. Salah (Egypt), members of the Advisory Council for Somaliland, Mr. Guidotti, representative of Italy, and Mr. Mochi, special representative for Somaliland under Italian administration, withdrew.

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

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.

The PRESIDENT (interpretation from Spanish): I am very happy to welcome the special representative, and the Council will, I am sure, listen to what he has to say with very great interest and attention.

Mr. JONES (Special representative): I am very grateful to the President for inviting me to take my place at the Council table, and it is indeed a great pleasure and privilege once more to renew my acquaintance with the representatives in this important organ of the United Nations. I can assure representatives of my complete readiness to assist the Council to the best of my ability.

Before dealing with particular aspects of the administration of Nauru, I feel that it may assist the Council if I summarize the history of land terms and phosphate royalties since the working of the phosphate deposits commenced in 1906, when the Island was a colony of Germany.

An agreement dated 21 January 1888 between the Imperial German Government and a German company named Jaluit Gesellschaft gave that company exclusive rights in the Marshall Islands, which then included Nauru.

By a concession dated 21 November 1905 the German Government authorized continuance of these exclusive rights for ninety-four years from 1 April 1906, subject to licences and royalty payments.



By an agreement dated 22 January 1905 the Jaluit Gesellschaft transferred to another Germany company, the Pacific Phosphate Company, Ltd., its exclusive rights to exploit phosphate deposits in the German protectorate of the Marshall Islands, including Nauru.

In 1919, following the conferring by the League of Nations upon His Britannic Majesty of a mandate for the island of Nauru, the Governments of the United Kingdom, Australia and New Zealand entered into an agreement regarding the phosphate deposits. This agreement dated 2 July 1919, is commonly referred to as the Nauru Agreement.

This agreement provides among other things, that all expenses of the administration, including the remuneration of the Administrator and of the Commissioners, so far as they are not met by other revenues, shall be defrayed out of the proceeds of the sales of the phosphates, and that phosphates shall be supplied to the three countries concerned at an f.o.b. price to be fixed on a basis which will cover all costs of production.

Prior to 31 July 1952, these administration expenses were met by way of a royalty of 1s.0d. per ton on phosphate raised during the year. For the reasons given in section 1. of part VI of the report, a new financial arrangement was entered into under which a budget is prepared by the Administrator before the commencement of each financial year and the British Phosphate Commissioners pay the required instalment each quarter.

The change is merely one of accounting procedure and the administration continues, as in the past, to settle the level of their expenses without consultation with the Commissioners. I can assure the Council that the Commissioners are in no stronger position to control the Administration than in the past, and the new arrangement has not resulted and will not result in the Commissioners' exercising budgetary control over the Administration.

To give effect to the provisions of the foregoing agreement the three Governments purchased the undertaking of the Pacific Phosphate Company Ltd. by an agreement dated 25 June 1920.

Following the change of administration in 1920, a basis of payments was agreed upon between the Commissioners and the Nauruans with the approval of the

Administrator. Besides payments to the individual landowners, provision was made for an amount to be paid to the Administrator and used for the benefit of the Nauruan people as a whole.

Since 1920 there have been several changes in these payments and in administration arrangements. For example, in 1927 a new agreement provided for a direct payment to landowners, a payment to the Administrator to be used solely for the benefit of the Nauruans and also a trust fund which has since become known as the Nauruan Landowners Trust Fund.



The question of royalty payments was reopened after the re-occupation of Nauru towards the end of 1945 and consideration was given to the payment of royalties on a communal basis; but this was not acceptable to the majority of the Nauruans, the reason being, of course, that there are no common rights over land, and individual ownership, not kin ownership, of both goods and land is, and apparently always has been, the rule. Individual ownership is fully recognized and carries with it full rights of disposal.

It will be appreciated that, as a result, only a proportion of the people at any one time derive any direct benefit from the payments made for land - £45 per acre - and the 8d. per ton paid to landowners. From the areas now being worked, only 200 people are receiving payment and royalty as owners and about 20 per cent of these are receiving 50 per cent of the total payments. In May 1947 an agreement was reached for a period of 20 years from 1 July 1947.

In November 1947, the United Nations approved terms of a Trusteeship Agreement under which the Governments of Australia, the United Kingdom and New Zealand were designated as a joint authority to exercise the administration of the Territory, with provision for the Government of Australia to be responsible, pursuant to agreement between these Governments, for the full exercise of powers of legislation, administration and jurisdiction in and over the Territory.

Although the agreement commencing 1 July 1947 was for a period of 20 years, royalty payments to the Nauru Community Long Term Investment Fund were increased from 2d. to 5d. per ton with effect from 1 July 1950.

The rate of rental paid by the Commissioners for non-phosphate land has considerably increased since 1921, and in 1951 the Commissioners agreed to pay the new rates, then decided upon, on 64 acres acquired by the Pacific Phosphate Company between the years 1906-1910. The rental date on temporary leases --i.e. leases for twelve months or less -- is double the normal rate.

Since 1921 the payment for leases of phosphate-bearing land has increased from £20 per acre to £45 per acre and royalty payments made to, or for the benefit of, the Nauruans from 3d. per ton to 1s.4d. per ton. The royalty rates are not dependent on or influenced by the price received for the phosphate.

From January 1921 to 30 June 1953, payments to, or for the direct benefit of, the Nauruan people have amounted to more than £607,000, of which £321,793 has been paid since the end of 1947. In addition to the payment of these royalties the Commissioners have advanced £350,000 to cover expenditure for the reconstruction and rehabilitation of Nauru. It will be recalled in this connexion that under Japanese occupation the island suffered serious damage.

The accounts of the British Phosphate Commissioners include provision for the amortization of this advance at the rate of 10 1/2d. per ton of phosphate; similar provision is made at the rate of 9d. per ton for advances made to the Nauruan housing scheme, which has undertaken the cost of construction of houses for the Nauruan people to replace those which were destroyed during the Japanese occupation.

Representatives will no doubt note that the Nauru Royalty Trust Fund -- appendix IV.E of the report -- shows an expenditure of £18,469 on education. It has now been agreed that the cost of Nauruan education should be met from general administration revenue.

I am convinced that there is a genuine desire by the British Phosphate Commissioners to work in the closest co-operation with the Administration and to help the Nauruans so far as it is within their province to do so. This has been evidenced by the voluntary increase of some of the royalties paid to Nauruans and the good relations which are maintained with the Nauru Administration.

With regard to employment and training, the policy of the Commissioners is to offer as many positions as possible to Nauruans and to give preference to them in their apprenticeship scheme, which offers excellent opportunities for them to learn useful trades and also clerical and store work. The Commissioners are anxious to co-operate but, so far, the apprenticeship scheme has not achieved such good results as had been hoped for and, in view of this, the scheme is to be reviewed.

I recently paid a visit to Nauru, and have had an opportunity of observing the most recent developments in the Trust Territory. I was impressed particularly with the increasing interest being taken by the Nauruans in their own affairs.

