



**REPORT  
OF THE SPECIAL COMMITTEE ON THE SITUATION  
WITH REGARD TO THE IMPLEMENTATION  
OF THE DECLARATION  
ON THE GRANTING OF INDEPENDENCE  
TO COLONIAL COUNTRIES AND PEOPLES**

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**VOLUME IV**

**GENERAL ASSEMBLY**

OFFICIAL RECORDS: TWENTY-SEVENTH SESSION

SUPPLEMENT No.23 (A/8723/Rev.1)

**UNITED NATIONS**



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New York, 1975

## NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the Special Committee is divided into five volumes. The present volume contains chapters XI to XXI\*; volume I, chapters I to IV; volume II, chapters V to VII; volume III, chapters VIII to X; and volume V, chapters XXII to XXVII; each volume contains a full table of contents.

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\* The present version of chapters XI to XXI is a consolidation of the following documents as they appeared in provisional form: A/8723/Add.4 (Part I) of 21 September 1972, A/8723 (Part II) of 30 September 1972 and A/8723/Add.5 of 15 September 1972.



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CHAPTER XI

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SEYCHELLES AND ST. HELENA

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#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of its Working Group (A/AC.109/L.763), decided, inter alia, to refer the Seychelles and St. Helena to Sub-Committee I for consideration and report.
2. The Special Committee considered the item at its 845th, 875th, 876th, 878th, 879th, 885th and 886th meetings, between 28 March and 23 August.
3. In its consideration of the item, the Special Committee took into account the provisions of relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, by paragraph 10 of which, the Special Committee was requested "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account the provisions of General Assembly resolution 2866 (XXVI) of 20 December 1971 concerning the question of the Seychelles, by paragraph 3 of which the General Assembly requested the Special Committee, in consultation with the administering Power and with the assistance of the Secretary-General, to "appoint immediately a special mission to visit the Seychelles for the purpose of recommending practical steps to be taken for the full implementation of the relevant resolutions of the General Assembly - in particular for the purpose of determining the extent of United Nations participation in the preparation and supervision of the referendum on the future status of the Territory - and to submit a report thereon to the Special Committee". By paragraph 4 of the same resolution, the General Assembly also requested the Special Committee "to continue its examination of the question and to report thereon to the General Assembly at its twenty-seventh session". Further, the Special Committee took into account General Assembly resolution 2869 (XXVI) of 20 December 1971, concerning 17 Territories, including the Seychelles and St. Helena, by paragraph 8 of which the General Assembly requested the Special Committee "to continue to give full consideration to this question, including in particular the dispatch of visiting missions to those Territories...".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex I to the present chapter) containing information on action previously taken by the Special Committee and the General Assembly, and on the latest developments concerning the Territories.

5. In addition, the Special Committee had before it the following written petitions concerning the Seychelles:

(a) Letter dated 29 September 1971 from Mr. Guy Sinon, Secretary-General, Seychelles People's United Party (SPUP) (A/AC.109/PET.1199);

(b) Letter dated 11 November 1971 from Mr. M. A. Servina, Publicity Secretary, SPUP (A/AC.109/PET.1199/Add.1);

(c) Cable dated 27 January 1972 from Mr. F. A. René, President, SPUP (A/AC.109/PET.1199/Add.2);

(d) Letter dated 20 April 1972 from Mr. F. A. René, President, SPUP (A/AC.109/PET.1199/Add.3);

(e) Cable dated 2 August 1972 from Mr. Guy Sinon, Secretary-General, SPUP (A/AC.109/PET.1199/Add.4);

(f) Cable dated 18 April and letter dated 26 April 1972 from Mr. M. A. Servina, General Secretary, Government Workers' Union (A/AC.109/PET.1224 and Add.1).

6. The Special Committee also had before it a letter dated 22 March 1972 from Mr. Abdul S. Minty, Honorary Secretary, Anti-Apartheid Movement in the United Kingdom (A/AC.109/PET.1213), relating, inter alia, to the Seychelles.

7. At its 844th meeting, on 24 March, the Special Committee, by adopting the 166th report of the Sub-Committee on Petitions (A/AC.109/L.771), decided to grant the request for hearing contained in the petition referred to in paragraph 6 above. At the 845th meeting, on 28 March, Mr. Abdul S. Minty made a statement (A/AC.109/PV.845). Statements in that connexion were made by the representatives of Yugoslavia, the Union of Soviet Socialist Republics and the United Republic of Tanzania, as well as by the Chairman (A/AC.109/PV.845).

8. The administering Power did not participate in the work of the Special Committee during its consideration of the item.

9. At the 875th meeting, on 31 July, the Rapporteur of Sub-Committee I, in a statement to the Special Committee (A/AC.109/PV.875), introduced the report of that Sub-Committee (A/AC.109/L.805) containing an account of its consideration of the Seychelles and St. Helena (A/AC.109/SC.2/SR.104-107). The representative of Sweden made a statement (A/AC.109/PV.875).

10. At the 876th meeting, on 1 August, following a statement by the Chairman (A/AC.109/PV.876), the Special Committee adopted the report without objection and endorsed the conclusions and recommendations contained therein (see paragraph 19 below), it being understood that the reservation expressed by the representative of Sweden would be reflected in the record of the relevant meeting.

11. On 2 August, the text of the conclusions and recommendations was transmitted to the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations for the attention of his Government.

12. With regard to the dispatch of a special mission to the Seychelles, (see paragraph 3 above), the Chairman of the Special Committee, during consultations which he held on 4 April with the Permanent Representative of the United Kingdom to the United Nations within the context of the mandate entrusted to him by the Special Committee in its resolution on the question of sending visiting missions to Territories, 1/ drew the particular attention of the Permanent Representative to the relevant provisions of resolution 2866 (XXVI) with a view to the dispatch at an early date of the special mission envisaged therein. The position of the Government of the United Kingdom in that regard is outlined in the relevant report of the Chairman submitted to the Committee on 16 June, 2/ as follows:

"... as regards the Seychelles, the representative of the United Kingdom pointed out that his delegation had not been consulted by the sponsors of the draft resolution under reference prior to its adoption by the Fourth Committee and that his delegation had not supported the proposal. Notwithstanding the foregoing, the representative of the United Kingdom assured the Chairman that representations made by the Chairman on behalf of the Special Committee on the question would be communicated to his Government for its attention."

An account of the consideration by the Special Committee of the question of sending visiting missions to Territories is set out in chapter IV of the present report. 3/

13. At the 878th meeting, on 4 August, the representative of the United Republic of Tanzania made a statement (A/AC.109/PV.878) with regard to the petition referred to in paragraph 5 (e) above.

14. At its 879th meeting, on 8 August, the Special Committee, following statements by the Chairman of the Sub-Committee on Petitions and by the representatives of the United Republic of Tanzania, China, Ecuador and the Ivory Coast (A/AC.109/PV.879), decided, on the recommendation of the Sub-Committee on Petitions (A/AC.109/L.816), that the Chairman of the Special Committee should convey to the administering Power the Committee's serious concern at the report made in the above-mentioned petition, urge the immediate cessation of any activities which are in violation of the fundamental rights of the peoples of the Territory, and inform the Committee of the results of his approach to the administering Power.

15. On 10 August, a note by the acting Chairman (see annex II to the present chapter) was circulated in which was contained an account of his contact with the administering Power, together with the observations of the Government of the United Kingdom on the matter (A/AC.109/411).

16. At the 885th meeting, on 21 August, further statements on the petition under reference were made by the representative of the United Republic of Tanzania and by the Chairman (A/AC.109/PV.885).

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1/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. IV, para. 20.

2/ A/8723 (Part II), chap. IV, annex.

3/ Ibid, para. 6.

17. At its 886th meeting, on 23 August, the Special Committee adopted without objection, the text of a draft consensus relating to matters raised in the above-mentioned petition, submitted for its consideration by the Chairman (see paragraph 20 below).

18. On 23 August, the text of the consensus was transmitted to the Permanent Representative of the United Kingdom for the attention of his Government. In a letter of the same date, the Chairman, in informing Mr. Guy Sinon, Secretary-General, Seychelles People's United Party (SPUP) of the above of the Special Committee, invited him to furnish the Committee with any further information on the matter. In a letter dated 30 August 1972, the Permanent Representative of the United Kingdom stated that he would inform the Chairman in due course of the reaction of the United Kingdom Government with respect to the request contained in the consensus.

#### B. DECISIONS OF THE SPECIAL COMMITTEE

19. The text of the conclusions and recommendations adopted by the Special Committee at its 876th meeting, on 1 August, to which reference is made in paragraph 10 above, is reproduced below:

(a) Conclusions

(1) The Special Committee deplores once again the continued refusal of the United Kingdom of Great Britain and Northern Ireland to participate in its consideration of the Seychelles and St. Helena as well as its failure to co-operate with the Special Committee in the examination of other Territories under United Kingdom administration as an evasion by the administering Power of its obligations. In particular, the Committee notes with deep regret that the failure of the administering Power to provide the Committee with sufficient information on the Territories of the Seychelles and St. Helena for the year under review has impeded a full assessment of the actual situation prevailing in the Territories at present.

(2) The Special Committee deplores the fact that the administering Power continues to disregard the recommendations of the Special Committee in respect of the Seychelles and St. Helena, in particular, those approved by the General Assembly at its twenty-sixth session in 1971.

(3) The Special Committee notes with serious concern that in the year under review the basic political structure of the Seychelles remained unchanged, with full control of political, economic and other fields retained by the administering Power. No legislative or other measures have been taken to promote the process of decolonization and to transfer powers to the people of the Seychelles.

(4) The Special Committee expresses its concern over the fact that the administering Power continues to pursue a policy resulting in dissension and conflict among the inhabitants of the Territory on the question of its future political status. During the year under review, the political situation in the Territory seriously deteriorated. Expressions of political opposition to the local authorities became more frequent and led to violence. In 1972, a series of incidents were reported to have occurred in the Territory involving bomb explosions and street fights between rival supporters of the local authorities and of the opposition. These incidents were followed by demonstrations against the policy of the local authorities. The Committee reiterates its deep regret over the failure of the administering Power to take immediate steps to promote political stability in the Territory.

(5) The Special Committee, recalling General Assembly resolution 2866 (XXVI) of 20 December 1971 which, inter alia, requests the administering Power to receive a special mission of the United Nations and "to make the necessary arrangements, in consultation with the special mission, for the holding of a referendum on the future status of the Territory", expresses its profound regret that these requests, based on the intention of the Chief Minister of the Seychelles, as declared by him to the Fourth Committee of the General Assembly, to hold a referendum under the auspices of the United Nations, have been totally disregarded. The Government of the United Kingdom in the statement by the Secretary of State for Foreign and Commonwealth Affairs to the effect that the United Kingdom Government had no evidence that a clear majority of the people of the Seychelles were in favour of constitutional changes, has encouraged the Chief Minister to reverse his position and the Legislative Assembly of the Territory to reject the immediate holding of a referendum as well as the visit of the special mission to the Territory.

(6) The Special Committee reiterates its concern over the continued refusal of the administering Power to restore the territorial integrity of the Seychelles which was violated by the detachment, in 1965, of three islands from the Seychelles to form, together with islands detached from Mauritius, the so-called "British Indian Ocean Territory", without prior consultation with the people of the Territory. During the year under review, the United Kingdom and the United States of America have proceeded with the construction of military facilities in the so-called "British Indian Ocean Territory" in disregard of the Declaration and other relevant General Assembly resolutions, in particular resolutions 2708 (XXV) of 14 December 1970 and 2878 (XXVI) of 20 December 1972. The Special Committee notes with grave concern that the administering Power has resorted to the evacuation of persons of Seychellois origin from one of the islands of the so-called "British Indian Ocean Territory" to make space for British and United States military personnel. This action is further evidence of the total disregard by the administering Power of its obligation to protect and respect the interests and the rights of the indigenous people.

(7) The Special Committee notes that in the last year there has been no political progress in St. Helena. As before, no steps have been taken to transfer powers to the people of the Territory to open the way toward speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to the Territory.

(8) The Special Committee notes that the economic situation in the two Territories remains unsatisfactory. The Territories continued to be heavily dependent on imports for most of their requirements. This has resulted in a chronic adverse balance of trade, the deficit normally being offset by aid from the administering Power. In the Seychelles, the livestock industry remains rudimentary although existing conditions are favourable. In spite of the fact that two-thirds of the commercial agricultural land in the Territory is held by a small group of proprietors, the sale of land by the authorities to foreigners is still going on to offset the adverse balance of trade.

(9) The Special Committee once again expresses its serious concern over the direct intervention by South Africa in the economy of the Seychelles and St. Helena and reiterates its previous conclusion that the administering Power's favourable and protectionist attitude in helping South Africa to strengthen its presence and influence in the Territories is creating a threat that South African settlers may introduce a system of racial discrimination and apartheid in the Territories.

