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**President: Mr. HENRIQUEZ UREÑA (Dominican Republic).**

*Present:* The representatives of the following countries: Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, New Zealand, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America.

**Examination of the annual report on the administration of the Trust Territory of Nauru for the year ending 30 June 1949 (T/472, T/472/Add.1, T/472/Add.2) (*continued*)**

*At the invitation of the President, Mr. Reeve, special representative of the Administering Authority for the Trust Territory of Nauru, took his place at the Council table.*

1. The PRESIDENT invited general remarks on the annual report on Nauru.<sup>1</sup>

2. Mr. INGLES (Philippines) stated that he felt handicapped in the appraisal of the situation in Nauru because information requested from the Administering Authority in the course of the examination of the preceding annual report<sup>2</sup> had not yet been made available. He expressed the hope that if the information concerned could not be included in the forthcoming annual report, the Administering Authority would find it possible to supply it separately, either in a separate document or in the course of the oral questioning of the special representative. The appraisal of conditions in Nauru during the year under review which he was about to present was therefore based upon the limited information available at present.

3. As the Trusteeship Council had stated the previous year, the Trust Territory of Nauru possessed "all possible material, human or otherwise, with which to bring about the model establishment of institutions based on the Charter and the Trusteeship Agreement"<sup>3</sup> in those circumstances, the Council might well have anticipated that, after thirty years of administration, model administrative, educational, health and social services would have been established on Nauru. As early as

<sup>1</sup> See *Report to the General Assembly of the United Nations on the administration of the Territory of Nauru from 1st July 1948, to 30th June 1949*: Commonwealth of Australia, Sydney, 1950.

<sup>2</sup> See *Official Records of the Trusteeship Council*, fifth session, 7th, 8th 9th and 10th meetings.

1927 the Administering Authority had itself drawn attention, on page 44 of its annual report for that year,<sup>4</sup> to the fact that Nauru had advantages over many other countries: no national debt hindered its progress and it offered a unique opportunity for development based on the highest moral, social and material standards. In 1949 the Philippine delegation had expressed some concern when it found that the opportunities offered in Nauru had not been utilized to the full, although great progress had been made by the phosphate industry, which had rapidly recovered from the effects of the war.

4. The annual report before the Council dealt in some measure with the recommendations made by the Trusteeship Council at its fifth session, in 1949.<sup>5</sup> While noting a sincere attempt by the Administering Authority to implement those recommendations, his delegation must also note that during the year under review no concrete results had been achieved.

5. His delegation believed that the Trusteeship Council should reiterate the recommendations it had made the previous year, bearing in mind that it would soon have before it the report of the Visiting Mission to Trust Territories in the Pacific, which had recently visited Nauru, and that the petitions regarding the Territory, which were to be commented upon subsequently by the Administering Authority, might also furnish some idea of the situation in the Territory from the point of view of the petitioners.

6. He realized that the Territory was a war-devastated area and thus presented the Administration with certain difficulties. He believed, however, that, in the political field at least, reforms would not require any greater outlay than reforms in the economic, social and educational fields.

7. In the political field, the Trust Territory had remained in the same position during the year under review as that described in the report for the preceding year. The most recent development, which his delegation found encouraging, was the proposed legislation concerning the reconstitution of the Council of Chiefs, designed to give that body additional powers, including

<sup>3</sup> See *Official Records of the fourth session of the General Assembly*, Supplement No. 4, page 76.

<sup>4</sup> See *League of Nations: Nauru, reports 1923-1938*.

<sup>5</sup> See *Official Records of the fourth session of the General Assembly*, Supplement No. 4, pages 76 and 77.

some measure of financial control. Although the details of the proposed legislation were not yet available, the special representative had informed the Council at its 22nd meeting that the reconstituted Council of Chiefs would not have full legislative powers and would remain to a certain degree an advisory body.

8. He therefore believed that the Council should urge the Administering Authority to press forward more vigorously with its plans, on the basis of the Trusteeship Council's recommendation of 1949 that legislative or other measures should be taken to afford the inhabitants of Nauru a larger degree of self-government, including the reconstitution of the Council of Chiefs as a fully representative body elected on a democratic basis with progressively increasing powers with regard to the control of all royalty funds and negotiations. In that connexion the Trusteeship Council might well recommend that, in the administration of the territorial budget, the Nauruan Royalty Trust Fund, the Nauruan Landowners' Royalty Trust Fund and the Nauruan Community Long Term Investment Fund, together with all future phosphate royalty negotiations, should be made subject to approval or amendment by the reconstituted Council of Chiefs. That Council might well be widened so as to include not only the chiefs but also younger elements of the community, elected for the purpose. There was good reason for the reiteration of the Trusteeship Council's recommendation, made in 1949, that wider facilities should be provided for training Nauruans for administrative posts and for affording them greater opportunities for experience in public affairs.

9. The appointment of a Nauruan as Native Affairs Officer to take the place of the European Superintendent of Native Affairs, of which the Council had been informed the previous year,<sup>6</sup> appeared to be the only definite advancement in the political field during the year under review. Some further clarification in that connexion would, however, be welcome in view of the petition by the Council of Chiefs (T/Pet.9/6) which indicated that the appointment in question had actually been a re-appointment to the same position of the man who had held it from 1925 to 1931.

10. The Philippine delegation considered that instead of waiting for qualified Nauruans to emerge, the Administering Authority should take the initiative in singling out promising young Nauruans and train them for key posts in the administration of the Territory.