Members of the Nauru Local Government Council are obtaining a better understanding of the functions of a Council and their duties and responsibilities

as councillors. Owing to lack of experience, however, it will be some time before the Council will be able to exercise all its present powers and functions without the assistance of competent and sympathetic advisers. The Council meanwhile is receiving the most sympathetic assistance and guidance from the Administrator and senior officers.

There have been several changes in the staff establishment since 30 June 1953, including the creation of new positions of Official Secretary and Postmaster, to replace the positions of secretary to the Administrator and Postmaster and senior technician, both of which have been abolished, and also new positions of surveyor and clerk.

The positions occupied by Nauruans in the Administration were examined in 1953 and, on 22 January 1954, a new establishment was approved and came into operation with effect as from 15 May 1953. I have copies of this establishment and will be pleased to make them available to representatives on the Council if they so desire. The basic wage has been raised from £191 per annum to £236.10.0 per annum; the dependants' allowance for each child under the age of 16, to 10s. per week; and there is an appreciable increase in the margins for skill. The minimum wage for an adult female was fixed at £165.10.0 per annum and the wage for juniors has been proportionally increased. I have also a statement showing wage rates, margins, overtime rates and incentive payments paid by the British Phosphate Commissioners, which will be made available to representatives if they wish.

In recent months Nauruans have been appointed to senior positions in the Administration, including the position of Native Affairs Officer, Postmaster and senior foreman of the Works Department.

The appointments do not mean that these Nauruans have reached a standard of education or have the qualifications and experience usually required of applicants for these positions. Their limitations are well known, but, in keeping with the policy of the Administering Authority to provide opportunities of promotion for Nauruans, they are being given the chance to show whether they have the ability and natural intelligence to overcome their lack of education and technical qualifications. They are all being given the opportunity to improve their knowledge and skills. In pursuance of the Administering Authority's policy in this

direction, arrangements were made for Nauruan representatives to participate in the South Pacific Conferences held in 1950 and 1953, where they were able to discuss matters of common interest with indigenous inhabitants of other territories in the Pacific area.

As part of the Administration's programme to encourage the Nauruan to utilize to the fullest possible extent the areas of land suitable for agricultural purposes, an experimental garden is being established as a basis of practical demonstration to school classes, and the Nauru Local Government Council is considering the re-introduction of copra production. The agricultural land use survey of Nauru, referred to in the annual report, has been completed and the report should soon be available.

Good progress was made during the year on the public works programme, and the new works since 30 July 1953 include a new garage, machine shop and office, which is nearing completion, a secondary school which will be completed by the end of June of this year and two new infant and maternal welfare clinics.

In the field of social advancement an outstanding feature is the high standard of living enjoyed by the Nauruans. Practically the whole of the adult male population is in wage employment -- over half being employed by the Administration -- and the wages earned are supplemented by land rents and phosphate royalties. With all social services provided free, the majority of the Nauruan people are very well provided for.

Since 30 June 1953, eleven additional houses were built under the Nauruan Housing Scheme, making a total of 311 completed, and forty-three were under construction and should be completed by the end of this year. This will then complete the building of houses under this scheme.

The living and working conditions of the Chinese and Gilbert and Ellice Island employees of the British Phosphate Commissioners are very good. They receive a liberal food ration and are provided with good accommodation. The hospital facilities are excellent and a school is available for employees' children. A forty-hour week is worked and, from observations which I made during my visit, the majority of workers, with the provision of food and accommodation free, are able to save a great proportion of their wages. Nauruan workers enjoy similar working conditions but live, of course, in their own houses and, for this reason, their wages are proportionately higher. The Council will, I feel sure, be pleased to learn that penal sanctions under the Chinese and Native Labour Ordinance have been abolished.

Particulars and number of British Phosphate Commissioner employees at 31 March 1954 were: Europeans, 102; Nauruans, 132; Chinese, 462; and Gilbert and Ellice Islanders, 500. Since approval was given for the wives and families of Chinese workers to be admitted to the Territory, thirty wives and thirty-four children have arrived, an increase of eighteen families since 30 June 1953. There are eighty-five wives and 131 children of Gilbert and Ellice Island employees now residing on the island.



Nauruans are engaged by the Administration in a permanent or temporary capacity and are not employed under contract.

Following an investigation into the cost of living, approval was given in January 1953 for the minimum wage for adults to be increased from £126 per annum to £191 per annum, with grant of relative marginal increases, with effect from 1 July 1952. A dependant's allowance of 7s. 6d. per month was also payable for each child under the age of 16.

At this time it was decided that a comprehensive review be made of the Administration Nauruan staff establishment and the rates of pay and conditions of service for the various positions, and for further investigation to be made into the methods of determining the cost of living and minimum wage standards for Nauruans. These inquiries commenced in February 1953 and by July 1953 the work was well advanced and preliminary preparations were in hand for a field survey of living costs, etc. to be carried out.

On 21 July 1953, the Nauruan employees of the Administration informed the Administrator that they considered the minimum wage inadequate and objected to the delay in reaching a decision regarding the new establishment and rates of pay. This was followed on 23 July 1953 by a petition which dealt with a number of matters including wages, hours of work and certain positions. The petitioners indicated that if their demands were not acceded to by 29 July 1953, they did not intend to continue working under existing conditions. In view of the considerable increase of wages granted in December 1952, the substantial back pay which was made at that time and the fact that they were fully aware of the steps being taken by the Government regarding the staff establishment, rates of pay, working conditions, etc. this action was rather surprising.

The petitioners were assured that both matters were being dealt with as expeditiously as possible and were nearing the stage when decisions could be expected, but such decisions could not be influenced by any suggestion of a time limit.

As the investigations had, up to that time, shown that the cost of living had risen since the 1952 survey, approval was given as an interim measure, for wages to be increased with effect from 1 July 1953 by the amount that the then cost of the regimen exceeded the original cost calculated and that the child allowance be increased from 7s. 6d. per month to 5s. 0d. per week.

Despite the assurances given by the Government and against the advice of the Head Chief and the Nauru Local Government Council, the majority of the Administration Nauruan staff ceased work.

The Government continued with its plans and, following on the preliminary work that had been undertaken, a Commissioner was appointed to inquire into certain matters regarding the basic wage, including the amount of the wage that should be fixed and methods of effecting regular adjustments, dependents' allowances and hours of duty.

On 28 October 1953, all employees returned to work and were given every opportunity to place their case before the Commissioner.

As the result of all the investigations a new Nauruan staff establishment and rates of pay to which I have referred earlier were approved on 22 January 1954, with effect from 15 May 1953.

Administration expenditure for the period under review, which totalled £179,423, exceeded that of the previous year by approximately £33,000 due principally to the wage increase granted to Nauruan employees and the purchase of plant, tools and equipment.

Under the energetic direction of the new Director of Education, the programme for educational advancement has been stepped up and since 30 June 1953 there has been considerable progress in almost all fields of education. Four positions for European teachers, some of which had been vacant for some time, have been filled and these appointments have already begun to exert an influence on the Nauruan education system.

The Head Teacher Nauruan Primary Schools, who took up duty on 13 February 1954, is to supervise and organize primary education and will devote special attention to the raising of the standard of teaching.