(10) The Special Committee once again notes with concern that social conditions in the Seychelles and St. Helena during the year under review were far from satisfactory. Increasing difficulties in the economy of the Territories are reflected in a poor standard of living, low wages and high prices of consumer products. In the Seychelles, the cost of living has risen by 25 per cent above the level of 1970. In April 1972, the Government Unestablished Workers Union, comprising 1,800 workers, went on strike following failure, after one year, to reach an agreement with the Government concerning a wage increase. Prevailing unsatisfactory labour conditions have created disturbances and tension in the Territory.

(b) Recommendations

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms its previous recommendations, in particular those adopted by the General Assembly at its twenty-sixth session, and calls upon the administering Power, in accordance with General Assembly resolution 2869 (XXVI) of 20 December 1971, to take all necessary steps, without further delay to ensure the full and speedy attainment of the goals set forth in the Declaration with respect to the Seychelles and St. Helena.

(2) The Special Committee strongly deplores the failure of the administering Power to implement resolution 2866 (XXVI) which requests the administering Power to receive the special mission of the United Nations and to make the necessary arrangements, in consultation with the mission, for holding a referendum on the future status of the Seychelles. The Special Committee urges the administering Power to take immediately concrete measures for organizing the referendum on the future status of the Seychelles under the auspices of the United Nations and for receiving the United Nations special mission to supervise this referendum.

(3) The Special Committee once again condemns the construction of the joint United Kingdom-United States military bases in the so-called "British Indian Ocean Territory" in violation of resolution 2878 (XXVI), whereby the General Assembly, inter alia, requested the colonial Powers to withdraw immediately and unconditionally their military bases and installations from colonial Territories and to refrain from establishing new ones, and of resolution 2869 (XXVI) in which the General Assembly deprecated any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of colonial Territories and the establishment of military bases and installations in those Territories as being incompatible with the purpose and principles of the Charter of the United Nations and with resolution 1514 (XV) of 14 December 1960. The Special Committee further reiterates its conviction that such actions are not in keeping with the interests of the inhabitants or of the Territory, nor with those of the African continent, nor with the maintenance of the peace and security of neighbouring countries. It calls upon the administering Power to stop the construction of military bases and to return the detached islands to the Seychelles.

(4) The Special Committee strongly condemns the eviction of the Seychellois from the so-called "British Indian Ocean Territory" as a violation by the administering Power of its obligations to safeguard the rights of the people of the Territory and their well-being, and urgently calls on the administering Power to cease immediately this action.

(5) The Special Committee strongly condemns the continued direct intervention of South Africa, with the connivance of the administering Power, in the economy of the Seychelles and St. Helena, and urges the administering Power to take immediate and effective measures to stop the sale of land to foreign firms, to remove existing South African interests from the Territories and to prevent new economic intervention by South Africa in the Territories with a view to safeguarding the national interests of their peoples.



(6) The Special Committee once again expresses its concern about the unsatisfactory social conditions of the population of the Territories and urges the administering Power to take further measures towards the immediate solution of the most pressing problems in the fields of welfare and education

(7) It once again requests the administering Power to provide up-to-date information concerning the situation in the Territories and, in particular, to provide information on action taken by it to promote the progress of decolonization.

(8) The Special Committee noting that the information at its disposal on the Territories of the Seychelles and St. Helena has not enabled it to ascertain fully the actual situation in the Territories, considers that it would be useful to invite representatives of political parties or organizations from the Seychelles, should they be prepared to do so, to participate in its meetings in order to provide the Special Committee and its sub-committees with detailed first-hand information on current developments in the Territories.

20. The text of the consensus adopted by the Special Committee at its 886th meeting, on 23 August, to which reference is made in paragraph 17 above, is reproduced below:

The Special Committee, having regard to the decision taken at its 879th meeting on 8 August 1972 concerning a communication dated 2 August 1972 from Mr. Guy Simon, Secretary-General of the Seychelles People's United Party (SPUP) (A/AC.109/PET.1199/Add.4), and taking into account the note by the Acting Chairman relating thereto (see annex II to the present chapter), decides to request its Chairman: (a) within the context of the mandate entrusted to him in its resolution of 14 August 1972 concerning the question of sending visiting missions to Territories, and in view of the serious nature of the report made in the communication under reference, to urge the administering Power to permit the access by a visiting mission of the Special Committee to the Seychelles; (b) to contact Mr. Guy Simon with a view to his furnishing the Committee with any further information relevant to this matter; and (c) to report thereon to the Committee as appropriate.

ANNEX I\*

WORKING PAPER PREPARED BY THE SECRETARIAT

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\* Previously issued under the symbol A/AC.109/L.790.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE  
AND THE GENERAL ASSEMBLY

1. The Territories of the Seychelles and St. Helena have been considered by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the General Assembly since 1964. The Special Committee's conclusions and recommendations concerning the Territories are set out in the reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/
2. The text of the conclusions and recommendations adopted by the Special Committee in 1971 in regard to the Territories and subsequently approved by the General Assembly at its twenty-sixth session and the texts of General Assembly resolution 2866 (XXVI) of 20 December 1971 concerning the Seychelles and resolution 2869 (XXVI) of 20 December 1971, concerning 17 Territories, including the Seychelles and St. Helena, have been made available to the Special Committee.

B. INFORMATION ON THE TERRITORIES

3. Basic information on the Territories is contained in the report of the Special Committee to the General Assembly at its twenty-fifth and twenty-sixth sessions. b/ Supplementary information is set out below.

1. SEYCHELLES c/

General

4. The population of the Seychelles was estimated at 52,000 in mid-1970.

Political and constitutional developments

Constitution

5. It will be recalled that a new Constitution for the Territory was agreed upon at the Seychelles Constitutional Conference in March 1970. The Constitution

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a/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. IX, para. 9; ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. VIII, para. 9; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. IX, para. 10.

b/ Ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. VIII, annex I; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. IX, annex I;

c/ The information presented in this section is derived from published sources and from information transmitted to the Secretary-General by the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter on 24 June and 14 July 1971 for the year ending 31 December 1970.

provides for: (a) a Governor, appointed by the Queen and exercising executive authority on her behalf; (b) a Council of Ministers, consisting of a Chief Minister and up to four other ministers, together with three ex officio members (Deputy Governor, Attorney-General and Financial Secretary) and presided over by the Governor; and (c) a Legislative Assembly consisting of a Speaker, 15 elected members (directly elected in eight electoral districts) and the ex officio members of the Council of Ministers. The Council of Ministers has responsibility for the range of government business, except for those subjects within the direct responsibility of the Governor: external affairs, defence, internal security, the public service and the government broadcasting services and newspapers. The life of the Legislative Assembly will normally be five years, unless there is an earlier dissolution. As regards the franchise, the Constitution provides that all persons over 21 years of age, meeting certain residential and other requirements, are entitled to register as voters.

### General elections

6. The first elections under the new Constitution took place on 11 November, 1970. In the final results, the Seychelles Democratic Party (SDP) with 18,972 votes (52.8 per cent) won 10 seats in the Legislative Assembly, and the Seychelles People's United Party (SPUP), with 15,834 votes (44.1 per cent) won 5 seats. Mr. J. R. Mancham, leader of the SDP, was appointed the Territory's first Chief Minister.

### Future status of the Territory

7. The question of the future status of the Territory is the major political issue in the Seychelles, the SDP favouring a closer form of association with the United Kingdom and the SPUP advocating immediate independence. Throughout 1971 the two parties continued to hold widely divergent views on the question. The SPUP also maintained its relations with the OAU /Organization of African Unity/ Liberation Committee, which has provided it with financial assistance (as well as two Land Rovers), without yet formally recognizing it as a liberation movement. d/

8. On 22 October 1971, Mr. J. R. Mancham, the Chief Minister of the Territory, appeared before the Fourth Committee of the General Assembly at his own request. In his statement, he said that there was no justification for interference by the OAU Liberation Committee in the internal affairs of the Territory as an increasing majority of the Seychelles people were against independence. His party, which represented the majority, felt that it should not allow petty feelings of nationalism to blind it to the reality that the Seychelles could not effectively acquire the status of real independence.

9. Mr. Mancham further stated that the United Kingdom had never exploited or oppressed the people of the Seychelles, but had only neglected them. Now, with the implementation of the 1970-1974 development plan, under which the United Kingdom would spend £8 million in addition to the £4.5 million it had spent on the Mahé airport, and because of the present realistic attitude of the

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d/ It was reported in January 1972 that the OAU Liberation Committee had received an application from the SPUP; the Liberation Committee had decided not to take any action with regard to recognizing the SPUP "at this stage", but gave it financial aid "in view of its being the only movement opposing the foreign domination in the island". According to the statement made by its Executive Secretary in mid-January 1972, the Liberation Committee had decided to give aid to this movement "because it carries political enlightenment among the people of Seychelles, who are considered an African people".

Seychelles Government, considerable private overseas investment had been attracted to the Territory which would result in raising the standard of living of the Seychelles people.

10. In reply to questions, Mr. Mancham stated that in order to demonstrate that he represented a majority view, he was prepared to accept a United Nations visiting mission to the Territory and to request the United Kingdom, in consultation with the United Nations, to organize a referendum to settle the issue. The United Nations would ultimately find that the majority of the population in the Seychelles wished to continue to be actively associated with the motherland.

11. On 18 November, Mr. F. A. René, President of SPUP, issued a press release stating that a referendum was the only way to determine the views of the people of the Seychelles, and that the SPUP would soon be taking steps to present its own case to the United Nations in order to expedite whatever steps were necessary to achieve self-determination as soon as possible.

12. On 22 November 1971, the United Kingdom Secretary of State for Foreign and Commonwealth Affairs, in reply to a question in the House of Commons, stated that the United Kingdom Government had received no representation from the Seychelles Government nor any evidence that a clear majority of the people in the Seychelles were in favour of any further constitutional change. He realized that the SDP advocated closer ties with the United Kingdom. However, this was a complicated question, involving the 5 million people of the dependent Territories, all of whom have to be considered.

13. On his return from United Nations Headquarters on 6 December, Mr. Mancham stated that there was in fact no justification for holding a referendum before the next general elections in 1975. The priority was economic development, for which political stability was necessary.

14. On 22 December, the Seychelles Legislative Assembly rejected by 13 votes to 4, with 1 abstention, two motions introduced by Mr. René, calling for the immediate holding of a referendum and inviting a United Nations Mission to visit the Seychelles.

15. In April 1972 following a series of talks with officials of the Foreign and Commonwealth Office in London, the Chief Minister of the Territory told a press conference that the Seychelles was seeking a decolonized status under British sovereignty analogous to that of the Channel Islands.

#### Prohibited immigrants

16. In January 1972, the Seychelles Government declared Mr. John Mascarenhas, the public relations officer for the SPUP, to be a prohibited immigrant. He was accused of writing and publishing The Black Tortoises Epoch, a pamphlet discussing racial prejudice in the Seychelles. Mr. Mascarenhas, who was born in Kenya of Seychellois parents, had recently returned to the Seychelles after living abroad. In 1968, he had been a member of the SDP for a short time.

17. Editorials in The People, the party newspaper of the SPUP, stated that the expulsion of Mr. Mascarenhas reflected the Government's attempt to oppress supporters of the SPUP and all democratic opposition. On 27 February, the newspaper carried an editorial entitled "The War is On", stating that all tourists and investors had less right to be in the Seychelles than Mr. Mascarenhas and

should consequently get out. The editorial also quoted a SPUP official as saying that from now on the SPUP would launch a campaign which would make every investor in the Seychelles think twice before putting his money there.

### Disturbances

18. On 14 February, two bomb explosions occurred in Victoria causing damage to the Reef Hotel and a privately owned store. The incidents, the first of the kind to occur in the Territory, were investigated by Scotland Yard, as well as by the local police, who have as yet reached no conclusion regarding the origin of the bombs. The SPUP denied any responsibility for the explosions.

19. On 18 March, two days prior to the visit of Queen Elizabeth to the Territory for the official opening of Mahé Airport, there was a third bomb explosion in Victoria, causing damage, but no injuries. Mr. Mancham stated that he did not consider the bombings to be a serious threat because there was no popular support for such terrorism, and because no one had been bold enough to claim credit for them.

20. In April 1972, a series of incidents, involving street fights, were reported between rival supporters of the Government and the opposition in Victoria. The incidents were followed by demonstrations against the policy of the Government. According to reports, police used force and tear gas to quell demonstrations and a number of people were arrested. The Chief Minister of the Territory, in a letter to the Governor, demanded stronger police and penal measures to suppress disturbances. At the press conference referred to above, he stated that law and order should be the joint responsibility of the Governor and the Government; he also spoke of "third party intervention" in the opposition political movement in the Territory.