11. In the Trusteeship Council's previous discussion on Nauru, concern had been expressed over the fact that the judiciary in the Territory was not separate from the Administration.<sup>7</sup> According to what the special representative had said at the 23rd meeting, the preceding year one of the three magistrates of the Territory had been the official secretary of the Administration, another the Director of Police, and the third a European officer of the British Phosphate Commissioners. Perhaps the Administering Authority might, as a first step, consider the appointment of one independent full-time magistrate to handle judicial cases in the island, and the Council might make a recommendation in that sense.

The Administering Authority might also review the multiple responsibilities vested in the Head Chief, with a view to the separation of his judicial and administrative responsibilities and to affording other individuals an opportunity to gain experience in one or the other of the numerous posts now occupied by the Head Chief.

12. In the economic field, Mr. Inglés recalled that a member of the Trusteeship Council had previously expressed concern over the fact that while the proportion of the general expenditure for the benefit of Nauruans had been one-third of the pre-war budget, it had dropped to barely one-sixth during the year 1947-1948.<sup>8</sup> Mr. Inglés noted that during the year under review the proportion had fallen further, namely, to only one-ninth of the budget. Accordingly, he believed that it might be advisable to recommend that the expenditure for the benefit of the Nauruans should be increased so that it would be at least equal to, if not larger than, the pre-war ratio. He further noted from the annual report that no concrete step had been taken to carry out the Council's recommendation, made in 1949, that economic plans should be formulated for the day when the phosphate deposits became exhausted and the inhabitants were thrown back on their own resources.

13. The lack of information to which he had previously referred handicapped his delegation particularly in connexion with an appraisal of the operations of the British Phosphate Commissioners. Pending more detailed information, the Council might reiterate its recommendations of the preceding year. The information desired would throw more light on the finances of the British Phosphate Commissioners, so that the Council could judge to what extent the industry was being operated in the interest of the people and, in particular, whether the people were receiving an equitable share of the returns from the exploitation of the only natural resource of the Territory. The principal difficulty in that connexion was the fact that as the financial accounts of the British Phosphate Commissioners covered operations both in Nauru and Ocean Island, it was impossible for the Council to separate the accounts so that the position in Nauru alone would become clear. The Council also lacked information on the actual price received by the Commissioners per ton of phosphate and on the relation of that price to the world market price. Those were important questions because the British Phosphate Commissioners were a government-established monopoly and because the three Governments concerned had a monopoly on the entire production, regardless of prices elsewhere.

14. He was happy to note that the Territory continued to be independent of outside sources for the revenue required for administration. The fact, however, that the cost of administration was met from Nauru's share of the phosphate industry should not prevent the Administering Authority from obtaining funds elsewhere whenever the income of the Territory from the phosphate industry became insufficient to meet its reasonable requirements.

15. In the social field, his delegation was gratified by the progress made in the development of the housing

<sup>6</sup> See *Official Records of the Trusteeship Council*, fifth session, page 79.

<sup>7</sup> *Ibid.*, page 114.

<sup>8</sup> See *Official Records of the Trusteeship Council*, fifth session, page 115.

scheme, but noted that it had not been found possible to effect lower rentals, so that rentals continued to amount to twelve Australian pounds a year, or five shillings a week, for each dwelling.

16. He also commended the Administering Authority on the establishment of an Infant Welfare Service, including stationary and mobile clinics, which had led to an improvement in maternal welfare and in the health of the child population. He noted that the newly-appointed Director of Health had assumed office early in 1950.

17. With regard to the matter of a double censorship of films in the Territory, his delegation urged that the regulations about film censorship should be considered by the Administering Authority as being among the laws and practices under review by the General Assembly and the Trusteeship Council with a view to the abolition of discriminatory practices in all Trust Territories.

18. His delegation believed that the Administering Authority should devote particular attention to an effective educational programme, since without education political progress could not be achieved. He noted the statement of the special representative at the 22nd meeting that the Director of Education had taken up his duties in January 1950 and was developing plans for primary and secondary education which should result in an improvement in the standards of the teaching staff. Mr. Inglés stressed the need of re-establishing at the earliest possible time the two secondary schools which had functioned before the war, particularly in view of the admission by the special representative (24th meeting) that the current practice of sending selected students abroad for higher education was inadequate; only six such students had been sent abroad for that purpose during the year under review. He also urged the Administering Authority to consider the possibility of merging the schools for European children with those for indigenous children, not only as a measure of economy but as a means of raising the standard of instruction of indigenous children. In spite of the arguments offered for the retention of separate facilities, he thought the practice unjustifiable, as both types of school were supported by public funds.

19. In 1949, the Council had recommended an increase in the funds available for educational and cultural requirements. Nevertheless the total allotment for indigenous education during the year under review, as well as in the year 1949-1950, was still below that of 1947. Nor had it yet been possible for the Administration to give effect to the Council's recommendation, made in 1949, that the normal public expenditure for education should be paid for out of the budget proper, instead of from the Nauruan Royalty Trust Fund. No assurance had been given as to when it might be possible to carry out that recommendation and the Council might therefore reiterate it.

20. In view of the great benefits derived by the joint Administering Authorities from the operation of the British Phosphate Commissioners, the Council might recommend to them that they should consider giving grants-in-aid to Nauru instead of merely authorizing the British Phosphate Commissioners to make advances

which were collectable from the Trust Territory. As in other Trust Territories, such grants-in-aid should be utilized not only for educational advancement, but also for the political, economic and social progress of the Nauruans.