To overcome the present lack of teaching ability of Nauruan teachers, it is proposed to consolidate all primary school classes grades III to VI at a new central school until such time as Nauruan students, who are at present undergoing secondary courses in Australia, have qualified. The consolidation will permit very much improved teaching and supervision of all lessons and it is hoped in this way to effect a rapid improvement in teaching and testing techniques.



A teachers' reference library is available to Nauruan teachers but at present the technical vocabulary of their profession is beyond the majority of them. With a view to improving their comprehension of written and command of oral English, classes in advanced English are being held regularly and are well attended.

The beginning of 1954 saw the formation of a fourth form at the Nauru Secondary School and a third form at the Roman Catholic Mission School. The Administration School is intended to cover a course to the intermediate standard, and permission has been granted by the Victorian Schools Board for students from the Nauru Secondary School to sit for the Intermediate Examination. It is expected that some students will sit for this examination in November of this year. If able students show ability further education will be pursued in Australia.

The number of scholarships available to Nauruans annually for overseas education has been increased from four to five and at the present time eleven scholarship holders are continuing their studies in Australia and four in Fiji. One student gained his Leaving Certificate at the New South Wales Education Department's examination held at the end of 1953.

An Education Advisory Committee has been formed and held its first meeting in December 1953. The Committee consists of the Director of Education, the Head Master Secondary School and four Nauruans - Superintendent of Primary Schools, Head Chief, Secretary of the Nauru Local Government Council and one councillor. The purpose of the Committee is to advise on educational matters and to ensure that the Local Government Council is kept aware of educational progress.

To date five meetings have been held, and subjects dealt with have included interviews with overseas students, consolidation of primary schools, truancy and other matters of educational interest. Matters set down for discussion include the place of the Nauruan language in the schools, the school leaving age and other vital matters on which local opinion could make a significant contribution.

To stimulate interest in education, all members of the Nauru Local Government Council recently visited all schools and one of the Councillors spoke to the children in their own tongue, stressing the value of education in fitting Nauruans for responsibilities.

Although schools on Nauru appear to be based on racial grouping, this is in fact not so. The grouping is based on linguistic grounds. To indicate how little part racial considerations play, the following facts are adduced: Twelve Chinese children are enrolled at the European School; Chinese, Gilbertese and Nauruans attend the Mission School; and Chinese children with very little English attend the Gilbertese School in the British Phosphate Commission location.

With regard to adult and technical education, the apprentices' class on Saturday mornings and advanced English on Tuesday evenings have continued to function and are well attended. A complete plan of technical adult education both for Nauruan men and women awaits the completion of the new secondary school building.

The work undertaken by the Department of Health included a complete tuberculosis check of the Nauruan people, a mass treatment against filaria and the establishment of a blood bank.

Four Nauruans were admitted to the Central Medical School, Fiji, during the year. One is taking the medical course, one the dental course, and two girls are taking the general nursing and infant welfare course. In addition, six Nauruan girls are undergoing training in nursing at the Nauru Administration Hospital.

One Nauruan graduated from the Central Medical School, Suva, at the end of 1953 and has been appointed to the staff of the Administration Hospital as an assistant medical practitioner.

Infant and maternal welfare clinics are now held in most of the districts, and this service is greatly appreciated by the people. Six new clinics were opened during the year, and two more since 30 June 1953. An ante-natal clinic

was also opened at the Nauru Administration Hospital and is available to all women on the island. All clinics are well attended.

Plans for the new hospital for the Administration have been approved and building will commence about the end of November 1954.

The question of the future of the Nauruans presents a complex problem. Most of the land on Nauru is regarded as unsuitable for agriculture, the only fertile areas being on the coastal strip and in the vicinity of the Buada lagoon. The phosphate-bearing land, with its thin covering of top-soil, is not suitable for agriculture and has never been used for this purpose. The worked-out phosphate fields, studded with coral pinnacles, are wasteland which, although slowly being covered with secondary scrub growth, will never be of any use for agricultural purposes.

So the position is that the land available on the island, even after the phosphate deposits have been exhausted, would probably still be sufficient for primitive subsistence agriculture -- supplemented by fish and other marine foods, which are plentiful in the adjacent waters -- for the present number of the population. The Council will, however, appreciate that the population will increase considerably in the future.

Since the granting of the mandate in 1919, the Administering Authority has taken steps to improve the living standards of the Nauruans, with the result that they are now far removed from the primitive conditions of thirty-five years ago. With the money received by way of royalties and from wage employment, they have become an urbanized community and are fast losing their native skills, particularly with regard to agriculture and fishing, and are making very little use of their land, preferring to purchase most of their food requirements from local stores. As time goes on and more Nauruans, as the result of the present training programme, become competent skilled workers, their living standard will become even higher, and any suggestion that they could revert back to their original mode of life when the phosphate industry closes down is out of the question.

If some other industry could be established on the island, either now or later, to absorb the Nauruan workers as they become skilled in the various professions and trades, there would, of course, be no need to seek a new home for them. But, from the information available, there are no other natural resources

on the island that could be developed. Some thought has been given to the possibility of establishing a fishing industry, but the remoteness from markets makes this a very doubtful project.

If the people were agriculturalists the problem would be relatively simple and action similar to that taken in the case of the Baraban people of Ocean Island could be followed. But, as I have mentioned earlier, the Nauruans are quickly forgetting the little knowledge they previously possessed of agriculture and fishing.

I have discussed the matter with a number of leading Nauruans and it is apparent that the Nauruans wish to retain their identity as a separate community. This leaves two alternatives: one is to resettle them as an urbanized community, in an area where employment is available for both skilled and unskilled workers; and the other, if a sufficient number are prepared to become farmers, is to establish a settlement for them in an area suitable for agriculture, which could be developed into a permanent home to which wage workers employed elsewhere could return for leave periods and when they retire.

Another aspect of the problem is the expressed reluctance of many of the people to leave Nauru until the phosphate deposits are worked out. They argue that they are well housed, social services are provided free, there is plenty of employment offering with good wages and conditions, their standard of living continues to improve, with the educational facilities available Nauruans are qualifying for higher positions, and they have a considerable say in running their own affairs through the Nauru Local Government Council. If they leave the island it will mean a general social and economic upset, even if the transfer is gradual, and they will have to start all over again in new surroundings, so why not wait for another forty or fifty years and then take appropriate steps to deal with the position as it then exists.

I can assure the Council that my Government is giving the question of the future of the Nauruans very careful consideration and whatever action may be decided upon will be in the best interests of the Nauruan people.

In my statement, I have endeavoured to provide the Council with information additional to that given in the annual report, and information on progress made in some fields up to the end of March 1954.

I shall be glad to provide, to the best of my ability, any further information that may be requested by members of the Council.

The PRESIDENT (interpretation from Spanish): I thank the special representative for the very interesting statement which he has just made.

During the statement of the special representative, the interpreter in the Spanish booth pointed out that he did not have the written text of the statement. I would be grateful if delegations would co-operate to the extent of supplying written texts, when they have them, for the use of the interpreters. Since the President happens to come from a Spanish-speaking country, I hope that delegations will be kind enough at least to supply a copy of any such texts to the interpreter in the Spanish booth.