### "British Indian Ocean Territory"

21. Information concerning the "British Indian Ocean Territory" prior to 1971 is contained in the report of the Special Committee to the General Assembly at its twenty-fifth session. e/

22. Briefly, it will be recalled that under a United Kingdom Order in Council dated 8 November 1965, three of the 92 islands and atolls comprising the Seychelles (Aldabra, Farquhar and Desroches) were administratively detached from the Territory and, together with the Chagos Archipelago, formerly part of Mauritius, were set up as a separate administrative unit entitled the "British Indian Ocean Territory". According to the administering Power, this arrangement was made with the consent of the Governments of Mauritius and the Seychelles, which were to be compensated for the loss of the islands and atolls. In the case of the Seychelles, it was agreed in 1965 that the United Kingdom would compensate the Seychelles Government by paying the cost of constructing the international airport on Mahé (see para. 9 above). The purpose of the above-mentioned arrangement

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e/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. VIII, annex I, paras. 33-36.

was to make the islands available for the construction of military staging facilities by the Governments of the United Kingdom and the United States of America, which in 1966 had entered into an agreement for the joint use of any military facilities which might be constructed in the "British Indian Ocean Territory".

23. Under the terms of this agreement, they announced, on 15 December 1970, their intention to begin construction in March 1971 of a naval communications facility on Diego Garcia in the Chagos Archipelago. The facility would consist of communications and minimum-necessary support activities, including an airstrip. The facility would be built by units of the United States naval construction force. Both the British and United States flags would fly over the facility, however, and the United Kingdom would help to man the facility. The announcement added that the facility would close a gap in the United States naval communications system and would provide communications support to ships and aircraft of the United States and the United Kingdom in the Indian Ocean. It was expected that the communications facility would be completed in less than three years.

### Economic conditions

#### General

24. The economy of the Seychelles has traditionally been based on agriculture, the principal crops being coconuts, cinnamon, patchouli and vanilla, all of which are produced for export. As these crops, especially coconut palms, occupy most of the arable land and as there are few manufacturing industries other than those concerned with processing agricultural products for export, the Territory is heavily dependent on imports for most of its requirements, particularly staple food-stuffs such as rice, flour, meat, vegetables and dairy products. This has resulted in a chronic adverse balance of trade, the deficit normally being offset by aid from the United Kingdom, land purchases by foreigners, spending by personnel from the United States Tracking Station on Mahé, and remittances from emigrants. Until recently, the tourist potential of the Territory had not been developed, primarily because of the absence of air transport links and the lack of hotel facilities.

25. Beginning in 1970, the Seychelles Government, in conjunction with the United Kingdom, which is providing the funds, undertook a large-scale development plan designed to lead to the economic viability of the Territory through the expansion of tourism and agriculture. The two most important items in the plan are: (a) the construction of an international airport at Mahé, completed in 1971 at a cost of £5.5 million to serve, among other purposes, as a stimulus for tourism; and (b) the reclamation of 100 acres of land and the construction of a new port at Victoria, the capital of the Seychelles and its principal port, estimated to cost between £8 and £8.6 million. Other major allocations in the development plan, which covers the period 1970-1974, are £1.6 million for public works; £1.5 million for the expansion of the Cascade dam to improve water supplies; £500,000 for low-cost housing; £343,000 for the diversification and improvement of agriculture; £193,000 for education; and £143,000 for public health services.

26. In 1971, the administering Power reported that the first part of the Victoria reclamation project, consisting of dredging sand and coral from the sea-bed and reclaiming part of the foreshore of Victoria, had been completed, and that the second phase, the construction of the new port and the development of the reclaimed land, was to start soon.

### Agriculture

27. The main crops grown for local consumption in the Seychelles are sugar cane, tobacco, various fruits, root crops and green vegetables, none in sufficient quantity to meet local demand. As a result of the development of the tourist industry, however, the Government is making a new effort to improve farm efficiency, and thereby to turn an increasing segment of agriculture over to food, without abandoning the growing of export crops. According to reports, a research station on Mahé has been experimenting with a number of European vegetables and has found that certain of them, including carrots, lettuces and tomatoes, can thrive in the local climate.

28. To counteract the deficient agricultural situation, the Government is reportedly seeking to attract foreign private investment in agriculture by offering tax incentives.

29. The livestock industry remains rudimentary, although recent experiments are reported to have shown encouraging results. According to reports, the Territory was almost self-sufficient in eggs in 1971 and was expected to meet its dairy requirements by the mid-1970s.

30. Despite the Territory's large marine resources, the fishing industry barely meets local needs, although some salted fish is exported (54,488 rupees f/ in 1970). Up to now, government efforts to attract outside interests to establish an export fishing industry, which is beyond the financial scope of the local administration, have failed.

### Manufacturing

31. The manufacturing industries in the Territory are primarily concerned with the processing of copra and vanilla pods and essential oil distillation (from patchouli). Other industries include tea production, stone-crushing, small-scale soap manufacture and small coir factories. During 1970, a factory for the manufacture of concrete products came into operation and was reported to be satisfying local requirements. A small shoe factory was also established during that year. The construction of a new brewery, costing over £1 million is being undertaken by a German company.

32. In 1970, attention was given for the first time to the production and sale of arts and crafts and cottage industries to meet the demands of the tourist industry.

### Tourism

33. The Mahé airport was completed in mid-1971, and has been followed by a greater than expected influx of foreign private investment in hotel construction. When

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f/ The Seychelles rupee is valued at 1s. 7d. sterling or \$US 0.07.



the airport was opened, there were 500 beds available for visitors in the Territory, of which 300 were in the newly constructed Reef Hotel. Since then, three additional hotels have been erected, two others are under construction, and three more are in the planning stage. This will bring the total number of beds to about 1,000 by 1973 and 1,500 by 1975, by which time the number of tourists is expected to reach about 30,000 annually, compared with 600 in 1970/71.

34. Financing for these hotels has come primarily from British sources, in particular the British Overseas Air Corporation (BOAC), the principal airline serving the Seychelles, the Commonwealth Development Corporation (CDC), and Barclays Bank, D.C.O. A number of other non-British interests are also involved. The Seychelles Government is also reported to have recently taken up equity participation in one hotel.

35. In addition to offering tax incentives to attract foreign capital to hotels and other tourist-related business, the Seychelles Government permits most building materials, hotel equipment, furniture and fittings and other goods for tourism to be imported duty-free from Commonwealth countries.

### Trade

36. Copra has been the traditional major export item of the Territory. From 1968 onwards, however, falling prices in the world market severely reduced the export value of this crop, as well as that of cinnamon, resulting in an increase in the Territory's adverse balance of trade. In 1970, copra production was valued at 4.4 million rupees (5.9 million rupees in 1969 and 6.1 million rupees in 1968), and cinnamon exports at 4.1 million rupees (6.6 million rupees in 1969 and 8 million rupees in 1968). The value of other exports in 1970 was 9.5 million rupees, divided as follows: vanilla, 30,186 rupees; patchouli leaf and oil 50,756 rupees; coir, 35,399 rupees, and tea, 44,835 rupees. The value of imports during 1970 was estimated at 560 million rupees, of which over one fourth was for food products. Other imports consisted mainly of beverages, tobacco, fuel oil and petroleum, vehicles and other machinery and manufacture equipment, and cotton piece goods. The United Kingdom is traditionally the largest single supplier, providing about one third of all imports. Rice comes mainly from Thailand and Burma. The principal export market is India, which takes the bulk of Seychelles copra.

### Public finance

37. In 1970, territorial revenue was estimated at £34.4 million, of which £19.9 million comprised local revenue, £12.9 million was from capital grants from the United Kingdom (an increase of £10 million compared with 1969) and £1.5 million was a recurrent grant-in-aid from the United Kingdom. Expenditure was estimated at £37.2 million. Import duties, amounting to £8.8 million (45 per cent), were the largest single source of local revenue, followed by income tax which amounted to £3.5 million.

## Social conditions

38. There were an estimated total of 17,777 persons employed in the Seychelles in 1970 and 1,245 Seychellois employed outside the Territory, apart from those working in East Africa. Of those employed in the Territory, 10,554 were employed in agriculture, 3,763 in government service, including 83 expatriates on contract; 2,510 in the private sector, including 1,000 in building and construction, and 950 self-employed, including 600 fishermen. Of those employed outside the Territory, 528 were on contract to the "British Indian Ocean Territories", and 400 were domestics in the Middle East. During the year, 1,700 persons received outdoor relief, a decrease of 247 persons compared with 1969. Total benefits paid out amounted to 300,000 rupees.

39. The administering Power has reported that with the onset of development, skills not available locally have had to be imported, but that restrictions on the immigration of persons for employment are being even more strictly enforced than previously. All applications by employers for permission to import skilled labour are first referred to the Labour Office, in order to ascertain whether the labour required is available locally. Thereafter the applications are reviewed by an Immigration Committee which may recommend the issue of temporary employment passes for limited periods, on the understanding that Seychellois will be trained to take over from expatriates in a reasonable time. The same procedure is also followed in respect of applications for work permits by self-employed persons.

40. In December 1971, it was reported that the wage dispute between the Cable and Wireless Local Staff Union and the Seychelles branch of Cable and Wireless, Ltd. (United Kingdom), which had been going on since July 1970, had been settled. The agreement, signed on 9 December 1971, provides that the company recognizes the union as the negotiating body for all locally recruited employees except management; it also deals with management rights and functions, union security, hours of work, over-time rates, leave allowances, scales of pay, health and safety, vacancies and methods of settling disputes.

41. In April 1972, the Government Unestablished Workers Union, comprising 1,800 members, went on strike following failure, after one year, to reach agreement with the Seychelles Government concerning a wage increase. The union is demanding increases amounting to 40 per cent per month for workers earning less than 200 rupees per month and 30 per cent for higher salaried workers. The Government's offer, rejected by the union, calls for increases of 15 per cent for employees earning less than 150 rupees per month, 8 per cent for those earning between 150 and 230 rupees per month, and 5 per cent for those earning over 230 rupees monthly.

42. On 12 April, the opposition SPUP, called a mass demonstration in front of government offices to show support for the striking union. About 2,000 persons were reported to have joined the demonstration, in the course of which several windows were broken, an official car was overturned, and government officials were barricaded inside the building. After two hours, police, using tear gas and nightsticks, dispersed the demonstrators, who regrouped in front of SPUP headquarters. Five policemen were reported to have been slightly injured.

43. During 1971, the cost of living rose 25 per cent above the level of 1970.
44. There are four general hospitals, with a total of 186 beds, and four clinics. Government expenditure on medical services during 1970 amounted to 2.8 million rupees (600,000 rupees over 1969) and was equal to an expenditure of 35 rupees per capita.

#### Educational conditions

45. The following table shows the number of schools and of pupils enrolled during 1970:

	<u>Schools</u>	<u>Enrolment</u>
Primary (6 years)	35	9,317
Secondary (2 to 5 years)	13	2,176
Teacher training	1	87
Technical and vocational training	5	228

46. The number of pupils in primary schools and teacher training increased by 536 and 32 respectively over 1969. The number of pupils in secondary schools decreased by one and in technical and vocational schools by 25.
47. In 1970, there were 415 teachers, about one third of whom were untrained, the majority of the latter working in primary schools. The number of students enrolled at the first-year level of the two-year teacher-training course was doubled in order to expedite the qualification of uncertified teachers; at the same time, the phasing out of expatriate teachers was started.
48. It was also reported that during the year, 36 bursaries and scholarships were awarded for overseas training in the United Kingdom, the United States, Canada and Madagascar; of these, seven were for university enrolment.
49. Recurrent expenditure on education in 1970 amounted to 3.8 million rupees, compared with 3.0 million in 1969 (an increase of 33.3 per cent). Capital expenditure amounted to 464,000 rupees, an increase of 226 per cent over 1969, but not completely allocated, owing to a lack of "building capacity". Capital funds were used for the improvement of primary school language teaching, extension of school accommodation and the construction and equipment of a vocational training centre.

## 2. ST HELENA g/

### General

50. The Territory of St. Helena consists of the island of St. Helena and two dependencies, Ascension Island and a group of six islands (five uninhabited)

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g/ The information presented in this section is derived from published sources and from information transmitted to the Secretary-General by the United Kingdom under Article 73 e of the Charter on 8 July 1971 for the year ending 30 June 1970.

forming the dependency of Tristan da Cunha. Of these islands, St. Helena is the largest, with a population mainly of African, Asian and British descent, estimated at 5,009 in mid-1971. Ascension is inhabited largely by people from off the island their numbers varying from year to year according to the availability of local employment. At the end of 1970, 494 men from St. Helena were employed on Ascension. Tristan da Cunha had 276 inhabitants, also of mixed origin.