21. In conclusion, he wished to express his appreciation of the replies given by the special representative to the written and oral questions submitted by his delegation, and to state that those replies had helped him considerably in making an appraisal of the conditions obtaining in the Territory in the year ending 30 June 1949.

22. Mr. FLETCHER-COOKE (United Kingdom) felt that the Government of Australia was to be congratulated on the achievements disclosed in the annual report under consideration. His delegation had gained the general impression from the report that the administration of Nauru was very adequately provided for. He noted that governmental expenditures corresponded to a figure of some 30 Australian pounds per head of the population.

23. He also felt that the appointment of a Nauruan as Native Affairs Officer represented a notable development. He referred to a previous occasion (23rd meeting) when he had commended the policy of establishing trust funds, accumulating at compound interest, for the ultimate benefit of the inhabitants of Nauru. At the time he had stated that calculations had shown that the sum of some 6 million pounds would be available in the year 2000 or 2020 to cover the needs of the Nauruan population, which was unlikely to exceed 2,500. The plan thus appeared to be making ample provision for the financial interests of the population. He had also noted with interest the scheme introduced during the year 1948-1949 which provided for the payment of pensions to widows, orphans and invalids, as well as arrangements for the payment of dependants' allowances.

24. Particular commendation was called for in connexion with the general improvement in the medical situation. Continued improvement in facilities for the treatment and hospitalization of the population was to be noted; maternity cases and infants were particularly well provided for. He had also noted that the proportion of trained medical personnel to the total population of the island was higher than in many more advanced communities. He was pleased to note that steps had been taken to train Nauruans as Native medical practitioners. The construction of two clinics for the baby welfare service was also worthy of commendation.

25. His delegation felt that there were two points regarding which further reports might perhaps supply rather fuller information. A little more information might be given on the rates of wages and, if possible, on the cash wages received by the different workers in Nauru. He had also noticed that there were very few details given in the report regarding the machinery for the negotiation of wage rates. There was no indication that representatives of the workers and representatives of the employers and of the Government sat down together in a formally constituted wages council to make recommendations to the Administrator regarding wages. In the absence of trade unions, some such machinery might be desirable.

26. Perhaps the special representative, to whom Mr. Fletcher-Cooke as well as other members of the Council were indebted for explanations and supplementary information, might bear those two points in mind should it prove possible to provide additional information on the subject in future reports.

27. Mr. SAYRE (United States of America) said the report before the Council, as well as the supplementary information supplied by the special representative, had yielded encouraging evidence of progress in the Trust Territory. While it was unfortunate that the report of the Council's Visiting Mission to Trust Territories in the Pacific, which had visited Nauru, was not yet available, the information currently before the Council did provide certain outstanding facts worthy of comment.

28. In the political field the most significant development appeared to be the legislation, at present in preparation, under which the Council of Chiefs would be reconstituted and given wider powers and responsibilities, including a measure of financial control; the proposed legislation would also provide that members of the new Council should be chosen by the indigenous inhabitants in free elections to be held every four years. It was worthy of note that the legislation in question was being prepared on the basis of proposals by the present Council of Chiefs, whose positions were now held under a system of life tenure. The preparation of the proposals must in itself have provided valuable political education for those participating in it. The Trusteeship Council would undoubtedly await with great interest the adoption of the legislation currently being drawn up, and would follow developments to see how the experience was serving as a means of preparing the indigenous population for the eventual responsibilities of self-government. It was to be hoped that the legislation for the reconstitution of the Council of Chiefs would provide for actual legislative power, even if limited in scope for the time being, and for the exercise by the Council of increasing responsibilities.

29. It was encouraging to note that the experiment of using the Head Chief as Native Affairs Officer had proved successful and that it was the intention of the Administering Authority that he should continue to hold that position. Mr. Sayre hoped that the success of the experiment would lead to the granting of increased administrative responsibilities to other Nauruans.

30. In the economic field, there was also evidence of increased participation by Nauruans in the development of the Territory. Particularly notable was the Nauruan Co-operative Society, whose board of management, manager and all employees were, he understood, exclusively Nauruan. He hoped that the Administering Authority would continue to provide that enterprise with every facility to enable it to strengthen and expand its services.

31. The restoration of full production of the phosphate industry had been of clear benefit to the Territory, and the voluntary decision of the British Phosphate Commissioners to increase royalty payments by threepence per ton, as from 1 July 1950, was a commendable one. The Trusteeship Council would note with satisfaction that the additional threepence per ton would be paid for community benefits, thus bringing the payments for

that purpose into line with payments made on behalf of individual land-owners. As the Administering Authority was well aware, the increase in phosphate production had certain definite long-range implications for the economic future of Nauru. In that connexion, the Council might recall with appreciation the initiative of the Administering Authority at its fifth session in welcoming suggestions on that specific issue. He was referring to the Council's report covering its fourth and fifth sessions,<sup>9</sup> page 82, and would urge the Council to take full advantage of the possibility of active co-operation between the Administering Authority and the Council itself. The problem was of such importance to the Nauruans that it was not too early to give it, even at the present time, the exploratory thought it merited.

32. His delegation was glad to hear that the Administering Authority had had some success in initiating a copra industry and would await with great interest the results of the experimental work in that field. Such a development could obviously be of great significance to a territory at present entirely dependent on a single extractive industry. He hoped that the Administering Authority would also find it possible to undertake similar experimental work for the encouragement of an indigenous commercial fishing industry.