#### Political advancement

Sir Alan BURNS (United Kingdom): With reference to section 12, on page 11 of the annual report, which deals with local government, could the special representative tell us how the system of preferential voting was explained to the electors and how successfully it works in practice?

Mr. JONES (Special representative): The greatest of care was taken to explain to the people the method of preferential voting. It was also carefully explained, of course, that, if one candidate did not receive more votes than all the others combined, they would then take the votes of the lowest number and that would be divided amongst all the other candidates, until such time as there was one candidate who had an absolute majority over those remaining. Actually, it took some time, as I understand from the officers who were telling me about this, but eventually the people thoroughly understood and accepted the system and were quite pleased with it.

Sir Alan BURNS (United Kingdom): It worked in practice quite efficiently?

Mr. JONES (Special representative): Yes, it did.



Sir Alan BURNS (United Kingdom): Can the special representative give us some account of the way in which the Administration is helping the Local Government Council to carry out its functions?

Mr. JONES (Special representative): The Council has been advised that it is the wish of the Administrator to assist them in gaining experience in work as councillors. As you know, the Administrator attends one meeting every month. This is provided for in the Ordinance. In addition to that, officers attend when requested to do so by the Council. It is now becoming more common for them to seek that assistance, particularly on matters in which they are not too clear. Ordinances which affect Nauruans are referred to the Council for their comments, and quite a number of these are not able to be interpreted properly and their provisions are not thoroughly understood. In such cases a senior officer of the Administration attends the meeting of the Council and explains in detail what the ordinance actually means and what its effect will be on the Nauruan people.

So far as the making of the rules is concerned, that also applies to a lesser degree. Very often, the natives have very sound ideas on some local ordinances regarding sanitation or the control of animals, bicycles and other domestic matters in the villages, but very often they do not appreciate the ramifications and what will result from these ordinances. In such cases they seek the advice of officers of the Administration such as the Director of Works and the Director of the Police and others; these officials advise them as to what the results of the ordinance would be.

Mr. STRONG (United States of America): I should like to follow up with another question or two concerning the Nauru Local Government Council. On page 22 of the annual report it is stated that "the Nauru Local Government Council is playing an increasing part in the general advancement of the Nauruan people." The special representative has already told us something about that. The functions of the Council are set forth on pages 11 and 12 of the annual report. However, it might help the members of the Trusteeship Council to visualize the situation a little more clearly if the special representative could give some concrete illustrations of the Nauru Local Government Council's activities. The sort of thing I have in mind is cited on page 12 where it is stated that "the Council may make rules in respect of certain specified matters". The special representative has just

referred to such matters, but I wonder if he could give us some examples of the kind of rules which the Council makes.

Mr. JONES (Special representative): I have no copies of any rules with me now, but they relate mainly to domestic matters within the villages themselves. One of the rules I have in mind is in connexion with sanitation in the villages. It is an offence to have the surroundings of the houses in the village in a dirty condition.

Another rule is in regard to animals and the registration of bicycles is another example. They are all simple rules connected with, you might say, the regulation of life in the village. Of course, apart from that the members of the Council are also members of the Nauru Land Board and some of them hold various positions with the Administration.

Mr. STRONG (United States of America): I wonder if the special representative could also give us some examples of the uses to which the Nauru Local Government Council's fund has been put.

Mr. JONES (Special representative): I think that that is covered in the report. I cannot find it just now, but I will give it to the representative of the United States later, if I may.

Mr. STRONG (United States of America): It will be quite satisfactory if the special representative located this information and gave it to us at some later point.

Another question that my delegation had in mind concerning the Nauru Local Government Council has to do with the Ordinance which established it and defined its terms of reference. The 1953 Visiting Mission reported that there was some dissatisfaction among the members of the Nauru Local Government Council with the Ordinance, and the Secretary of the Department of Territories at Canberra told the Visiting Mission that he believed the real difficulty lay in the fact that the Nauruans did not understand the Ordinance and that every effort would be made to provide the necessary education and guidance to the Council. The special representative has already commented to some extent on the increased degree of



understanding that the Council now has of its functions, but I wonder if this means that they are now satisfied or at least better satisfied with the Ordinance itself.

Mr. JONES (Special representative): I think that is the position. Knowing that they appreciate fully the advisory and rule-making powers that they have under the Ordinance, they appreciate that it is sufficient for the requirements for the time being. As they become competent and able to give full effect to the present powers that are given to them, these powers will be increased.

Mr. STRONG (United States of America): I should now like to turn to the question of preparing Nauruans for more responsible positions in the Administration. Page 31 of the annual report states that "arrangements have been made to intensify the programme of training" to prepare Nauruans for more responsible positions. I wonder if the special representative could give the Council any further details of this intensified training programme. Has it progressed far enough so that he could tell us if there have been any results in terms of placing Nauruans in more responsible positions?

Mr. JONES (Special representative): Quite a lot has been done, particularly during the last year, in formulating a training programme so that Nauruans may be qualified later to accept higher appointments.

As I mentioned in my opening statement, there have been three appointments during the year. One was the confirmation of an appointment to the position of Native Affairs Officer; a new appointment which replaced a European appointee was the Senior Foreman in the Department of Works; another appointment made during the year was that of Postmaster, and that appointee also replaced a European office-holder. Apprenticeship and English classes have been made available now to all the Nauruan people who are employed, and they are taking full advantage of these classes. The training being given now in Australia is being given with a view to the Nauruans receiving appointments in the Administration on their return. If I remember correctly, we have eleven students in Australia now studying for the teaching profession; it is hoped that they will return in two or three years' time as fully qualified teachers.

I cannot just remember at the moment what courses the others are taking in Australia, but they are all planned with a view to their employment in the Administration, on their return, in more senior positions.

Mr. STRONG (United States of America): I wonder if the special representative could perhaps follow that up by commenting on appendix II which shows the administrative structure of government, following page 38 of the report. I notice in that chart that the head chief and six of the eight district councillors also hold positions in the Administration. I already understand, from what the special representative has said, that the head chief has the position of native affairs officer. But I wonder if he could give us an idea of what the positions are that the six district councillors hold.

Mr. JONES (Special representative): It might be interesting to the members of the Council if I were to describe perhaps first the duties of the natives affairs officer. They are as follows: attention to general social welfare of the Nauruans; explaining the Administration's policies and laws to the Nauruans and facilitating their implementation and observance; providing a general liaison between the Administrator and Nauruans generally; investigation of land ownership claims; settlement of deceased Nauruan estates; investigation of individual complaints by Nauruans; placing Nauruans in employment and arranging apprenticeships; investigation of claims for invalid and old age pensions; and advisor to the Nauruans with regard to simple legal and administrative formalities and procedure. Other members of the Council are as follows: Austin Bernicke is the Secretary of the Council and he is employed as a pathologist at the General Hospital. Then there is another member, Totouwa Depaune, who is a foreman welder. Then we have James Ategen Bop who is the assistant manager of the Nauru Co-operative Society. There is Appi Deigorongo who is an assistant teacher, and Dagabo Scotty who has recently been appointed as senior foreman in the Department of Works.