#### Economic conditions

51. There has been no significant change in economic conditions on St. Helena since the closure of the flax industry, its only sizable export crop, in 1966. The island has continued to import part of its food supply and all of its consumer and capital goods, owing to the limited arable area and the meagre natural resources.

52. Exports declined in value from £7,509 in 1969 to £200 in 1970, while imports increased from £460,960 to £472,540 during the same period. The unfavourable balance of visible trade is normally compensated for by grants from the United Kingdom.

53. In 1969, 70.9 per cent by value of the Territory's exports went to the United Kingdom and 29.1 per cent to the Republic of South Africa. In 1970, all exports, comprising 3 tons of hides, scrap metal and lead, went to the United Kingdom. Imports are obtained primarily from the United Kingdom (54.1 per cent in 1969 and 60.8 per cent in 1970) and South Africa (35.5 per cent in 1969 and 24.5 per cent in 1970).

54. In 1970, estimated government revenue amounted to £435,000 (including budgetary aid of £279,000 from the United Kingdom) and estimated expenditures totalled £482,855 (£515,442 and £547,512 respectively in 1969). In addition, £36,537 in Colonial Development and Welfare grants were allocated for continuation of the development programme, bringing the total allocation since 1947 to £1,182,537.

55. From 1 April 1971, disbursements under the Colonial Development and Welfare Scheme were replaced by development aid. St. Helena's development aid allocation was £100,000 in 1970/71 and £80,000 for 1971/72. A special allocation for the improvement of the existing water supply system was also made in 1971. Disbursements under this scheme amounted to £10,000 in 1970/71, £89,000 in 1971/72 and an estimated £14,000 is expected in 1972/73.

56. As previously noted, South African interests are engaged in certain key economic sectors of the Territory. At present, two companies hold fishing licences: Frank Robb and Company, which operates on St. Helena, and the South Atlantic Islands Development Corporation, which operates on Tristan da Cunha (see para. 61 below). Another enterprise, Solomon and Company, the principal trading concern in St. Helena, is partly owned indirectly by South African interests, but effective control is exercised by the St. Helena Government under an agreement entered into in 1969. h/

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h/ For details, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. IX, annex I, paras 102-103.

## Social and educational conditions

### Labour

57. During 1970, the principal categories of wage earners in St. Helena were as follows: agricultural labourers, 79; skilled and general labourers, 162; fishermen and boatmen, 26; building tradesmen and apprentices, 113; mechanics, engine and motor drivers, 59. There were in addition 232 men on unemployment relief: 123 relief workers (persons over 60 years of age who would normally be in receipt of an old age pension, but who are given relief work) and 109 casual workers (persons under 60 years of age, who, when unable to obtain any other employment, are given two or three days' casual work). A total of 494 St. Helenians were employed on Ascension Island in connexion with the radio communications and other facilities operated by the United Kingdom and the United States. At the end of 1970, 143 persons were registered as unemployed and in receipt of outdoor relief.

### Public health

58. The Public Health Department continued to maintain a 54-bed hospital, whose senior staff included three medical officers. The principal causes of death were degenerative heart diseases and cancer. In 1970, estimated recurrent government expenditure on medical and health services was £52,669 (£45,620 in 1969), 10.2 per cent of the Territory's total expenditure.

### Education

59. Education is free and compulsory for all children between the ages of 5 and 15, although 14-year-olds may be exempted under certain circumstances. In 1970, school attendance averaged 1,140 children (1,105 in 1969), distributed among eight primary, three senior and one secondary selective schools (60 pupils). There were 64 full-time and 3 part-time teachers, and 5 pupil teachers. Initial teacher training takes the form of a one-year course at the local teacher-training centre, followed by two years of teaching experience. Selected young teachers are sent to follow a three-year course in the United Kingdom leading to a Certificate in Education conferred by the Ministry of Education. More experienced teachers are sent to follow one-year courses in the United Kingdom. Public expenditure on education during the year was estimated at £45,539 including including Colonial Development and Welfare grants of £503 compared with £40,449 in 1969.

### Dependencies of St. Helena

60. Ascension Island and Tristan da Cunha are governed from St. Helena, but because of their remoteness and isolation their administrators exercise a certain degree of autonomy. It will be recalled that on 31 August 1969 an Island Council was established on Tristan da Cunha, consisting of the Administrator, three appointed members and eight elected members.

61. As mentioned previously, since the construction by the United Kingdom of an £80,000 harbour on Tristan da Cunha, fishing has become the most important economic activity. The industry is dominated by the South Atlantic Islands Development Corporation, comprising South African business interests, which holds the largest concession and employs almost all the working population of the dependency. In 1970, the St. Helena Government received £43,173 in revenue from the concession.

62. According to the administering Power, a 5 per cent wage increase for all government and company employees came into effect on 1 October 1970, based on the findings of the cost of living index.

63. In 1970, 48 pupils attended the one school on the island.

ANNEX II\*

NOTE BY THE ACTING CHAIRMAN

1. At its 879th meeting on 8 August 1972, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, on the recommendation of its Sub-Committee on Petitions (A/AC.109/L.816), decided that the Chairman of the Committee should:  
(a) convey to the administering Power the Committee's serious concern at the report made in a cable dated 2 August 1972 concerning the Seychelles from Mr. Guy Sinon, Secretary-General of the Seychelles People's United Party (SPUP) (A/AC.109/PET.1199/Add.4) and urge the immediate cessation of any activities which are in violation of the fundamental rights of the peoples of the Territory, and  
(b) inform the Committee of the results of his approach to the administering Power.
2. Accordingly, the Acting Chairman, in a letter of the same date, informed the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland of the above-mentioned decision of the Special Committee and requested information on any action taken or envisaged by his Government in that regard. Further, at a meeting held at his request, on 9 August 1972, with the Permanent Representative, the Acting Chairman asked the Permanent Representative to convey to his Government the Special Committee's serious concern as well as its appeal for the immediate cessation of any activities referred to in the above-mentioned decision. At the same time, the Acting Chairman conveyed in full to the Permanent Representative for the attention of his Government the views on the matter which had been expressed by members of the Special Committee at its 879th meeting.
3. At the same meeting, the Permanent Representative presented to the Acting Chairman a letter of the same date in which attention was drawn to the text of the observations of the Government of the United Kingdom on the communication under reference, transmitted under cover of a note verbale of the same date, addressed to the Under-Secretary-General for Political Affairs and Decolonization (A/AC.109/411). The text of these observations is reproduced below:

"The allegations of mass arrests and maltreatment contained in the communication are untrue. Following explosions which took place on 14 February this year, police in the Seychelles have been carrying out investigations. These led to the arrest on Saturday 29 July of two persons who were charged in court on 31 July and remanded in custody for 14 days. Subsequently two other people have been arrested and similarly charged.

"In all these cases all legal requirements and safeguards have been met. Conditions under which provisions are held are regularly checked by a medical officer and the Commissioner of Police. Lawyers have access to the accused and neither they nor the accused have made any allegations of illegal treatment."

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\* Previously issued under the symbol A/AC.109/L.820.

# CHAPTERS XII-XIV

(A/8723/Add.4/Part II)

## SPANISH SAHARA, GIBRALTAR AND FRENCH SOMALILAND\*

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\* Note by the Rapporteur: see chap. XIV, p. 26, ~~foot~~-note 1/ concerning the new designation of the Territory.



## CHAPTER XII

### SPANISH SAHARA

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of its Working Group (A/AC.109/L.763 and Corr.1), decided, inter alia, to take up the question of Spanish Sahara as a separate item and to consider it at its plenary meetings.
2. The Special Committee considered the item at its 887th meeting, on 25 August.
3. In its consideration of the item, the Special Committee, aware that the General Assembly at its twenty-sixth session had decided to postpone consideration of the question of Spanish Sahara to its twenty-seventh session, took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action previously taken by the Special Committee and the General Assembly, and on the latest developments concerning the Territory.

#### B. DECISION OF THE SPECIAL COMMITTEE

5. At the 887th meeting, on 25 August, following statements by the representative of Trinidad and Tobago and by the Chairman (A/AC.109/PV.887), the Special Committee decided, without objection, to transmit to the General Assembly the working paper referred to in paragraph 4 above, in order to facilitate consideration of the item by the Fourth Committee and, subject to any directives that the General Assembly might give in that connexion at its twenty-seventh session, to give consideration to the item at its next session.

ANNEX\*

WORKING PAPER PREPARED BY THE SECRETARIAT

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\* Previously issued under the symbol A/AC.109/L.822.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE  
AND THE GENERAL ASSEMBLY

1. Spanish Sahara has been considered by the Special Committee since 1963 and by the General Assembly since 1965. The Special Committee's decisions concerning the Territory are set out in its reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/ Action taken by the General Assembly prior to 1971 consisted in the adoption of resolutions 2072 (XX) of 16 December 1965, 2229 (XXI) of 20 December 1966, 2354 (XXII) of 19 December 1967, 2428 (XXIII) of 18 December 1968, 2591 (XXIV) of 16 December 1969, and 2711 (XXV) of 14 December 1970.
2. On 6 October 1971, the Special Committee decided to transmit to the General Assembly the working paper prepared by the Secretariat in order to facilitate consideration of the item by the Fourth Committee and, subject to any directive that the General Assembly might give in that connexion, to give consideration to the item at its next session.
3. On 20 December 1971, the General Assembly decided to postpone consideration of the question of Spanish Sahara to its twenty-seventh session.

B. INFORMATION ON THE TERRITORY<sup>b/</sup>

4. Basic information on the Territory is contained in the reports of the Special Committee to the General Assembly at its twenty-fifth and twenty-sixth sessions (see foot-note a/ above). Supplementary information on recent developments is set out below.

1. GENERAL

Population

5. According to the Boletín Oficial de la Provincia del Sahara of 15 September 1971, the total population of the Territory at 31 December 1970 was 76,092. Of these, 24,048 were reported to live in the capital, El Aaiún, and 6,692 in Villa Cisneros. The previous official census, taken in 1967, showed a total population of 56,742, of whom 15,758 lived in El Aaiún and 5,570 in Villa Cisneros.

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a/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. X, paras. 11-12; ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. IX, paras. 8 and 9; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. X, para. 5.

b/ This section is based on information derived from published sources and on information transmitted to the Secretary-General by Spain under Article 73 e of the Charter on 1 July 1972.

## 2. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

### Constitutional arrangements

6. The constitutional arrangements described in previous working papers remained unchanged during the year. Briefly, the Spanish administration of the Territory is based on an act of 21 April 1961 amplified by a decree of 29 November 1962. The Territory is administered by a Governor-General, who is appointed by the Council of Ministers of Spain and through whom the central organs of the Spanish Government exercise the same authority as in the metropolitan provinces of Spain. The Secretary-General, also appointed by the Council of Ministers, is the head of the administrative services, except for the judiciary and military, and is the second highest authority in the Territory.

7. There is a two-tier structure of local government consisting of the Cabildo Provincial with territory-wide jurisdiction and, on a lower level, two municipal councils (for the municipalities of El Aaiún and Villa Cisneros), and two local councils (for the towns of Smara and Güera). In addition, outside the urban areas, each "nomadic section" possesses a council, or yema'a.

8. The Cabildo Provincial has 14 members, of whom two represent the municipal and local councils, six represent the nomadic councils (yema'as) and six represent corporative entities, such as industrial, commercial, cultural and professional organizations. These corporative entities also play a part, together with heads of families, in the election of members of the municipal and local councils. Each of the municipal councils is headed by an alcalde (mayor) but the number of members varies: in El Aaiún the council has 13 members, including the mayor; in Villa Cisneros there are nine; and each of the local councils of Smara and Güera has five members, including the mayor. The nomadic councils vary in size and each is composed of the traditional tribal leaders and a number of counsellors proportionate to the number of heads of family in the section.

9. Apart from the local government organs described above, there is a territory-wide General Assembly (also called Yema'a) which was created by a decree of 11 May 1967. This body is composed of tribal chiefs and 40 representatives elected by the tribal or nomadic units of the Territory, together with the president of the Cabildo Provincial and the mayors of El Aaiún and Villa Cisneros. According to the terms of the decree, the functions of the Yema'a are to advise on matters affecting the Territory, particularly matters concerning economic and social development. The Yema'a normally meets every two months, but the Governor-General, and also the president of the Yema'a, supported by one third of its membership, have the power to summon extraordinary sessions on urgent matters.