33. The increases in wages and allowances of Nauruan employees of the Administration, as well as of the employees of the British Phosphate Commissioners, which had been carried out in 1948 as a result of the cost-of-living survey, should certainly have improved the economic situation of the vast majority of Nauruans. Mr. Sayre felt certain that the Administering Authority would continue to study the cost of living and that it would take whatever steps might prove necessary, through further increases in wages and allowances, to maintain and to raise the standard of living of the inhabitants.

34. In the social field, his delegation noted with interest the establishment of an Infant Welfare Service under a trained mothercraft nurse, and was glad to hear that it had led to an improvement in maternal welfare and in the health of the child population. It was commendable that the service was available to every mother and child in Nauru. Further improvements in the medical services were to be anticipated from the arrival of the newly-appointed Director of Public Health, and Mr. Sayre felt that it would be profitable for the Council to receive full reports on the activities of the Administering Authority in that field.

35. The fact that in the year preceding May 1950 approximately one hundred new houses intended for occupation by indigenous inhabitants had been practically completed indicated that the Administering Authority was vigorously attacking the difficult housing problem. He hoped that the Administering Authority would continue to push forward with its housing programme until the needs of the inhabitants had been adequately provided for.

36. The reply to one of the written questions presented by his delegation (T/L.94, question 30) had shown that

<sup>9</sup> See *Official Records of the fourth session of the General Assembly*, Supplement No. 4.

publication of the weekly news-sheet, which had been suspended originally because of a paper shortage, had not yet been resumed, although the shortage itself had been overcome. The special representative had explained that resumption of publication was not feasible at present because the former Native Affairs Officer, who had been the editor of the news-sheet, had left Nauru and it had not yet been possible to find a substitute. The special representative had added that the present Native Affairs Officer, a Nauruan, was not in a position to serve as editor. The United States delegation felt that it was regrettable that it had not been possible to resume publication of the news-sheet and considered that the Administering Authority might wish to explore the possibility of training a Nauruan to take over publication.

37. In the educational field it was encouraging that the Director of Education had been appointed and had commenced his duties early in 1950. The Council would certainly await with interest further information on the Director's plans for the future primary and secondary education in the Territory. While it was gratifying to note that six Nauruan boys and one girl were receiving secondary education in Australian schools and that two male students were being trained in the Central Medical School at Suva, it was to be hoped that the plans now being prepared by the Director of Education would provide for secondary education within the Territory in the not too distant future. That would seem particularly desirable in order to educate a class of Nauruans capable of assuming increasing responsibility in all fields of activity within the Territory.

38. The United States delegation felt that the Administering Authority was to be commended for including in the report under review information on the conclusions and recommendations of the Council arising out of the examination of the 1947-1948 report, although those conclusions and recommendations had not been formulated until the present report had been in preparation. He felt sure that such evidence of the co-operative spirit of the Administering Authority was welcomed by the Council, as was the spirit of helpfulness and co-operation evinced by the special representative who, although present at short notice, had answered the questions of members of the Council with such care and frankness. Mr. Sayre wished to record his delegation's appreciation of the special representative's helpfulness and courtesy.

39. Mr. RYCKMANS (Belgium) said that although the satisfactory conditions obtaining in Nauru, due in a large measure to the phosphate industry, should prove a source of gratification to the Trusteeship Council, the latter should nevertheless proceed with caution and refrain from making too many detailed recommendations until it had received the report of the Visiting Mission to Trust Territories in the Pacific.

40. Moreover, a sense of proportion should be maintained and due consideration given in the recommendations and in the Council's final decision to the fact that Nauru was an extremely small island with a population of some 1,500 indigenous inhabitants. It should be borne in mind, for instance, that self-government in the case of an isolated Territory such as Nauru could in no

way be compared with self-government for Territories such as Tanganyika or New Guinea.

41. The Belgian delegation agreed with previous observations made concerning the authority to be given to the Council of Chiefs. The inhabitants of Nauru enjoyed a considerable measure of self-government in their domestic affairs, and that fact should be given an official stamp of approval. Self-government in a simple society such as theirs meant freedom to manage the affairs of the village. It should prove possible, however, to broaden the powers of the Council of Chiefs, so far purely advisory, to include full responsibility for the management of domestic affairs, subject to the final decision of the Administering Authority.

42. With regard to penal administration, the Belgian delegation hoped that a fuller explanation would be given in a subsequent report as to the exact meaning of the offence referred to as "disobeying Chiefs' orders" (annual report, page 85).

43. In the field of economic development, the Belgian delegation welcomed the increase of threepence per ton of phosphate in the royalties paid by the British Phosphate Commissioners. That increase would amount in a normal year of production to 12,000 Australian pounds, or approximately 40 pounds per family. The United Kingdom representative had pointed out that, when the phosphate deposits were exhausted, the trust funds established for the Nauruans would amount to some 6 million pounds. The inhabitants would therefore receive adequate unemployment benefits. In view of that situation, it did not seem practical to establish other industries for the Nauruans. If they wished to work, they would find employment with the British Phosphate Commissioners. When the phosphate deposits were exhausted, they would receive unemployment benefits.