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

On page 12 of the report we notice that the local Council may offer suggestions and advise the Administering Authority with regard to the drafting of ordinances and regulations and in a review of those which already exist. It may also advise the Administering Authority in all those matters which affect the Nauruans. Can the special representative tell me whether the practice of consulting the local Council, in the cases to which I have alluded, is frequent?

Mr. JONES (Special representative): Yes, it is. All ordinances which in any way affect the Nauruan people are referred to them for their views, comments and advice, in so far as it may affect the Nauruan people.

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

Does the contrary frequently happen? In other words, does it happen that the local Council is not consulted before a regulation is issued?

Mr. JONES (Special representative): During my visit I was assured by the Administrator that that was the case with respect to all ordinances, regulations, or anything at all. As a matter of fact, in order to help them and to educate them in so far as their duties as councillors are concerned, ordinances which are of very general terms and which do not directly affect the Nauruans are also passed on to them for their views and opinions, and it is on those occasions that either the Administrator or one of the senior officers of the Administration attends the Council meeting and explains anything in those ordinances about which they are not too clear.

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

What are the requirements in order to be a judge or a magistrate of the central court and the district court? As I understand it from the 1952 judicial ordinance, the judges must be appointed by the Administrator.

Mr. JONES (Special representative): The qualifications for the central court evolves around the fact that the Administrator may appoint any officer who he thinks has the necessary qualifications and experience. For an appointment, of course, to the supreme court, one has to have certain legal qualifications and also experience in the position of a judge.

Mr. SERRANO-GARCIA (El Salvador) (interpretation from Spanish): What are the weighty reasons which have been taken into account for not abolishing corporal punishment when it is a question with regard to sexual crimes? It is stated that corporal punishment has been abolished except in the case of sexual crimes. What were the reasons which led to that decision, which also includes the case of garrotting?

Mr. JONES (Special representative): It is considered, in so far as conditions in Nauru are concerned and in so far as the advancement of the indigenous inhabitants is concerned, that it is necessary to keep this special provision for those particular offences. It is in their best interest to do so.

Mr. SERRANO-GARCIA (El Salvador) (interpretation from Spanish): Would the special representative be kind enough to explain this situation? I do not quite understand it.

Mr. JONES (Special representative): As I understand it, the question is why the Administering Authority has retained the right of corporal punishment in certain offences. I am afraid I cannot go any further than to give the answer I have already given, namely that it is necessary at this stage, in the advancement of the native people, to retain that power.

Mr. MAX (France) (interpretation from French): I should like to ask a question of the special representative which also affects the government council. In 1953 the Visiting Mission, when it went into the field, was impressed by the good sense and seriousness with which the members of the Council

approached their task. We know that the main problems of Nauru are those of a small municipal unit. This being taken into account, I would like to know whether the Administering Authority has contemplated the possibility of extending the powers of the local Council so that it would discharge all the functions of a normal municipality.

Mr. JONES (Special representative): Consideration has been given to extending their powers when they are fully competent and capable of handling those which they already have.

Mr. MAX (France) (interpretation from French): May I also ask the special representative whether the evolution which was witnessed in the political education of the members of the local Council gives us reason to contemplate the extension of their powers in the rather near future?

Mr. JONES (Special representative): I would not like to say how long it may be before their powers can be extended, but I can assure the Trusteeship Council that as far as that Council is concerned, they are very keen, particularly now that the position has been fully explained to them and since they are now fully aware of the present powers and functions. With our own desire to assist and advance their political education, I think that probably within the next two or three years it will be possible to extend their present powers as a Council.

The meeting was suspended at 4 p.m. and resumed at 4.40 p.m..

The PRESIDENT (interpretation from Spanish): Before proceeding with the questions, I wish to inform the Council that the Australian delegation would like to show a film on New Guinea at the end of today's meeting. I believe, therefore, that we might adjourn at 5.30 and see the film in this room immediately after.

Mr. JONES (Special representative): I wish to refer to a question, asked by the representative of the United States, dealing with the Nauru Local Government Council Fund. I thought that he was referring to the Nauru Royalty Trust Fund. As the Council is aware, there are quite a number of Funds in Nauru and, for the moment, I got the two Funds confused. I regret that I have no information in regard to the fees and charges at present being made by the Local Government Council, but I should say that the provision under the Nauru Royalty Trust Fund, where it mentions grants to the Nauru Local Government Council, includes only small grants to cover individual incidental expenses in case the fees collected by the Council are not sufficient. It will be noted that the salaries of the members of the Lands Committee, District Councils, etc. are met from the Royalty Trust Fund, and not from the small Fund which is under the control of the Council itself. I regret that I have no further information on this point.



Mr. RYCKMANS (Belgium)(interpretation from French): The following is stated at the end of page 1 in the statement of the special representative:

"To give effect to the provisions of the foregoing agreement the three Governments purchased the undertaking of the Pacific Phosphate Company Ltd. by an agreement dated 25 June 1920."

I should like to ask the special representative whether this purchase was made with the free accord of the owners of the Pacific Phosphate Company Ltd., or whether the interest in the Pacific Phosphate Company Ltd. had been purchased by the Governments. In other words, is that a normal sale or an expropriation sale under the laws governing alien enemy property?

Mr. JONES (Special representative): It was an expropriation sale. The sum involved was £3-1/2 million. The agreement dated 25 June 1920 was for the sale and the transfer by the Pacific Phosphate Company Ltd. to the Governments of the United Kingdom, the Commonwealth of Australia and the Dominion of New Zealand of the whole of the undertaking and assets of the company in certain islands, including Nauru. The undertaking and assets of the company included the exclusive right of exploiting the phosphate deposits existing in the island of Nauru. This right was conferred by concession dated 21 November 1905 granted by the German Government to the Jaluit Gesellschaft of Hamburg, Nauru then being a German possession, and transferred to the company by agreement dated 22 January 1906.

The concession was for ninety-four years from 1 April 1906. It contained certain stipulations with regard to the payment of annual licence fees and royalties, and by clause 4 of the agreement, the obligation of the Jaluit Gesellschaft with respect to these payments was undertaken by the company. The latter does not, however, appear to have had any direct liability to the German Government in this respect.

Article 257 of the Treaty of Versailles provided among other things that all property and possessions belonging to the German Empire situated in the Mandated Territory should be transferred with the Territory to the Mandatory Power in its capacity as such. The Mandate in respect of Nauru was conferred upon His Britannic Majesty and all the property of Germany in the phosphate deposits was therefore transferred to the British Empire.

For the purpose of carrying out the Mandate and of mining the phosphate deposits, the Agreement dated 2 July 1919 was entered into by the three Governments. Article 6 of that Agreement provides that the title to the phosphate deposits on the island of Nauru and to all land, buildings, plant and equipment on the island used in connexion with the working of the deposits shall be vested in the Board of Commissioners appointed under the Agreement. The rights acquired by the Pacific Phosphate Company under the German Agreement were, however, still subsisting and, in order to comply with article 6, it was necessary for the three Governments to acquire these rights; hence the Agreement dated 25 June 1920.