10. On 31 January 1971, elections were held throughout Spanish Sahara to fill the 40 representative seats in the Yema'a. It was reported in that connexion that, in order to ensure adequate representation of the local population, it was provided that the various tribes in the Territory would be represented as follows: 9 members for the R'gheba Sahel; 5 for the Izarguien; 2 each for the Ait Lahsen and the Arosien; 5 for the Ulad Delim; 3 for the Ulad Tidrarin, and 1 each for the Northern, Chorfas, and Southern tribes. According to reports, the voting took place in an atmosphere of calm and the electorate was able to choose its representatives from among 280 candidates. It was further reported that, for the Territory as a whole, the number of eligible voters who participated averaged 65 per cent, and that in the main population centres the percentage was between 85 and 90 per cent.

11. At the first meeting of the new Yema'a the following month, Messrs. Jatry Uld Said Uld Yumani, of the northern R'gheva tribe, and Baba Uld Hassena Uld Ahmed Baba, of the southern Uld Delim tribe, were elected respectively President and Vice-President of the Yema'a. The Yema'a subsequently set up nine commissions each dealing with one of the following subjects: education; agriculture; stockraising; health; trade; housing; public works; wells and watering places; and tourism. Each commission consists of between 9 to 12 members.

#### New Governor-General

12. By a decree of 4 March 1971, Brigadier-General F. de Santiago y Díaz de Mendiivil was appointed Governor-General of the Territory; he replaced General J. María Pérez de Lema. In accordance with a decree of 19 February 1971, Brigadier-General de Santiago is also in command of all Spanish armed forces in the Territory.

#### Diplomatic talks concerning the Territory

13. It will be recalled that, on 14 September 1970, King Hassan II of Morocco, President Boumedienne of Algeria and President Ould Daddah of Mauritania met in Nouadhibou, Mauritania, "to exchange views, in particular on matters related to regional issues", and that in order "to strengthen their co-operation in a positive manner to speed up the liberation" of Spanish Sahara, they decided to set up a tripartite co-ordinating committee to follow the process of decolonization in the Territory in both the political and diplomatic fields. c/ In accordance with that decision, a committee consisting of Messrs. Filali, Ould Mouknass and Bouteflika, the Ministers of Foreign Affairs of Morocco, Mauritania and Algeria, respectively, met in Algiers, Algeria, between 4 and 6 January 1972. In a joint communiqué issued at the end of the two-day conference, the three Ministers stated, inter alia:

... "After having examined the state of relations between the three fraternal countries and after an exchange of views on the evolution of all the problems relating to the region, the three Ministers welcomed the favourable development of relations between their countries, both at the bilateral and at the regional level. They reaffirmed their determination to consolidate those relations following the guidelines set by their Heads of State at Ifrane, Tlemcen, Casablanca and Nouadhibou.

"The Ministers of Foreign Affairs also noted with great satisfaction the perfect identity of views which had marked their current discussions and once again expressed the determination of the Governments of their respective countries to continue their efforts to intensify bilateral and regional co-operation in accordance with the policy of fraternity and good neighbourliness and the spirit of solidarity which derive both from the profound aspirations of their peoples and from their faith in their joint destiny.

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c/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. X, annex, para. 12.

"The three Ministers paid special attention to consideration of problems of joint interest, in particular those relating to the decolonization of Sahara which was still under Spanish domination.

"They emphasized the need to strengthen their front, and to co-ordinate and pursue jointly their activities to hasten the liberation of that Territory.

"The three fraternal countries, conscious of the nature of the relations and the importance of the interests which link them to Spain, fervently hope that that neighbouring and traditionally friendly country will take steps to follow the course of history in order to preserve the chances for peace and co-operation.

"In so doing, it will contribute to the elimination of all the factors giving rise to tension which might compromise agreement, stability and security in the region.

"The three Ministers agreed upon a programme of action which will be submitted to the Heads of State of the three countries at their forthcoming meeting which will take place at Rabat during the second half of March 1972." d/

14. It was subsequently announced that the projected meeting between the three Heads of State had been postponed to a later unspecified date

#### Reported incidents in the Territory

15. According to reports published in the Moroccan press, e/ eight Saharwis and 10 Spanish soldiers were killed and some 100 persons were arrested on 7 March 1972 during what were said to be anti-Spanish disturbances at Villa Cisneros and El Aaiún. According to the same reports, other demonstrations in support of "immediate freedom and reunification of the occupied territories" of Sakiet-el-Hamra and Río de Oro had also taken place in other centres and near the Algerian and Mauritanian borders, and "scores" of demonstrators had been arrested by the Spanish authorities. These reports were subsequently rejected as "sheer fabulation" by the Spanish Ministry of Information and Tourism.

16. On 22 May 1972, a spokesman for the Sahara Liberation Movement stated in Rabat, Morocco, that an incident involving a Spanish patrol and a group of Saharwi nomads had taken place on 17 May in the northern part of the Territory; "several" Spanish soldiers were said to have been killed or wounded during the incident. This report was also subsequently denied by the Spanish authorities.

#### Other developments

17. According to press reports the Spanish Government, in an official note distributed to all Spanish news media during the weekend of 22-23 July 1972, stated that "since information or commentaries in the Spanish press could compromise the interests of the State, all stories about Spanish Sahara would be considered classified information".

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d/ The text of the communiqué appeared in El Moudjahid (Algiers) on 7 January 1972.

e/ These reports appeared in Al Alam, L'Opinion and Maghreb Informations.

### 3. ECONOMIC CONDITIONS

#### Phosphates

18. It will be recalled that phosphate deposits were discovered in the Territory in 1947. The phosphate beds, which are located at Bu-Craa, about 100 kilometres inland from the port of El Aaiún, are reported to be of exceptionally high mineral content and to offer the advantage from the mining point of view that they can be worked by the open cast method. The phosphate is found in layers averaging 5.6 metres in thickness, 84 kilometres in length, and 2.5 to 3 kilometres in width; reserves are estimated at around 1,600 million tons, making them among the largest deposits in the world.

19. Following extensive surveying and drilling by the Spanish parastatal Instituto Nacional de Industria (INI) which established the importance of the field, and following unsuccessful negotiations with a number of United States and European interests including Gulf Oil, Texaco, Standard Oil of California, W.R. Grace, and the International Minerals and Chemical Corporation, the development of the phosphate deposits was entrusted to the State-controlled Empresa Nacional Minera del Sahara (ENMSA) and long-term credit was obtained through a number of foreign firms which contracted for the necessary machinery and works. f/ A company, Fosfatos de Bu-Craa S.A., was formed with a capital of 5,000 million pesetas g/ (1,381 million pesetas paid up). The company is wholly owned by INI. According to information published in the press early in 1972, the cost of the works and machinery invested in the exploitation of the deposits will total between 20 and 25 thousand million pesetas; it was also unofficially reported that the total investment could be amortized in a decade.

20. Commercial exploitation of the deposits, which is due to start in the summer of 1972, h/ is expected to reach 3 million tons of phosphates a year by 1974, and subsequently 5 million tons. It is further expected that a stabilized quota of 10 million tons a year will eventually be established when all production installations are completed. In view of the importance of the Bu-Craa deposits, this production rate could reportedly be maintained for 150 years.

21. According to available information, all the major installations and equipment i/ involved in the exploitation of the phosphate deposits are now completed and operational.

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f/ Foreign firms involved in the development of the Bu-Craa phosphates include Krupp (Federal Republic of Germany); Strabag (Federal Republic of Germany); Mersent (France); Compagnie Générale d'Enterprises Electriques (France) and Compagnie Européenne de Télétransmissions (France).

g/ The local currency is the Spanish peseta, which is equal to \$US 0.0145; \$US 1.00 equals 68.91 Spanish pesetas.

h/ A first shipment of 6,000 tons of phosphates left El Aaiún in May 1972 aboard a Japanese freighter. According to press sources, this sample lot was to be subjected to industrial tests by a number of Japanese commercial interests.

i/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. IX; annex I, para. 18.

#### 4. SOCIAL AND EDUCATIONAL CONDITIONS

22. Information on public health and housing is contained in the report of the Special Committee to the General Assembly at its twenty-sixth session. j/ No additional information has been received.

23. During the 1968/69 school year, there were 105 primary schools with an enrolment of 2,959 pupils in the Territory. The number of teachers staffing these schools totalled 135, including 105 Europeans and 30 Saharwis. Meals, clothing, textbooks and school supplies were provided free of charge to all students.

24. During the same school year, 3,655 students were enrolled in the Territory's two secondary schools, at El Aaiún and Villa Cisneros. The two vocational training centres had an enrolment of 260 pupils. In addition, 16 students were being trained to become teachers of Arabic.

25. All schools are reported to have a library and there are provincial and municipal libraries in El Aaiún and Villa Cisneros, respectively.

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j/ Ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. X, annex, paras. 18-25.



## CHAPTER XIII

### GIBRALTAR

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of its Working Group (A/AC.109/L.763 and Corr.1), decided, inter alia, to take up the question of Gibraltar as a separate item and to consider it at its plenary meeting.
2. The Special Committee considered the item at its 887th meeting, on 25 August.
3. In its consideration of the item, the Special Committee, aware that the General Assembly at its twenty-sixth session had decided to postpone consideration of the question of Gibraltar to its twenty-seventh session, took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action taken previously by the Special Committee and the General Assembly, and on the latest developments concerning the Territory.

#### B. DECISION OF THE SPECIAL COMMITTEE

5. At its 887th meeting, on 25 August, following statements by the representative of Trinidad and Tobago and by the Chairman (A/AC.109/PV.887), the Special Committee decided, without objection, to transmit to the General Assembly the working paper referred to in paragraph 4 above, in order to facilitate consideration of the item by the Fourth Committee and, subject to any directives that the General Assembly might give in that connexion at its twenty-seventh session, to give consideration to the item at its next session.

ANNEX\*

WORKING PAPER PREPARED BY THE SECRETARIAT

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\* Previously issued under the symbol A/AC.109/L.827.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE  
AND THE GENERAL ASSEMBLY

1. Gibraltar has been considered by the Special Committee since 1963 and by the General Assembly since 1965. The Special Committee's decisions concerning the Territory are set out in its reports to the General Assembly at its eighteenth, nineteenth and twenty-first to twenty-sixth sessions. a/ Action taken by the General Assembly on this item prior to 1971 consisted of the adoption of resolutions 2070 (XX) of 16 December 1965, 2231 (XXI) of 20 December 1966, 2353 (XXII) of 19 December 1967, 2429 (XXIII) of 18 December 1968, and its decisions of 16 December 1969 and 14 December 1970. b/

2. On 6 October 1971, the Special Committee decided to transmit to the General Assembly the working paper prepared by the Secretariat in order to facilitate consideration of the item by the Fourth Committee and, subject to any directives that the General Assembly might give in that connexion, to consider the item at its next session. On 20 December 1971, the General Assembly decided to defer consideration of the question of Gibraltar until its twenty-seventh session.

B. INFORMATION ON THE TERRITORY<sup>c/</sup>

3. Information on the Territory is contained in the reports of the Special Committee to the General Assembly at its eighteenth to twenty-sixth sessions (see foot-note a/ above). Supplementary information is set out below.

1. GENERAL

Population

4. At the latest census, taken on 6 October 1970, the population of Gibraltar was as follows:

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a/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23, (A/7623/Rev.1), chap. XI, para. 6; ibid., Twenty-fifth Session, Supplement No. 23, (A/8023/Rev.1), chap. X, para. 5; ibid., Twenty-sixth Session, Supplement No. 23, (A/8423/Rev.1), chap. XI, para. 5.

b/ Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 30 (A/7630), p. 75, item 23; ibid., Twenty-fifth Session, Supplement No. 28 (A/8028), p. 101, item 23.

c/ The information contained in this section has been derived from published sources and from the supplementary information transmitted to the Secretary-General by the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter on 13 September 1971, 9 November 1971 and 7 March 1972, for the year ending 31 December 1970.

	Adults			Children			Total
	<u>Males</u>	<u>Females</u>	<u>Total</u>	<u>Males</u>	<u>Females</u>	<u>Total</u>	
Gibraltarians	6,494	7,538	14,032	2,481	2,360	4,841	18,873
Other British	1,287	1,906	3,193	923	1,046	1,969	5,162
Aliens	2,293	456	2,749	23	26	49	2,798
Total	10,074	9,900	19,974	3,427	3,432	6,859	26,833

## 2. POLITICAL DEVELOPMENTS

### Statement by the Spanish Minister for Foreign Affairs

5. As reported earlier, on 3 February 1971, in a speech delivered at the Centro Superior de Estudios de la Defensa Nacional in Madrid, Mr. Gregorio López Bravo, the Spanish Minister for Foreign Affairs, reiterated Spain's claim to Gibraltar and called for negotiations with the United Kingdom to settle the current dispute. Gibraltar, he said, was a foreign military base on Spanish soil which would endanger his country in the case of war. While defending its rights in the air space and waters adjoining Gibraltar, Spain, however, did not wish to adopt a hostile or negative attitude towards the United Kingdom and believed that it was possible and desirable for the two countries to find a definitive solution to the Gibraltar dispute through patient and serene negotiations conducted in good faith on the basis of the well-founded resolutions of the United Nations. He also said that Spain was ready to give generous treatment to the Gibraltarians.