44. The Government should nevertheless give considerable thought to the problem of what action should be taken with regard to the population when the phosphate deposits were exhausted. Life on the island might no longer prove possible and the inhabitants might wish to live elsewhere on the income they would receive. In that case, there would be no point, for instance, in the Administration's undertaking construction projects designed to last for centuries. If, on the other hand, the island should prove to be still habitable, the long-term plans of the Government might have to be altered.

45. The Belgian delegation could not associate itself with the Philippine representative's recommendation that a full-time magistrate should be appointed for Nauru. Law and order could perfectly well be maintained in such a small community by a justice of the peace who would perform the duties of his office once a fortnight or once a month. However desirable it might be in a complex society, the principle of complete separation of powers should not be applied to a community of 300 families, as was the case in Nauru.

46. Caution should also be exercised with regard to the observations made concerning alleged discriminatory practices. It would be unfair, for instance, to compel European children, whose period of residence on the island would not exceed one or two years, to attend classes together with Nauruan children. That would be an unsatisfactory solution, especially in the case of two

population groups that would not be living together forever.

47. That was also true with respect to the censorship of films. The fact that two different types of censorship were being exercised could not be considered discrimination. A satisfactory solution might be to place responsibility for the censorship of films to be shown to the Nauruans in the hands of the Head Chief. It would be unfair, however, to prevent the European population from seeing films which might offend the Nauruans. There again, a sense of proportion should be maintained. Practical solutions taken in the interest of the population did not constitute discrimination.

48. In conclusion, the Belgian delegation thanked the special representative for his co-operation.

49. Mr. LIU (China) wished to comment briefly on the administration of the Trust Territory of Nauru for the year 1948-1949. The Chinese delegation pointed out that, as yet, national status had not been granted to the Nauruans. As that question was being considered by the Administering Authority, the Trusteeship Council might urge that Authority to grant national status to the inhabitants of Nauru as soon as possible.

50. With regard to political advancement, the Chinese delegation agreed with the Philippine representative that the judiciary should be completely independent of the Administration. The Trusteeship Council might make a recommendation to that effect to the Administering Authority.

51. Moreover, all key posts in the Nauruan Administration were still in the hands of Europeans, no real powers having been attributed to the Council of Chiefs. Legislation was in preparation which would broaden the powers of the Council of Chiefs, but no decisions taken by that body would be binding upon the Administration. In the circumstances, it was the view of the Chinese delegation that the Trusteeship Council should urge the Administering Authority to grant full powers to the Council of Chiefs, including the power to adopt resolutions that would be binding upon the Administration.

52. It was a matter of regret to the Chinese delegation that, despite the avowed intentions of the Administration, few indigenous inhabitants were employed in administrative positions. Only one Nauruan currently held an important administrative post. The Chinese delegation felt that further steps should be taken to increase the number of positions in the Administration for the indigenous inhabitants and that the educational system should be so improved as to increase the number of Nauruans eligible for appointment to such positions.

53. With regard to economic advancement, the Chinese delegation wished to make it clear that it was unable to give a detailed opinion on the question of phosphate production as full information on the operations of the British Phosphate Commissioners, including the financial accounts, had not been made available by the Administering Authority, despite the recommendation adopted by the Trusteeship Council at its fifth session requesting the Administering Authority to supply such information in order to enable the Council to study all aspects of the question of the phosphate industry. The

financial accounts which had been made available were of little value since they covered both Nauru and Ocean Island. No distinction had been made between those two territories, one of which was not a Trust Territory.

54. The Chinese delegation also deplored that fact that once again the Administering Authority had failed to provide information with regard to the price of Nauruan phosphates as compared with the world market price.

55. Moreover, the Administering Authority had failed to comply with the Trusteeship Council's recommendation that it should lay down a sound future economic foundation for the indigenous inhabitants in view of the fact that the island's phosphate deposits would ultimately be exhausted. The Trusteeship Council should therefore reiterate the conclusion it had reached at its fifth session and request the Administering Authority to comply with its recommendations.

56. As the future of the Trust Territory depended primarily upon its phosphate deposits, which would eventually be exhausted, steps should be taken by the Administering Authority to diversify the Territory's economy by improving fishing facilities and building up local industries. Moreover, since the island was completely dependent upon imported foodstuffs, the Administering Authority should be urged to take steps to improve local production of food.

57. The Chinese delegation deplored the fact that, owing to inadequate shipping facilities, movement of the indigenous inhabitants outside the Trust Territory was discouraged and travel facilities were rarely granted to Nauruans wishing to visit other islands. The Administering Authority might study the possibility of improving transport facilities.

58. With regard to the capitation tax, it appeared that no information was available to the Council as to the progress achieved by the Administering Authority in its study of the possible abolition of that tax and its replacement by an income tax, as had been recommended by the Trusteeship Council at its fifth session. The Trusteeship Council should therefore reiterate its previous recommendation. Moreover, the statement made by the special representative at the 23rd meeting that the capitation tax levied on the Chinese workers in Nauru, while higher than the capitation tax for Nauruan workers, was in effect paid by the British Phosphate Commissioners, could not be accepted as sufficient proof of the absence of discrimination. Even if that tax were in no way reflected in the wages of the Chinese employees, there was no reason whatsoever for that differentiation.