By clause 1(b) of that Agreement, the company agreed to sell and transfer to the Governments the full benefit of the concession with regard to Nauru and the agreements relating thereto and all the right, title and interest of the company in the concession and agreements subject to the covenants, stipulations and additions in the concessions and agreements. The object of those words was apparently to relieve the company of its obligations to the Jaluit Gesellschaft under the Agreement dated 22 January 1906 and certain other agreements dated 21 January 1906 and 14 August 1909.

Mr. RYCKMANS (Belgium)(interpretation from French): If I understand correctly, what had been transferred to the Allied Government by the Versailles Treaty was the property of the German Government on the island of Nauru. That property of the German Government was subject to a concession granted by that Government to the Jaluit Gesellschaft, and it was transferred by that company to the Pacific Phosphate Commission. The Phosphate Commission repurchased from the Pacific Phosphate Company the concession which that company had obtained from the German Government. Is that the correct situation?

Mr. JONES (Special representative): That explains the position clearly.

Mr. RYCKMANS (Belgium) (interpretation from French): On page 9 of the report, this statement is made:

"... the Nauru Local Government Council retains the right, previously held by the Council of Chiefs, to confer Nauruan citizenship on any native immigrant subject to such conditions as the Council may prescribe."

I take it that this means that this is a customary right and that the words "native immigrant" mean immigrants from Micronesia -- in other words, people who belong to neighbouring races or races akin to those inhabiting Nauru. Am I correct?

Mr. JONES (Special representative): Yes, I take it that that is the correct interpretation.

Mr. RYCKMANS (Belgium) (interpretation from French): What is the situation of children born in Nauru of immigrants who have not been adopted by the Nauruan community? I suppose that the phrase "to confer Nauruan citizenship" means that there is an adoption into the Nauruan community by customary methods. But what about children of foreign immigrants who have not been so adopted?

Mr. JONES (Special representative): They retain their own nationality -- although at the present time there are quite a number of people from the Gilbert and Ellice Islands who have married Nauruan people, and they have been granted Nauruan citizenship. There are also quite a number who are residing on the island and have been there for several years, and who have children on the island. They have retained their Gilbert and Ellice Island citizenship. They have not been adopted into the Nauruan community.

Mr. RYCKMANS (Belgium): The children could not retain a nationality they do not have. But do they acquire the Nauruan nationality or citizenship by being born in Nauru?

Mr. JONES (Special representative): If they are born of Gilbert and Ellice Island parents, they retain their rights to Gilbert and Ellice Island citizenship. Children born of Nauruans -- even of mixed marriages -- are Nauruan.

Mr. DAYAL (India): This Council is acutely aware of the problem of the future of the Nauruan people when their principal source of wealth, phosphates -- which, I might say, is a considerable source -- is exhausted. We were told by the special representative earlier this afternoon that they would wait for another forty or fifty years before the question of their future is taken up. I am sure that that is not a view to which the special representative would subscribe. Could he give us some indication of when the Administering Authority expects to furnish information to this Council on the plans for the future of the Nauruan people?

Mr. JONES (Special representative): As I did my best to point out in my opening statement, it is a very complex problem. It is one in which, I feel quite sure the members of this Council agree, the Nauruan people themselves must have some say. The Administering Authority is dealing with the problem and it has particularly asked the Nauruan people, through their Council, to give this matter very, very serious thought, so that during the year we may again discuss it with the leaders of the people to see whether we cannot come to some mutual agreement which will enable preliminary steps to be taken with regard to their future. The Administering Authority also appreciates that to some extent our educational programme, particularly vocational education, must be related to whatever steps and plans we finally decide upon. As to whether we can, in next year's report, give something more tangible and more definite, I am afraid I cannot say. I just could not make any definite promise or forecast as to what the position may be.

Mr. DAYAL (India): I take it from that reply that it is not the intention of the Administering Authority to wait for forty or fifty years before submitting any plan and that it will make an effort in the very near future, in consultation with the Nauruan people, to submit plans to this Council in regard to the future of the Nauruan people. Am I correct that that is the position?

Mr. JONES (Special representative): That is the position. But I would point out that it is possible that eventually the Nauruan people may say that they do not want any action taken in regard to an actual move from Nauru for forty years. If the whole of the Nauruan population were adamant on that, we would not, as the Administering Authority, force them to leave the island. We do not think that that will arise. I feel quite confident that within the next two or three years, at any rate, the people will agree to steps that we feel will be in their best interests.-- that is, that somewhere in a suitable place we can find for them and establish a new Nauru. All our energies will be expended in that direction.

Mr. DAYAL (India): I did not intend to ask the special representative what plans are being considered to move the Nauruan people. I asked what plans are being contemplated for the future of the Nauruan people. Their future may conceivably be on the island of Nauru itself, even after the exhaustion of the phosphates. There is a possibility that the Nauruans may prefer to continue living on that island. My question was: When should we expect from the Administering Authority plans in regard to the future of the Territory -- plans which will be made, no doubt, in consultation with the Nauruan people themselves?

Mr. JONES (Special representative): I take it from that question that what is really desired is some information regarding whether or not the Administration is considering, we will say, alternative plans: a plan which will ensure their future if they decide to remain in Nauru, another plan if they decide that they would be quite willing to have a certain percentage of them become agriculturists -- and the Administering Authority would be quite willing to train and assist the community with technical advice -- and also including settling them in urbanized communities. Until we know the wishes of the Nauruan people, of course, it is somewhat difficult to try to formulate any plans that will cover, say, a period of thirty or forty years.

Mr. DAYAL (India): If I may follow up my question, I would say that I take it that it is the intention of the Administering Authority, in accordance with the Trusteeship Agreement, to lead the people of Nauru to self-government. Perhaps, when self-government is reached, the people of Nauru will themselves decide what they want to do. Are the plans of the Administering Authority in regard to the future of the Nauruan people waiting upon the time when the people attain self-government, or is it intended to prepare the plans now or in the near future?



Mr. JONES (Special representative): The intention of the Administering Authority is to prepare plans for the future of the Nauruans which we can explain and submit to them for their consideration. The preliminary steps in regard to them have already been taken but, as I say, the final decision as to what the Nauruans want to do must, to a great extent, rest with them although the Administering Authority will exert its influence for them to take the steps which we think will be in their best interests.

Mr. DAYAL (India): Are there any political parties in Nauru? If so, would the special representative give us some indication of their programmes and policies?

Mr. JONES (Special representative): There are no political parties on Nauru.

Mr. DAYAL (India): On what basis do candidates seek election if not on any political programme or any other kind of programme?

Mr. JONES (Special representative): From what I can gather, it is on local popularity. If a person is well known and well liked and is, let us say, holding some position in the community in which he has been giving service to the particular village or district in which he is a candidate for election, he gets the vote.

So far as politics is concerned, to be quite frank I do not think that the average Nauruan really understands what politics mean as we understand political parties with their platforms to do this and to do that.

Mr. DAYAL (India): If I may say so, that is somewhat surprising in spite of thirty years of Australian rule.

It is stated in the annual report that the Nauru Local Government Council retains the right to confer Nauruan citizenship on any native immigrant. Our Belgian colleague asked some questions in regard to this matter. Could the special representative define what the term "native immigrant" means and includes?