### Visit to Spain by the United Kingdom Permanent Under-Secretary of State for Foreign and Commonwealth Affairs

6. It will be recalled that during a visit to Madrid on 3 June 1971 Sir Denis Greenhill, the United Kingdom Permanent Under-Secretary of State for Foreign and Commonwealth Affairs, had informal talks with senior Spanish officials, including Mr. López Bravo, the Minister for Foreign Affairs. The talks were reported to have covered the whole range of Anglo-Spanish relations, including the questions of Gibraltar and a prospective visit to Madrid by Sir Alec Douglas-Home, the United Kingdom Secretary of State for Foreign and Commonwealth Affairs.

### United Kingdom position as reflected in the statement of the Minister of State for Foreign and Commonwealth Affairs

7. On 14 June 1971, Mr. Anthony Royle, Parliamentary Under-Secretary for Foreign and Commonwealth Affairs, stated in reply to a question in the United Kingdom House of Commons that the British Government's policy remained exactly as set out in the statement by Mr. Joseph Godber, Minister of State for Foreign and Commonwealth

Affairs on 6 July 1970. It will be recalled that in that statement, Mr. Godber reaffirmed the United Kingdom Government's position as set out in the preamble to the Gibraltar Constitution Order-in-Council of May 1969, namely that "Gibraltar will remain part of Her Majesty's dominions unless and until an Act of Parliament otherwise provides, and furthermore that Her Majesty's Government will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their freely and democratically expressed wishes". (A similar declaration was made by the Secretary of State for Foreign and Commonwealth Affairs, Sir Alec Douglas-Home, in the House of Commons on 25 October 1971.) The Minister added that the United Kingdom Government would continue to stand by the people of Gibraltar and to support them in the difficult circumstance brought about by the restrictions imposed on Gibraltar by Spain; in his opinion, no serious progress towards settlement would be possible so long as these restrictions remained in force, and the Government would work for their removal. d/ This was a difficult problem and progress towards a solution could well be slow. Meanwhile, the Government welcomed the improved atmosphere in Anglo-Spanish relations, and expressed the hope, which was believed to be shared by the Spanish Minister for Foreign Affairs, that this would enable the whole issue to be dealt with quietly and calmly and thus gradually to build up the basis of confidence and goodwill needed if real progress were to be made in reaching understandings which reflected the interests of all concerned.

Visit of the United Kingdom Secretary of State for Foreign and  
Commonwealth Affairs in Gibraltar

8. On 18 and 19 September 1971, the United Kingdom Secretary of State visited Gibraltar. During his visit, he stated that he intended to accept an invitation from the Spanish Government for discussions with the Spanish Minister for Foreign Affairs concerning the Territory.

Meeting between the United Kingdom Secretary of State for Foreign and  
Commonwealth Affairs and the Spanish Minister for Foreign Affairs  
during the twenty-sixth session of the General Assembly

9. On 27 September 1971, during the twenty-sixth session of the General Assembly, the Secretary of State and the Spanish Foreign Minister met and discussed the question of Gibraltar. It was reported that the meeting did not result in

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d/ In a letter dated 17 September 1971, addressed to the Secretary-General, the Permanent Representative of Spain to the United Nations pointed out that "the Spanish Government does not agree to the expression 'restrictions imposed on Gibraltar by Spain', since, as is well known, the Spanish Government has confined itself to a partial application of the legal rules laid down by the Treaty of Utrecht" (see Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XI, annex II).

any agreement on the substance of the question; however, the Secretary and the Minister agreed that they should "think together" and that the Secretary of State should visit Madrid in 1972 to carry this process forward.

Statement by the Spanish Minister for Foreign Affairs at the  
twenty-sixth session of the General Assembly

10. In a statement to the General Assembly, on 10 October 1971, the Spanish Foreign Minister declared, inter alia, that no problem in his country "has ever attained so deep-seated and unanimous a response" as the question of Gibraltar, and stated:

"We are deeply concerned by the fact that still no solution has been reached. The view of this Organization is unequivocal and clear-cut: an end must be put to a colonial situation which seriously affects Spain's territorial integrity, while at the same time safeguarding the interests of the population of Gibraltar. With this, an end must also be put to an anachronistic situation which does nothing but hamper the creation of a vaster and more united Europe, to which common undertaking both the British and the Spanish people feel committed.

"It is our hope - and it would be very serious to disappoint that hope - that without further delays Great Britain will come to a realistic view which will cause the existing contacts to lead to genuine negotiations, so repeatedly requested by the General Assembly. We believe that the shortest line to these negotiations is a straight line and not irregular tackings which sharply wound Spanish sensitivities and create an atmosphere of unnecessary tension."

Arrival of the Prince of Wales in Gibraltar

11. On 5 November 1971, the Prince of Wales arrived in Gibraltar to join the crew of the guided missile destroyer Norfolk, to which he had been assigned. It was reported that, following the arrival, a representative of the British Embassy was summoned to the Spanish Foreign Ministry and was handed a note containing a complaint of the Spanish Government. It was also reported that the British Government explained that the arrival and presence of the Prince of Wales in Gibraltar should be interpreted only as that of an officer of the Royal Navy.

Talks between the United Kingdom Secretary of State for Foreign and  
Commonwealth Affairs and the Spanish Minister for Foreign Affairs

12. Between 27 February and 1 March 1972, the United Kingdom Secretary of State paid an official visit to Spain for talks with the Spanish Foreign Minister. The Ministers discussed matters of mutual interest and concern to the two countries on the question of Gibraltar they noted that there were still differences over the United Nations resolutions on this subject and agreed to consider the question

"in a constructive and realistic spirit, with the aim of finding a satisfactory solution". It was reported that the Secretary of State had invited the Foreign Minister to pay an official visit to London in July 1972, at a date to be decided.

Dissolution of Gibraltar's House of Assembly and  
new general elections

13. On 22 May 1972, Gibraltar's House of Assembly was dissolved (one year ahead of schedule) in order to hold new elections on 23 June 1972. The dissolution was requested by Major Robert Peliza, the Territory's Chief Minister and leader of the Integration with Britain Party.

14. It will be recalled that the last general elections for the House of Assembly took place on 30 July 1969. The results gave seven seats to the Association for the Advancement of Civil Rights (the party of the then Chief Minister, Sir Joshua Hassan, also known as the Labour Party); five seats went to the Integration with Britain Party, headed by Major Robert Peliza; and three seats to the Isola or Independent Party, headed by Mr. Peter Isola. Following the elections, agreement was reached between the Integration with Britain Party's five elected members and the Isola or Independent Party's three elected members to form an eight-man coalition to ensure a one-man majority in the new House. On 11 August 1969, Major Robert Peliza was appointed Chief Minister of the Territory.

15. On 1 June 1972, Major Alfred Gache, Gibraltar's Minister for Commercial and Economic Development, resigned his post in the Government; he called on Major Peliza "to acknowledge the collapse of the caretaker Government" and suggested that the Chief Minister, lacking the necessary confidence of the majority in the House, should have rather resigned than dissolve the House. (Originally, Major Peliza's lack of confidence in the loyalty of Major Gache was given as the reason for requesting the dissolution of the House of Assembly. However, Major Gache maintained that there was nothing to make the Chief Minister doubt his loyalty, although there were differences of opinion.)

16. Elections were set for 23 June 1972, and were described as the first straight two-party contest, in the history of the Territory. After nominations had been submitted, it emerged that eight candidates from each of the two parties were contesting 15 seats in the House of Assembly. As each voter was to select eight names from a list of 16, this meant that only one name would be eliminated in the voting. The campaign was dominated by the question of relations with Spain. Major Robert Peliza, the outgoing Chief Minister, supported by the Transport and General Workers' Union, claimed that Sir Joshua Hassan of the Association for the Advancement of Civil Rights was willing to accept a compromise settlement of the Anglo-Spanish dispute and, in particular, was willing to accept a 1,000-year lease from Spain in return for removal of the restrictions imposed by Spain. Sir Joshua denied this, and was supported in the campaign by the Chamber of Commerce, which stated however, that it had no political colouration.

17. Sir Joshua Hassan's group secured eight seats in the House of Assembly and Major Peliza's party obtained seven seats. Approximately 10,000 people voted out of a total electorate of 15,000.

18. On 25 June the Governor asked Sir Joshua to form a Government.

### Visit of Naval Under-Secretary

19. Mr. Peter Kirk, the United Kingdom Under-Secretary for the Navy at the Ministry of Defence, visited Gibraltar from 18 to 19 July 1972. According to press reports, the purpose of his visit was to discuss political questions and labour problems.

### Visit to London of Spanish Minister for Foreign Affairs

20. The Spanish Foreign Minister made an official visit to London from 19 to 21 July 1972, returning the visit to Madrid made by the British Foreign Secretary in February. According to a British Foreign Office spokesman, the Minister and the Secretary discussed all aspects of Anglo-Spanish relations, including Gibraltar, in a "friendly and constructive spirit". During his visit, the Spanish Foreign Minister met the Queen at Buckingham Palace and also had a meeting with Prime Minister, Mr. Edward Heath. A communiqué had been agreed upon during the visit but its publication was delayed "for technical reasons". The communiqué eventually appeared in the London press on 28 July. The paragraph referring to Gibraltar ran as follows:

"Señor López Bravo outlined Spanish views on the future of Gibraltar. Sir Alec Douglas-Home undertook to give these careful study. The ministers felt that working together in this fashion was the best way to make progress towards a satisfactory solution and agreed to discuss the matter further at their next working meeting in October."

### Visit to London of Governor and Chief Minister

21. On 1 August 1972 the Governor of Gibraltar, Sir Varyl Begg and the newly elected Chief Minister, Sir Joshua Hassan, flew to London for a short visit at the invitation of Sir Alec Douglas-Home.

### Role of Gibraltar in relation to the North Atlantic Treaty Organization (NATO)

22. The position of Gibraltar as a naval base in the NATO structure remained essentially the same as described in the previous reports of the Special Committee, in particular in the reports to the twenty-third and twenty-fifth sessions of the General Assembly. e/

23. Gibraltar continues to retain its strategic value as a base for the United Kingdom and NATO. Its location and its deep water harbour are still regarded as important factors for naval and air operations in the Atlantic and Western

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e/ Official Records of the General Assembly, Twenty-third Session, Annexes, addendum to agenda item 23 (A/7200/Rev.1), chap. IV, annex, appendix IV; *ibid.*, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. II, annex, appendix I.



Mediterranean, for maintenance, repairs and refuelling activities and for naval intelligence, monitor and survey operations.

24. On 5 June 1972, in the House of Lords the following question was put to Lord Carrington the Secretary of State for Defence:

"In the context of a defensive military alliance constituted by the North Atlantic Treaty of April, 1949:

(a) Would Her Majesty's Government agree that Gibraltar holds a key position of strategic importance, and

(b) Would Her Majesty's Government define, within SACEUR, f/ the importance of Gibraltar as a part of the Mediterranean Command."

25. Lord Carrington replied that "Her Majesty's Government agree that Gibraltar holds a key position of strategic importance, and SACEUR shares this view".

### 3. ECONOMIC CONDITIONS

#### General

26. The Territory's economy continues to depend largely on the entrepôt trade as well as on the provision of supplies to visiting ships and tourists and to the military personnel attached to the base. Port facilities include a small but important commercial ship repair yard. There are also a number of relatively small companies engaged in light industry mainly for local consumption.

27. In 1970, a total of 2,368 merchant ships (2,399 in 1969) totalling 10,171,848 net registered tons (10,242,149 tons in 1969) entered the port of Gibraltar. Cargo handled at the port increased from 201,341 tons in 1969 to 255,106 tons in 1970, and the number of passengers embarked and disembarked increased from 136,548 to 188,789.

28. In 1970, the Territory's total external trade was valued at £13.4 million, an increase of £1.2 million over 1969. Exports were valued at £2.2 million in 1969 and £3.1 million in 1970; imports totalled £10 million and £10.3 million respectively. The following comparative table shows a summary of imports for the years 1968 to 1970 as provided by the administering Power.

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f/ The Supreme Allied Commander, Europe (NATO).