59. With regard to social advancement, the statement made by the special representative at the 24th meeting that the principle of equal pay for equal work had not been applied in the Territory was a matter of regret to the Chinese delegation. At the fifth session of the Trusteeship Council, China had strongly advocated the application of that principle. While the Chinese delegation was gratified to learn that a wage increase had been granted to the Nauruan employees of the Administration, it noted that that increase had not been granted to the Chinese and other employees of the Administration nor to the Nauruan and Chinese employees of the British Phosphate Commissioners. As there appeared

to be no valid reason for the continued practice of discrimination in relation to labour conditions, the Trusteeship Council should recommend to the Administering Authority the abolition of all such discrimination and the application of the principle of equal pay for equal work.

60. The Council, at its fifth session, had adopted a recommendation noting that certain laws and ordinances such as the Movement of Natives Ordinance and the Chinese and Native Labour Ordinance contained discriminatory provisions and had recommended that the Administering Authority should review existing legislation in order to remove all discriminatory provisions inconsistent with the Charter and the Trusteeship Agreement and should inform the Council of the steps taken. Despite that recommendation, the Administering Authority had informed the Council that it had taken note of the observations and recommendations but had taken no practical steps in the matter. The Council should therefore reiterate its previous recommendation and request that the Administering Authority should inform the Council, at its ninth session, of the steps taken in that respect.

61. The Council, at its previous session, had also noted that Chinese workers were being brought to Nauru without their families and had recommended that the Administering Authority should endeavour to find some humane solution to that problem. No practical solution had apparently been found, although the period of engagement of Chinese workers had been reduced from two years to one. However, the special representative had admitted, at the 24th meeting, that the reduction in the period of engagement of Chinese workers had not met the Council's recommendation. It was hoped that definite steps would be taken by the Administering Authority to comply with that recommendation.

62. In the field of public health, the progress achieved by the Administration in 1948 was worthy of the Council's commendation. It was noted, however, that the public health staff had been reduced from 30 to 25. As in the case of New Guinea, the Administering Authority might find it possible to recruit medical personnel from among displaced persons.

63. With regard to educational advancement, the appointment of a Director of Education was a welcome step. Education in Nauru had been proceeding at a rather slow pace. As political progress could not be achieved without adequate education, the Administering Authority should take concrete steps to increase the educational facilities of the Territory with a view to ensuring the fulfilment of the objectives of the Trusteeship System. The Administration should be urged to restore secondary schools in the Territory as soon as possible and to report to the Trusteeship Council on the action taken in that respect.

64. There appeared to be no reason for the existence of separate schools for Nauruans and Europeans, since the English language was used in both. The existing school system, in which racial segregation was being practised, should therefore be eliminated.

65. In conclusion, the Chinese delegation wished to thank the special representative for his answers to the

written and oral questions and for his co-operation during the Council's consideration of the report on Nauru.

66. Mr. DE ANTUENO (Argentina) pointed out that any discussion of the cultural, political or social advancement of Nauru would appear academic in view of the island's precarious economic position. Nauru's phosphate deposits, upon which the population depended for its very existence, would become exhausted within a period of some seventy years, and serious consideration should therefore be given to the possibility of providing some other means of livelihood for the population. That problem was of vital importance and the Administering Authority should make a thorough study and report its recommendations and conclusions to the Trusteeship Council.

67. With regard to the political field, the Argentine delegation hoped that the indigenous inhabitants would be permitted to participate to a greater extent in the political life of the Territory. It appeared desirable to allow them greater responsibility in the management of their own affairs so as to prepare them for self-government.

68. Sir Carl BERENDSEN (New Zealand) agreed fully with the remarks made by the Belgian representative. It was important, with regard to Nauru, to maintain a sense of proportion.

69. In view of the size of the island and its population, it would not seem possible completely to separate the judicial and administrative organs. In all probability, the minor offences committed in the Territory would in no way warrant the appointment of a full-time judge.

70. With regard to economic development, the New Zealand delegation agreed that steps should be taken to devise some means of livelihood for the population of Nauru as the phosphate deposits would some day be exhausted.

71. For the time being, trust funds had been established for the population. In seventy years, when the phosphate deposits would no longer exist, each Nauruan inhabitant would receive an income of some fifty pounds per year. Since, if he was not mistaken, each Nauruan was now, on the average, earning about forty pounds a year, the subsequent financial position of the population would appear to be a sound one.

72. Statements had been made in favour of the diversification of industries. It should be borne in mind, however, that the size of the population, some 1,500 Nauruans in all, would make it impossible successfully to establish a new industry, such as fishing.

73. The New Zealand delegation fully supported the contention of the Belgian representative that the period allotted to the consideration of the report on Nauru had been ill-chosen. The sensible thing would have been for the Council to arrange its work so that the report could have been considered when the Council had received the report of the Visiting Mission to Trust Territories in the Pacific, which had visited Nauru two months previously. In the circumstances, the New Zealand delegation would not form any definite opinion as to what action should be taken until it had studied the report of the Visiting Mission.

74. The PRESIDENT asked whether the representative of the Administering Authority or the special representative wished to comment on the statements made.

75. Mr. STIRLING (Australia) said that he wished to defer his delegation's comments until the following meeting of the Council.