Mr. JONES (Special representative): I think that the word "native" is defined in one of the laws of the Territory of Nauru. I cannot give you the full definition at the moment, but, broadly speaking, it is any native of the South Pacific Island Group.

Mr. DAYAL (India): It is stated in the report that voting is compulsory on the island. Could the special representative tell us what penalty is imposed in the case of a person who does not vote in the election?

Mr. JONES (Special representative): As far as I can understand, the electors are very keen to support their candidates. There has not been one case of an elector not exercising his rights. Under the Council Ordinance I think that there is a provision for penalties. I cannot say offhand; I can look it up as I have the Ordinance here. Probably there is some small penalty, but I cannot remember at the moment.

Mr. DAYAL (India): If all the voters entitled to vote actually participated in the elections, it seems to us that it shows a high level of civic and political responsibility. There are very few countries which can boast of a comparable percentage.

Mr. JONES (Special representative): It is only a small community, and they all naturally took a very keen interest in this new method of electing members to their local councils. They are all anxious to join more or less in the exercise of this new right that has been given to them.

Mr. DAYAL (India): We are informed that the Administration has provided assistance and advice to help and encourage the Local Government Council in the understanding and exercise of its powers and functions. We should like to know what the result of this advice and assistance has been and whether the Nauruans are still dissatisfied with the Council's participation in the administration and about the financing of its activities.

Mr. JONES (Special Representative): From what I could gather from my talks with the members of the Council, they are not dissatisfied with the position as it now stands, but they are keen to have greater powers. However, they realize themselves now, particularly since they have been receiving this assistance and advice, what are their limitations; they appreciate that they have to gain more experience and become more conversant with the functions of the Council before they really should ask for additional powers. They have taken a very realistic view of this now, and they do realize that it is the desire of the Administering Authority to extend greater powers to them as soon as they are competent and ready to receive them.

Mr. DAYAL (India): The representative of El Salvador made some inquiries about the imposition of the punishment of whipping -- corporal punishment. We should like to inquire from the special representative if, during the previous year, this punishment had been administered to any of the inhabitants of the island.

Mr. JONES (Special representative): To the best of my knowledge, no, the punishment of whipping had not been inflicted during the year. I would take it that the knowledge that the punishment exists is no doubt acting as a deterrent to those who may feel inclined at times to commit those particular offences. At least, that is the reason why we have retained it and it seems to be bearing fruit.

Mr. DAYAL (India): I shall not pursue that particular question any further.

I notice from the report that there is one official to every thirty-six inhabitants of the island. I should like to ask the special representative whether he considers that the island is rather over-administered.

Mr. JONES (Special representative): I take it that the figures quoted by the representative of India includes all the positions shown on the chart contained in appendix II opposite page 38 of the annual report, which includes all the appointments of Nauruans as well as Europeans. If that is the case, then

I must say -- it probably must be so, otherwise it would not be one in thirty-six -- that a lot of those positions occupied by Nauruans, particularly where there are more than two, sometimes six and sometimes fourteen, is accounted for because the work output of the Nauruans is well below that of the European.

For that reason, a greater number have to be employed in certain positions. But even if the number may appear to be in excess, it is to some extent in keeping with the policy of the Administration to offer every opportunity to these people to gain knowledge and experience in the various jobs.

Mr. DAYAL (India): The special representative has referred to the fact that the output of the work of the Nauruans is lower than that of the Europeans. I would like to ask him whether their criminal propensities are greater, because I notice that for every fifty inhabitants of the Territory there is one policeman.

Mr. JONES (Special representative): I should say, generally speaking, that the instance of crime among the native people is very low indeed. I can give no real explanation for the number of police on the Island and as to whether that number is required.

Mr. DAYAL (India): In view of that reply, perhaps the Administering Authority might care to re-examine the situation in regard to the police force in the Island.

Mr. JONES (Special representative): I am sure that the Administering Authority will take note of that comment.

Mr. DAYAL (India): On page 41 of the report it is stated that during 1952-53 there were sixty-six cases, compared with thirty-two in the previous year, of young Nauruans entering the Chinese locations without a permit during prohibited hours. Could the special representative tell us of the cause of these incidents and the reason for their increase.

Mr. JONES (Special representative): I am afraid that I cannot explain why there is an increase in the number except that quite a number of younger Nauruans have, through one way or another, acquired a taste for liquor and it may be that they can obtain it in that particular compound. I know of no other particular reason why they should want to visit there.

Mr. DAYAL (India): I come now to my last question. Some questions have been asked previously regarding the appointment of Nauruans to posts of high responsibility. After thirty years of compulsory education there was one Nauruan -- I think the number now is three -- holding a fairly senior position in the Administration. We have been told that efforts are being made to train Nauruans to take a larger share in their administration. It should be recalled that the Trusteeship Council has been concerned in the past regarding this matter and it was because of this concern that arrangements to intensify the training programme have been made. I would like to ask the special representative whether the Nauruans lack the latent capacity, initiative and energy to qualify for posts of high responsibility.

Mr. JONES (Special representative): No, I should say that the average Nauruan is a very intelligent person, but he is uneducated. They seem to have a limited capacity for study and, to some extent, this has been overcome and a fairly good advance was made just before the occupation by the Japanese. That, as you know, threw them into some confusion and quite a number of Nauruans at that time were making a good advance in their studies, some of them in Australia. Of course the whole thing sowed confusion and it really retarded their educational progress for six or seven years. We have tried to overcome that somewhat by appointing certain Nauruans to positions. As I remarked earlier, we quite appreciate their limitations, but we want to give them the opportunity to see whether they can, through help and guidance, gain the experience and competence in the particular positions to which they have been appointed. In the meantime we are going ahead and providing training in Australia for a number of Nauruans, with a view to their returning to the Territory to take up more senior positions.

Mr. DAYAL (India): We have just heard from the special representative that the Nauruans are intelligent and we also know that they have had compulsory education for thirty years. We hope that the Administration will consider appointing Nauruans in the very near future to posts of high responsibility.

Mr. RIFAI (Syria): My first question relates to nomenclature. It is motivated solely by curiosity because I know part of the answer to it, although not the whole answer. On page 10 of the annual report I read that "law and order are maintained by a police force consisting of a European Director of Police..." I take it that the European Director is an Australian Director. Is there any difference between the two? Why did the Administering Authority choose the word "European" here? As I said, I know part of the answer to it but perhaps the special representative would care to give me the full reply.

Mr. JONES (Special representative): The only explanation I can offer is to make it quite clear that the position is not at present held by a Nauruan.

Mr. RIFAI (Syria): That is the answer which I already knew. I shall now pass on to my second question. Does the Administering Authority think that the objectives set forth in the Charter and in the Trusteeship Agreement for Nauru, namely independence, may be attained before the depletion of the phosphate deposits?

Mr. JONES (Special representative): The phosphate deposits are sufficient for another sixty or seventy years and I think it would be a pessimist who would say that it would not be achieved before the expiration of that period.