Gibraltar: Imports, 1968-1970

Item	1968			1969			1970		
	Gallons	Tons	Value (pounds sterling)	Gallons	Tons	Value (pounds sterling)	Gallons	Tons	Value (pounds sterling)
Food-stuffs	-	15,630	2,223,365	-	16,432	2,464,955	-	18,185	2,767,704
Manufactured articles and commodities	-	-	6,076,453	-	-	6,010,901	-	-	5,594,071
Fuels	-	148,268	1,247,919	-	125,943	901,234	-	164,100	1,241,062
Wines, spirits, malt and tobacco	557,559	144	575,804	557,563	136	644,524	862,240	139	712,914
Total			<u>10,123,541</u>			<u>10,021,614</u>			<u>10,315,751</u>

## Public finance

29. Budget estimates for the calendar year 1970, as approved by the Gibraltar House of Assembly; were described in the last report of the Special Committee. g/ Apparently as a result of a policy decision to change the financial year to 1 April-31 March, estimates were later published for the year 1971/72, covering in fact the 15-month period 1 January 1970-31 March 1971. At the end of this period, the actual figures became available, and, later, approved estimates for the year 1972/73, covering a normal 12-month period, were published. These sources provided the following information:

	(pounds sterling)			
	<u>Estimate</u> 1972/73	<u>Estimate</u> 1971/72 (before revision)	<u>Increase</u>	<u>Actual figures</u> 1970/71 (15 months)
Recurrent revenue <u>a/</u>	5,373,530	4,685,630	687,900	5,952,060
Recurrent expenditure <u>b/</u>	5,183,393	4,620,380	563,013	5,436,147
Improvement and Development Fund: receipts <u>c/</u>	3,136,864	...	...	...
Improvement and Development Fund: expenditure <u>d/</u>	3,231,088	...	...	...

a/ The principal items of revenue were customs, licences, excise and internal revenue and municipal services (including rates of real estate taxes).

b/ The principal items of expenditure budgeted for 1972/73 were education, £502,360; public works (recurrent), £884,350; medical and public health, £580,443; and public debt charges, £363,910.

c/ These receipts consisted largely of United Kingdom government grants.

d/ The principal items of expenditure were housing, £2,192,120; medical services, £138,500; tourist development loans for Queensway Hotel, £145,000; and municipal services (notably a new desalination plant viaduct), £548,288.

## Transport and communications

30. There are about 19 miles of roads in the Territory. A total of 6,145 vehicles were licensed at the end of 1970.

31. Gibraltar Airport is situated at North Front, approximately 1,900 yards from the town, and has a runway 2,000 yards long. Air traffic control, meteorological facilities and the maintenance and operation of the airport are the responsibility

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g/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23, (A/8423/Rev.1), chap. XI, annex I.

of the Royal Air Force (RAF) which has an agreement with Gibraltar Airways for the handling of all civil aircraft.

32. British European Airways (BEA) and British United Airways (BUA) operate regular air services direct from London to Gibraltar; Gibraltar Airways' (GIBAIR) operates a Gibraltar/Tangier service. In 1970, there was a total of 1,272 commercial flights, the main operators being BEA, GIBAIR and BUA.

33. Telephone installations numbered 5,817, an increase of 172 over 1969.

#### Tourism

34. Tourism continued to be one of the most important industries in the Territory. According to information provided by the administering Power, the number of visitors staying in Gibraltar hotels in 1970 was 41,774, a reduction of 14 per cent compared with 1969. Compensating for this decrease was the extension in average length of stay from 4.8 to 5.5 days. The number of hotel beds continued to increase; by mid-1970, 1,391 beds of a tourist standard were available to visitors, a sharp increase over the previous year.

35. During 1970, 91 cruise liners called at Gibraltar. The number of passengers coming ashore on excursions was 59,151. During the year, 996 yachts visited Gibraltar, an increase of 13 per cent over 1969.

### 4. SOCIAL CONDITIONS

#### Labour

36. According to the administering Power, almost half the male wage earners in the Territory are employed by departments of the United Kingdom Government, or by the Government of Gibraltar. In the private sector, the largest employer is the construction industry. Commercial enterprises provide employment for a substantial number of clerical workers in shipping offices and trading agencies. Hotels, catering services, retail distributing trades and stevedoring are the other main sources of private employment.

37. As the resident population is insufficient to meet the demand of the industrial and commercial sectors, a substantial part of the labour force consists of alien workers. Until June 1969, most of these were Spanish workers resident in adjacent territories. Since the withdrawal of these workers in June 1969, Gibraltar has relied heavily on migrant labour, mostly from Morocco (about 3,000 persons); the shortage has also been partly compensated for by Gibraltarian workers working longer hours or taking up dual employment. At the end of 1970, the total insured labour force was 9,586, representing a decrease of about 2,500 compared with 1968.

38. According to the administering Power, the changed pattern of the labour force, from a largely commuting one to one wholly residing in Gibraltar required the amendment during 1970 of the Control of Employment Ordinance so as to introduce a system of quotas for the issue of employment permits for workers from abroad. Under this Ordinance, the employment of non-Gibraltarians, whether

British or alien, is prohibited if there are suitable Gibraltarian workers available and willing to take up the employment. The secondary purposes of the Ordinance are to ensure that the number of workers coming from abroad does not exceed the number for whom acceptable accommodation can be provided and also to develop local skills to the maximum possible extent. Work permits for aliens are issued by the Director of Labour and Social Security, through the Central Employment Exchange.

39. According to the administering Power, there was no significant unemployment during 1970. The majority of Gibraltarians registered as unemployed were either handicapped or elderly, and difficult to place. All unemployed workers who regularly prove unemployment at the Central Employment Exchange are granted credits in respect of contributions under the Social Insurance Scheme and, if they satisfy necessary conditions, are also eligible for unemployment benefits.

40. In June 1970, the Government approved a series of wage increases applying to industrial workers employed by official employers amounting to 15 per cent retroactive to 1 January 1970. Subsequently, and following further discussions arising from the continuing increase in the cost of living (see para. 43 below), an additional 3 per cent increase was paid from 1 July 1970 on the understanding that this would cover all cost of living claims to that date and that a formula for automatic adjustment of wages resulting from further movements in the cost of living would be negotiated, to be effective until the next general review of wages in July 1972. Such a formula was being negotiated in the Official Employers' Joint Industrial Council at the end of 1970.

41. At the end of 1970, the principal inclusive wage rates for the 3,600 industrial workers employed by Official Employers were as follows: labourers, £10.05; skilled labourers, £10.50 to £11; titular grades, £12.25; tradesmen, £12.75 to £13.55. Women in industrial employment were reported to receive approximately 90 per cent of comparable male rates.

42. As regards non-industrial employees of the Ministry of Defence and the Department of the Environment, the administering Power reported that standard salary structures and conditions were not materially different from those of the Government; women have received equal pay since 1969. Wage rates in the private sector were also reported to be substantially similar to those paid to workers in official employment.

#### Cost of living

43. The present official Index of Retail Prices (IRP) based on 100 per cent for January 1966. The quarterly index for 1970 was as follows:

	<u>January</u>	<u>April</u>	<u>July</u>	<u>October</u>
General IRP	123.03	125.52	127.23	128.91
Food group	116.13	118.97	118.67	118.10

44. Price controls introduced to stabilize the prices of essential commodities - butter, eggs, margarine, cooking oil, potatoes, and granulated sugar - remained in force throughout 1970.

### Trade unions

45. During 1970, there were 12 registered employer's associations with a total membership of 358, and 16 registered workers' unions with an aggregate membership of 3,524, representing approximately 40 per cent of the employed population. Seven of the workers' unions are branches of unions with head offices in the United Kingdom and are thus affiliated to the United Kingdom Trade Union Congress and in most cases to the International Confederation of Free Trade Unions (ICFTU).

46. As reported by the administering Power, statutory wage-fixing machinery is involved only when there can be no free negotiation between employers and employees owing to the absence of organizations.

47. In February 1970, a wage dispute between the Transport and General Workers Union and the Stevedoring and Cargo Handling Co., Ltd. was settled by compulsory arbitration. The dispute was the first occasion on which the relevant provisions of the Trade Unions and Trade Disputes (Cancellation and Arbitration) Ordinance of 1947 were invoked. The Arbitrator awarded an increase in basic wages of all grades, as well as an additional week's annual leave with pay to foremen and tally clerks. The unions failed to establish their claims with regard to other issues.

### Housing

48. As previously reported, although a total of 2,267 apartments were constructed between 1945 and 1969 at a cost of £7 million, the Territory's housing shortage still persisted.

49. In May 1971, it was announced that the administering Power would finance a £5.15 million housing scheme in Gibraltar from April 1973 to March 1976. The houses would comprise 20 buildings of five storeys each, totalling about 650 apartments. The financing arrangements consist of a 75 per cent grant, with the balance covered by a 6 per cent, 25-year loan, which includes a three-year grace period for repayment.

CHAPTER XIV  
FRENCH SOMALILAND<sup>1/</sup>

A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of its Working Group (A/AC.109/L.763 and Corr.1), decided, inter alia, to take up the question of French Somaliland as a separate item and to consider it at its plenary meetings.
2. The Special Committee considered the item at its 869th and 887th meetings on 27 April and 25 August.
3. In its consideration of the item, the Special Committee, aware that the General Assembly at its twenty-sixth session had decided to postpone consideration of the question of French Somaliland to its twenty-seventh session, took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action taken previously by the Special Committee and the General Assembly, and on the latest developments concerning the Territory.
5. In addition, the Special Committee also had before it the following written petitions concerning French Somaliland:

(a) Letter dated 25 April 1972 from Mr. Aden Roble Awale, Secretary-General, Front de Libération de la Côte des Somalis (FLCS) (A/AC.109/PET.1226);

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<sup>1/</sup> Note by the Rapporteur: Terminology Bulletin No. 240 issued by the Secretariat on 15 April 1968 (ST/SC/SER.F/240) reads as follows:

"The new name of the Territory formerly known as French Somaliland is: French Territory of the Afars and the Issas...

"This designation, which is being introduced at the request of the administering Power, should be used in all documents with the exception of those records of texts in which the speaker or author has used a different terminology."

(b) Letter dated 26 April 1972 from Mr. Ahmed Bourhan Omar, Secretary-General, Mouvement de Libération de Djibouti (MLD) (A/AC.109/PET.1227).

6. At its 866th and 867th meetings, on 26 April, the Special Committee, by adopting the 172nd and 173rd reports of the Sub-Committee on Petitions (A/AC.109/L.792 and L.793) decided to grant the requests for hearing contained in the petitions referred to above.

7. At the 869th meeting, held on 27 April in Addis-Ababa, Ethiopia, Mr. Awale of FLCS, and Mr. Omar of MLD, made statements (A/AC.109/SR.869). At the same meeting, statements in connexion with the hearings were made by Mr. D. Ouattara, Director, Political Department, Organization of African Unity (OAU), as well as by the Chairman (A/AC.109/SR.869).

#### B. DECISION OF THE SPECIAL COMMITTEE

8. At its 887th meeting, on 25 August, following statements by the representative of Trinidad and Tobago and by the Chairman (A/AC.109/PV.887), the Special Committee decided, without objection, to transmit to the General Assembly the working paper referred to in paragraph 4 above, in order to facilitate consideration of the item by the Fourth Committee and, subject to any directives that the General Assembly might give in that connexion at its twenty-seventh session, to give consideration to the item at its next session.



ANNEX\*

WORKING PAPER PREPARED BY THE SECRETARIAT

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\* Previously issued under the symbol A/AC.109/L.821.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE  
AND THE GENERAL ASSEMBLY

1. French Somaliland, now called the French Territory of the Afars and the Issas, a/ has been considered by the Special Committee and the General Assembly since 1966. The Special Committee's decisions concerning the Territory are set out in its reports to the General Assembly at its twenty-first to twenty-sixth sessions. b/ Action taken by the General Assembly prior to 1971 consisted of the adoption of resolutions 2228 (XXI) of 20 December 1966, 2356 (XXII) of 19 December 1967, and its decisions of 18 December 1968, 16 December 1969, and 14 December 1970. c/
2. On 16 October 1971, the Special Committee decided to transmit to the General Assembly the working paper prepared by the Secretariat in order to facilitate consideration of the item by the Fourth Committee and, subject to any directives which the General Assembly might give, to consider the item at its next session.
3. On 20 December 1971, the General Assembly decided to postpone consideration of the question of French Somaliland to its twenty-seventh session.

B. INFORMATION ON THE TERRITORY d/

1. GENERAL

4. Basic information on the Territory is contained in the report of the Special Committee to the General Assembly at its twenty-fifth session (see foot-note b/). The information presented in this section deals mainly with political and other developments during the latter part of 1971 and the first half of 1972.

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a/ For the new designation of the Territory, see Terminology Bulletin No. 240 (ST/CS/SER.F/240) issued by the Secretariat on 15 April 1968. See also Official Records of the General Assembly, Twenty-third Session, Annexes, addendum to agenda item 23 (A/7200/Rev.1), chap. XV, annex, paras. 6 and 7, for details concerning the change of name.

b/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. XII, para. 6; ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XI, para. 6; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XII, para. 6.

c/ Official Records of the General Assembly, Twenty-third Session, Supplement No. 18 (A/7218), p. 66, item 23; ibid., Twenty-fourth Session, Supplement No. 30 (A/7630), p. 75, item 23; ibid., Twenty-fifth Session, Supplement No. 28 (A/8028), p. 101, item 23.

d/ The information contained in this section has been derived from published sources.