*The meeting was suspended at 4.5 p.m. and was resumed at 4.25 p.m.*

#### Examination of petitions (continued)

*At the invitation of the President, Mr. Sutherland, special representative of the Administering Authority for the Trust Territory of Togoland under British administration, and Mr. Cédile, special representative of the Administering Authority for the Trust Territory of Togoland under French administration, took their places at the Council table.*

76. Mr. DE MARCHENA (Dominican Republic) said that the statement made by the representative of the United Kingdom at the 24th meeting had placed in a new light the joint observations (T/702) of France and the United Kingdom on the special report of the Visiting Mission concerning the Ewe problem. That representative had stated that it should be clearly indicated that the Consultative Commission had a political task to fulfil. He had suggested that paragraph I (c) of that Commission's terms of reference (T/702) should be amended by the insertion of the words "and not precluding the unification of any parts of the two Trust Territories" after the words "the interests of the peoples concerned". The French representative had concurred in that amendment, which was one of substance. Since that amendment constituted a new proposal by the Administering Authorities concerned, the Council should, in that particular case, allow the representatives of the Ewe people to inform the Council whether, in their opinion, the adoption of that amendment would improve or adversely affect the position of the inhabitants of the two Territories.

77. Mr. FLETCHER-COOKE (United Kingdom), in offering an observation on the suggestion of the representative of the Dominican Republic, wished to make it clear that he was speaking primarily as a member of the Council rather than as the representative of one of the Administering Authorities most directly concerned. He thought that the Council would do well to give some thought to the suggestion that had just been made. He noted that it was within the rules of procedure that petitioners, when the Council so decided, might appear at the Council table and give an oral exposition or supplementary information in connexion with their petitions. The Council had so decided in the case of the petitioners who had appeared before it at the previous meetings. After the conclusion of the oral presentation of the petitions concerned and the extraction of supplementary information—a procedure which had become involved on many occasions with substantive discussions whereas it should have been confined to the eliciting of supplementary information—the Council had agreed to proceed to the discussion of the question. There was no doubt that if the Council suggested that the petitioners should return to the table in the present case, it would in a sense be opening the door to the participa-

tion of the petitioners in the discussion, for which there was no warrant in the rules of procedure. It might well be that a procedure could be devised which would make it quite clear that that was not the case.

78. As the representative of one of the Administering Authorities concerned, he had no reason whatever not to wish to hear the petitioners, within the rules of procedure. But in view of the doubt in his mind, he would be grateful if any other delegations that had views on the subject would express them so as to enable his own delegation to take a position on the proposal.

79. Mr. INGLES (Philippines) supported the proposal of the representative of the Dominican Republic, since one of the principal objections to the joint observations of the United Kingdom and French Governments had been that paragraph I (c) in its original form had lacked clarity. Furthermore, the United States representative had stated at the preceding meeting that that objection had been met by the amendment proposed by the United Kingdom representative. The petitioners should be enabled to state whether they concurred in that view.

80. Mr. MUNOZ (Argentina), while seeing great justification for recalling the petitioners so that they might answer the questions of the representative of the Dominican Republic, shared the doubts of the United Kingdom representative. In any case, it must be clearly understood that the views of the petitioners on the proposal could in no way affect the Council's decision. He would not, however, oppose the hearing of the petitioners.

81. Sir Carl BERENDSEN (New Zealand) believed that the petitioners should be heard, because the situation had changed considerably. No precedent for a second hearing should, however, be established.

82. Mr. RYCKMANS (Belgium) agreed that it was essential that no precedent should be set. On that understanding, the petitioners might be heard.

83. Mr. FLETCHER-COOKE (United Kingdom) said that, in view of the general agreement that the petitioners should be heard, he would not press his objection. The general discussion should be suspended, the petitioners would furnish supplementary information, and the discussion would thereupon be resumed.

84. Mr. GARREAU (France) agreed with the United Kingdom representative's suggestion. It must be emphasized, furthermore, that no precedent would be set.

85. Mr. DE MARCHENA (Dominican Republic) made it clear that his proposal was not to be regarded as setting any precedent; it referred solely to the particular case under discussion. The petitioners must confine their remarks to the expression of their opinion on the United Kingdom amendment.

86. The PRESIDENT noted that there was a consensus of opinion in favour of the suspension of the discussion in order that the petitioners might reply to very specific supplementary questions. The hearing would not be regarded as setting a precedent.

*It was so decided.*

*At the invitation of the President, Mr. S. Olympio, representative of the All-Ewe Conference; Mr. Asare and Mr. Antor, representatives of the Togoland Union, the Natural Rulers of Western Togoland and the Togoland Farmers' Association; Mr. P. Olympio, representative of the Togoland Progress Party; and Mr. D. Ayeva, representative of the Togoland Progress Party and of the chiefs and population of Northern Togoland, took their places at the Council table.*

87. Mr. DE MARCHENA (Dominican Republic) asked the representatives of the Ewe people their opinion regarding the United Kingdom amendment to paragraph I (c) of the joint observations of the French and United Kingdom Governments (T/702).

88. Mr. S. OLYMPIO (All-Ewe Conference) said that he had already made it clear that terms of reference were likely to be strictly interpreted in Western Africa, regardless of any qualifications stated during the discussion in the Trusteeship Council. In his opinion, the proposed new text of paragraph I (c) could be construed to mean that the unification of any part of the two Trust Territories was one of the interests of the peoples concerned and that it should be taken into account before any conclusions were reached, but that such conclusions must concern practical means whereby the various points of view could be satisfied within the framework of British and French administration. Before he could be satisfied that those terms could be thus interpreted, he wished to have an assurance that the interpretation given by the representative of the United States at the preceding meeting was the correct one. That interpretation implied that the Consultative Commission would be empowered to recommend Ewe unification under French, British or Anglo-French authority. If that was correct, the Ewes, who might or might not participate in the Commission, would have the means of expressing to the two Governments concerned their desire for the unification of their territories.