Mr. RIFAI (Syria): I have three more questions to ask. On page 11 of the annual report it is stated that elections of councillors are to be held at intervals not exceeding four years from the date of the first election. Who decides on the time of these elections? Is it the Local Council itself or the Administration?



Mr. JONES (Special representative): I think it is probably provided for in the Ordinance but I am quite sure that whatever the provision may be, it would be as a result of consultations between the Administrator and the Council. If I may just go a little further with that, it is really within the province of the Council itself to decide when it should have an election if earlier than provided for under the Ordinance. But there again I am quite sure that they would discuss the reasons with the Administrator before taking that action.

Mr. RIFAI' (Syria): I note on page 13 of the report that, under the heading of "Political Organizations", the Nauru Local Government Council is listed as a non-governmental political organization. This appears to be in contradiction with an earlier part of the report where the Nauru Local Government Council is listed under local government. Would the special representative care to comment on that or to give the reasons for this at least apparent contradiction?

Mr. JONES (Special representative): I can give no real explanation for the apparent contradiction. The sole suggestion I can offer is that it is the only organization of that particular nature on the island. There are no other organizations of a nature similar to those which exist in other countries. That is really the only explanation I can offer.

Mr. RIFAI' (Syria): Coming back to this same question, I note that we have under "Political Organizations" here, as I have said, the Local Government Council as the sole non-governmental political organization. This is supposed to be a part of the governmental structure of the Territory, at least as far as the indigenous government structure is concerned. However, I do not press this question for the moment, but shall pass to my third question.

I wish to inquire about the authority and functions of the district constables. Do their functions in any way complement those of the police force?

Mr. JONES (Special representative): Yes, they do. The district constables are not members of the Nauruan constabulary. They are appointed by the local councils and their duties are confined strictly to the villages in which they are appointed.

Mr. RIFAI' (Syria): My last question is as follows. Has the Nauruan local council or the people of Nauru ever raised the question of the advisability of having a judge appointed for the court of appeal instead of leaving that high judicial function to the chief executive, namely, the Administrator?

Mr. JONES (Special representative): No, no approach has been made by the Nauruan people with regard to that appointment.

Mr. DORSINVILLE (Haiti) (interpretation from French): I should like to ask the special representative why the movement of indigenous inhabitants is being restricted throughout the Territory.

Mr. JONES (Special representative): That is in order to assist the maintenance of law and order, and it has the fullest support of the Nauruan people itself. Some time ago the Nauruan people was approached with regard to relaxing certain of the restrictions but made a special request that that should not take place.

Mr. DORSINVILLE (Haiti): (interpretation from French): The Administering Authority has as its essential task the education of the population. Has it ever pointed out to the population that these measures implied certain restrictions on their individual freedoms?

Mr. JONES (Special representative): Yes, the position has been fully explained to the Nauruans, and it has even been pointed out to them that in the labour compounds of the British Phosphate Commissioners, the Chinese and Gilbertese live side by side, that there is no restriction in movement between those two compounds, and that this has not resulted in any adverse effects or proved to be in any way undesirable. But the Nauruans still insist that the restrictions with regard to movement into the Nauruan villages and Nauruan areas shall remain.

Mr. DORSINVILLE (Haiti) (interpretation from French): It seems to me that there is some degree of contradiction between the explanation given by the special representative and the mention made in the report of the fact that several Nauruans have been penalized for entering the Chinese location. On page 40 of the report there is a footnote which says that the increase in offences against the Movement of Natives Ordinance dealt with during 1952-53 was due to young Nauruans entering the Chinese location without a permit during prohibited hours.

There appears to be a contradiction between the explanation we have heard from the special representative -- namely, that the Nauruans themselves have insisted on these restrictive measures -- and the fact that young Nauruans enter the Chinese location at an increased rate. Would the special representative care to give us an explanation of this?

Mr. JONES (Special representative): The Nauruans referred to by the representative of Haiti are some of the younger members of the community. When I said that the Nauruans themselves did not desire the removal of the restrictions I was really referring to the more mature members of the community and to those with some responsibilities. Of course, it cuts both ways. The Nauruans do not desire the free entry after certain hours of Chinese or Gilbertese into their compounds or villages, and they do not desire their own people to enter the Chinese and other compounds after certain hours.

Mr. DORSINVILLE (Haiti) (interpretation from French): Following that explanation, may I ask the special representative what is the relationship between parents and children in Nauru? Is there respect for parental authority, or is there none? I take it that the parents who insist that there should be some restrictions imposed by the Administration should be in a position to exert a certain degree of authority on their children.

Mr. JONES (Special representative): With the younger children they do exert quite a lot of authority, but as they grow up and become teenagers, and particularly, shall we say, with their general advancement, they are very like young persons in other countries. They do not like restrictions. It is this younger generation which, for some reason or other, wants to visit the compounds at night.

Mr. DORSINVILLE (Haiti) (interpretation from French): I should like to revert to a rather delicate question which was asked by the representative of El Salvador and which was also touched upon briefly by the representative of India. I must confess that, despite the time which has elapsed since the special representative replied to the representative of El Salvador, I am still unable to understand what precisely he had in mind. This concerns, of course, the question of the two types of offences for which corporal punishment is applied by the Administration -- sexual offences on the one hand and garrotting on the other. I do not see why the Administration has selected these two particular categories of offences and reserved corporal punishment for them. Frankly, I can perceive no relationship between sexual offences and garrotting or strangulation.

Furthermore, what is the relative seriousness of these two categories of offences in the eyes of the Nauruans, on the one hand, and of the Administering Authority, on the other? The report itself mentions that the severity of the punishment has been decreased in connexion with these crimes. Would the special representative give us more details on this point?

Mr. JONES (Special representative): I am afraid there is little I can add to what I have already said. The matter has been given the fullest consideration by the Administering Authority -- both the judiciary and those who are responsible for native affairs. No doubt they have taken into consideration the number of male workers who are away from their homes, which factor might contribute to the number of sexual offences particularly, and doubtless they have also considered that it is far better to prevent crimes of the nature of these two categories by making such a provision rather than to withdraw it in the hope that severe punishment might act as a deterrent.

It has just been drawn to my attention that I did overlook one case during the year which is now under review, a case that came up for trial before the Central Court. The nature of the charge was unlawful and indecent dealings with a girl under twelve years of age. The nationality of the offender was Gilbertese, and the punishment was eighteen months' imprisonment with hard labour.

Mr. DORSINVILLE (Haiti) (interpretation from French): The special representative has narrowed the question down to the category of sexual offences. What about garrote?

Mr. JONES (Special representative): As I have said, I have tried to explain to the best of my ability the reason for retaining that particular provision which, I feel sure, would only be applied in exceptional cases. The only suggestion which I can offer in regard to garroting is that that was a favourite method of disposing of people by the natives before they came under the influence of the Administering Authority and, if there were no provision of the nature which we now have against it, there might be a recurrence of the custom.



The PRESIDENT (interpretation from Spanish): I wish to remind the Council that the Australian delegation has invited representatives and, indeed, all those who are interested in the work of the Council, to the showing of a film on New Guinea immediately after adjournment of the present meeting.

The meeting rose at 5.35 p.m.