89. Mr. ASARE (Togoland Union) said that if the amendment was intended to mean that the United Kingdom and France would form a condominium for the purpose of taking over the administration of the areas concerned, the situation was clear. If, however, the phrase "within the framework of British and French administration" was construed to mean that the existing situation would continue, the aims and aspirations of the people he represented would be frustrated.

90. Mr. KHALIDY (Iraq) thought that it was useless to request the petitioners' views on the amendment unless it had been previously explained to them.

91. The PRESIDENT said that the petitioners' replies clearly showed that they would accept the amendment if it was interpreted in one way and would not do so if it was interpreted in another. He did not think that the Administering Authorities should be called upon to supply the petitioners with supplementary information.

92. Mr. S. OLYMPIO (All-Ewe Conference) said that, in the absence of confirmation of his interpretation, he could only say that the text excluded all the Ewes living in the south-eastern part of the Gold Coast and, furthermore, included elements who did not share his

concern for the unification of the Ewe people. He could not, therefore, accept that text, but would inform the Ewe people of the concession which had been made.

93. Mr. KHALIDY (Iraq) observed that his own position would depend upon the replies of the petitioners, but their replies could not be useful unless they clearly understood the scope of the question asked by the representative of the Dominican Republic. He would not, however, press his request for fuller explanation, since he had been satisfied by the reply of the representative of the All-Ewe Conference to the effect that the amendment had not altered the existing situation.

94. Mr. RYCKMANS (Belgium) observed that the answer given by the representative of the All-Ewe Conference clearly meant that he would be satisfied if the interpretation given by the United States representative was correct; if not, he would not accept the amendment. The answer given by the representative of the Togoland Union was equally clear: if the amendment was to be construed as meaning that there would be a boundary between the French and the British sections, he did not agree; if, however, there would be no such boundary, he agreed. After all the replies had been heard, the representatives of France and the United Kingdom would be able to state whether the interpretation acceptable to the Ewe people was equally acceptable to them.

95. Mr. GARREAU (France) said that the interpretation given at the previous meeting by the United States representative was the correct one: unification might be under British, French or Anglo-French authority. The representative of the All-Ewe Conference had, however, again raised the question of the Ewe people in the Gold Coast colony; they were not a concern of the Trusteeship Council.

96. Mr. MUNOZ (Argentina) agreed with the representative of Belgium on the substance of the question. He could not agree with the representative of Iraq, as the French representative had already taken the opportunity to state his views on the question.

97. Mr. FLETCHER-COOKE (United Kingdom) observed that if members had wished further explanation of the precise interpretation of the amendment, they should have requested it before the petitioners were invited to take their place at the Council table. Since a different procedure had been followed, he would immediately express his agreement with the French representative's interpretation and with his observation that the question of the Ewes living in the Gold Coast colony was not a concern of the Council.

98. Mr. ANTOR (Togoland Farmers' Association) thought that he had fulfilled his duty by informing the Trusteeship Council of the wishes and interests of the indigenous inhabitants of the two Togoland Territories. He could only remind the Council that he was merely a representative of his organization and that the responsibility did not, therefore, rest with him, but with the Council.

99. Mr. P. OLYMPIO (Togoland Progress Party) said that, in his personal opinion, the Togoland Progress Party would very probably welcome the amendment because it would thus be enabled to express in the

Consultative Commission its views on unification on the same footing as those groups of the Ewe people which held contrary opinions.

100. Mr. AYEVA (Chiefs and population of Northern Togoland) thought that the people he represented would not reject the amendment because it would permit them to discuss unification with the Ewes in a national Togoland congress under Anglo-French administration.

101. Mr. KHALIDY (Iraq) asked the representative of the All-Ewe Conference whether, in view of the new developments, he maintained the position which he had stated to the Council at its 20th and 21st meetings.

102. Mr. S. OLYMPIO (All-Ewe Conference) replied that his sole interest in appearing before the Council had been to request the unification of the Ewe people. The amendment specifically excluded an important part of the Ewe people from participating in the discussion of matters of the utmost concern to them. Moreover, the question of the Gold Coast would be discussed with persons who took no interest whatever in it. Consequently, although he appreciated the great concession which had been made by the Administering Authorities in permitting the Ewe people at least to discuss their unification, he could not accept that as a satisfactory solution. He could therefore do no more than simply inform the people he represented that that concession

had been made. He had no reason to change the views which he had originally expressed to the Council.

103. Mr. FLETCHER-COOKE (United Kingdom) pointed out that when it had been agreed that the representative of the All-Ewe Conference should be allowed to make an oral statement in support of his petition, the permission had been granted on the definite understanding that he was speaking before the Council solely in respect of the All-Ewe Conference and on behalf of those Ewes who were in the two Trust Territories. The Council could not, even had it wished to do so, have granted him any right to appear and make an oral presentation or, indeed, even to submit a written petition on behalf of Ewes living in the Gold Coast, which was not a Trust Territory and which was not, therefore, within the purview of the Trusteeship Council. When he, the representative of the United Kingdom, had agreed on behalf of the Administering Authority that the representative of the All-Ewe Conference should be invited to the Council table, it had been on the understanding that the latter would express the views exclusively of certain of the Ewes living in the two Trust Territories.

104. The PRESIDENT said that the general discussion would be resumed at the following meeting.

*The meeting rose at 5.30 p.m.*