## 2. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

### Constitution

5. The constitutional arrangements described in the working paper prepared by the Secretariat for the Special Committee in 1970 remained unchanged during the period under review. It will be recalled that the Territory has a Chamber of Deputies consisting of 32 members elected by direct universal suffrage for a term of five years. There is a Government Council consisting of a President and eight ministers who are elected by and from among the deputies. Certain powers are entrusted to the Government Council, and the fields of competence of the Chamber of Deputies are set out in the Constitution.

6. France is represented by a High Commissioner who is assisted by a deputy. The High Commissioner promulgates the laws and decrees after informing the Government Council, and subsequently ensures their execution. Decisions of the Chamber of Deputies and of the Government Council must be communicated to the High Commissioner before being published or implemented. The High Commissioner may request the French Minister in charge of Overseas Departments and Territories to annul acts of the territorial authorities. Matters not specifically listed as coming within the competence of the Chamber of Deputies or the Government Council come within the competence of the French State. These include external relations, control of immigration, defence, law and order and currency. The Territory is represented in the French parliament and in the Economic and Social Council.

### Statement by the French Minister in charge of Overseas Departments and Territories

7. During a three-day official visit to the Territory in February 1972, the French Minister in charge of Overseas Departments and Territories, Mr. Pierre Messmer, reportedly stressed that the Territory had not been conquered militarily but had become French following freely negotiated treaties, and that France had remained there with the full consent of the various population groups. He recalled that, following the incidents which took place in Djibouti in 1966, the population had been consulted and had voted overwhelmingly to remain French. e/

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e/ Serious disturbances occurred in Djibouti during the visit of President de Gaulle on 25 and 26 August 1966, and violent clashes broke out between demonstrators and local security forces. In view of the situation, a referendum was held on 19 March 1967 to consult the population with regard to its future status. The official returns of the referendum were reported to be as follows:

Registered voters . . . . .	39,312
Votes cast . . . . .	37,221
In favour of continued association with France . . . .	22,555
Against . . . . .	14,666

This, the Minister added, entailed a number of obligations for France, which had the duty to ensure equality between all citizens, whatever their origin and their faith.

8. France also had the duty to welcome those foreigners who wished to settle in the Territory, the régime of which appeared to appeal to them regardless of the position of their respective Governments on the subject. Foreigners, however, had the obligation to obey French laws, including that which banned illegal entry into the Territory. Consequently, France through its High Commissioner, was fully justified in expelling those foreigners who were illegally present in the Territory, and it would continue to do so whether or not this procedure met with everyone's approval.

9. Regarding the Territory's economic development, Mr. Messmer stressed the role which should be played by the port of Djibouti to make up for unfavourable natural conditions in the area. To that end, France was endeavouring to develop port facilities, to modernize the railway, to create a truly international airport, and to set up a satisfactory road network. In view of the stability of the local currency (see para. 27 below), it could be hoped that new industries and commercial activities would be attracted to the Territory, especially after the reopening of the Suez Canal. In the meantime, French investments would continue to be increased and the current sixth development plan (see para. 28 below) would undoubtedly contribute to the welfare of the Territory.

Statements by the Secretary-General of the Front de Libération de la  
Côte des Somalis (FLCS) and the Secretary-General of the Mouvement  
de Libération de Djibouti (MLD)

10. In its issue of 14 September 1971, L'Opinion (Rabat) published what it claimed was an interview with the Secretary-General of FLCS, Mr. Aden Roble Awale. In answer to questions, Mr. Awale reportedly charged the French Government with reinforcing its military potential in the Territory where, he said, some 20,000 men f/ had taken over the control of the watering points in the interior and had isolated Djibouti by surrounding the city with barbed wire and mine fields. With respect to the aspirations of the population, the French Government had set up a discriminatory system exemplified by the change in the Territory's name, which was intended to trigger tribal warfare and divide the people into opposing groups. This change, in Mr. Awale's view, could not be justified since the Afars and the Issas, from a linguistic, historical and religious viewpoint, belonged to the same ethnic group. While maintaining that the Territory lacked racial homogeneity and national unity, the French Government had reportedly begun a systematic "de-Somalization" policy and had deported over 10,000 persons whom it intended to replace with foreign nationals. In addition, there were no high-ranking Somali officials in the Territory and that population group could only accede to the lowest positions.

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f/ According to an article published in Le Monde (Paris) on 27 August 1971, French armed forces in the Territory numbered approximately 3,000, including some 500 from the Territory.

11. Regarding the administration of the Territory, Mr. Awale charged that local political institutions were nothing but small groups of notables chosen by the colonial administration which, at any rate, had concentrated all powers in the hands of the High Commissioner. In the educational field, the one high school in the Territory had been established in 1965, and only a minority of the students were from the Territory. As regards labour, indigenous workers were not free to organize, as demonstrated by the case of a union leader who had been expelled from the Territory and another who, Mr. Awale asserted, had been murdered in prison.

12. The leader of FLCS also charged that no separation of powers existed between the administrative and judiciary branches of Government, that sentences "rained-down" on the Issa community, and that arbitrary searches, torture and preventive detention for unlimited periods of time were common features under the current administration. Also to be noted was the fact that while half of the total population lived in Djibouti, g/ the city had barely 9,000 voters, h/ 2,000 of whom were Europeans. Most people were deprived of their civil rights because of their nationalist feelings or actions. Thus, Mr. Idriss, a former deputy in the French National Assembly, a former member of the territorial Government Council and currently one of the leaders of the opposition, had had his voting right withdrawn and had been forbidden to run for office.

13. In view of the situation, Mr. Awale was of the opinion that there could be no alternative to immediate and complete independence for the Territory. Subsequently, through a referendum conducted on the basis of universal suffrage, the people should be enabled to choose between joining a neighbouring State and attaining independence as a separate entity. Should the present peaceful efforts to obtain independence fail, FLCS was ready "to resume the armed struggle, along with urban terrorism".

14. During the Special Committee's meeting in Africa in April 1972, statements in connexion with the Territory were made by Mr. Awale of FLCS and by Mr. Ahmed Bourhan Omar, Secretary-General of MLD. These statements are included in the record of the relevant meeting (see A/AC.109/SR.869).

#### Other statements in connexion with the future of the Territory

15. In connexion with the political status of the Territory, Major General Mohamed Siad Barre, the President of the Supreme Revolutionary Council of the Somali Democratic Republic, was reported to have stated, in an interview which appeared in the Moroccan newspaper L'Opinion on 15 September 1971, that he failed to understand why France found it necessary "to tarnish her prestige among third world nations by letting her legionnaires bivouac indefinitely" in the Territory. He was also quoted as stating that he had intervened on several occasions "in order to get the FLCS to abandon violence and to take up the more reasonable weapon of negotiation". He had personally addressed an appeal along these lines to the French Government, urging it to prove that it was still faithful to its policy of universal equality and liberty. The Somali Democratic Republic was asking only that France grant independence to the people of the Territory, who would then be free to decide what course they wished to follow.

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g/ In 1967, the Territory had an estimated total population of 125,000.

h/ In the referendum of 23 April 1972 (see para. 20 below) 14,213 voters were officially registered in Djibouti; of these, 12,569 took part in the voting.

16. Subsequently, at a press conference held in Paris on 22 September 1971, Mr. Omar Arteh Galib, the Secretary of State for Foreign Affairs of the Somali Democratic Republic, stated that France could not refuse the people of the Territory the exercise of their human rights. He added that his Government refused, however, to include the Somali question in the larger issue of the liberation of Africa as the two could by no means be equated. In addition, the Somali Democratic Republic knew that it could trust France.

17. In a joint communiqué issued in Tripoli on 19 January 1972 at the end of a five-day official visit to Libya by Major General Barre, the Heads of State of Libya and the Somali Democratic Republic "called upon the Government of the French Republic to grant to the people of the Somali Coast their legitimate freedom and independence in accordance with the principles and goals of the Charter of the United Nations, the Universal Declaration of Human Rights and the resolutions of the General Assembly, and as a response to the expressed good will of the revolutionary Government of Somalia and her efforts to solve the problem by peaceful means".

#### New High Commissioner

18. On 16 September 1971, a new High Commissioner, Mr. Georges Thiercy, took up his duties in the Territory. He replaced Mr. D. Ponchardier who had been appointed in February 1969.

#### New political party

19. In March 1972 it was announced that a new opposition party, the Ligue populaire africaine (LPA) was being established in the Territory. The new party, which has a steering committee consisting of six Afars and six Issas, headed by Mr. Hassan Gouled, a former Vice President of the Territory's Government Council and a former Senator. The party's Secretary-General is Mr. Mohammed Ahmed Issa, at one time head of the Union démocratique Afar (UDA).

#### Referendum of 23 April 1972

20. The official returns of the referendum of 23 April 1972, in which the population of the Territory was called upon to express its opinion on the proposed enlargement of the European Economic Community and other organizations, i/ were reported to be as follows: j/

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i/ Voters were called upon to answer the following question: "Do you approve, with the new prospects opening for Europe, the bill submitted to the French people by the President of the Republic authorizing the ratification of the treaty concerning the membership of Great Britain, Denmark, Ireland and Norway in the European communities?"

j/ From Le Reveil de Djibouti, 29 April 1972.

	<u>Number</u>	<u>Per cent</u>
Registered voters	42,842	
Votes cast	38,786	90.53
Abstentions	4,056	9.47
Blank/void ballots	233	0.54
Valid ballots	38,553	
In favour of proposal	38,035	98.65
Against	518	1.35

21. For comparison purposes, returns in metropolitan France were reported to be as follows:

	<u>Number</u>	<u>Per cent</u>
Registered voters	29,852,768	
Votes cast	17,967,221	60.48
Abstentions	11,855,547	39.52
Blank/void ballots	2,081,076	6.7
Valid ballots	15,886,145	
In favour of proposal	10,854,044	68.32
Against	5,032,101	31.68

### 3. ECONOMIC CONDITIONS

#### Agriculture

22. During the period under review the Territory's Service de l'agriculture is reported to have concentrated its efforts on the settlement of various nomadic groups, especially in the Dikhil-Yobohi area, the Tadjourah-Sagallou coastal plain and several areas in the Mabla and Gouda mountains. According to available information, this settlement programme has already produced some results, particularly in the Dikhil cercle where the number of private gardens is reported to be growing steadily. The contribution of the French Government to this programme for 1972 is reported to amount to 8 million Djibouti francs, k/ as against 3.7 million Djibouti francs in 1971. Other agricultural developments during the year included the organization of 25 new gardens by the Service de l'agriculture and the addition of some 30 new water pumps by the Territory's farmers' co-operative.

#### Animal husbandry and fishing

23. During 1971, the activities of the Service de l'élevage et des pêches were devoted largely to helping the population of the drought-stricken

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k/ 55 Djibouti francs (DF) equal approximately one French franc; 198 Djibouti francs equal approximately \$US 1.00.

northern cercles. The Department is reported to have assisted local farmers by supplying fodder and protecting herds against drought-connected diseases and parasites. In addition, a new veterinary post was opened at Randa; together with other existings posts, it will be used as a source of supply by the Department's mobile teams.

24. As regards fisheries, work was started during the year on a lobster park and plans for 1972 include the establishment at Djibouti of cold storage facilities which would subsequently enable the Department to ship fish to the interior.

#### Trade

25. Although a total of 839 ships called at Djibouti between January and October 1971, as against 810 during the corresponding 10 months in 1970, the net tonnage for the period was inferior to that quoted for the same period during the previous year. Similarly, the sale of supplies to ships, which constituted one of Djibouti's main sources of revenue prior to the closing of the Suez Canal, is reported to have decreased from 538,000 to 426,000 metric tcns during the period under review. According to local authorities, these decreases are to be accounted for by the fact that fewer oil tankers called at the Ras-Shukheir oil field in the United Arab Republic in 1971.

26. As regards the future of the Territory's economic life, the main development during the year was the creation in Djibouti of a customs-free zone which is intended to give a new impetus not only to the port itself but also to the whole area. Work on the customs-free zone (building of warehouses, etc.) is reported to be under way and the whole complex is expected to become operational during 1972. Among other facilities, the customs-free zone will be equipped with a centre from which goods unloaded at Djibouti will be redirected, following processing or otherwise, to other ports of the Red Sea or the Persian Gulf. Although no detailed information is available regarding the cost and method of financing of this project, indications are that an unspecified though reportedly large share of the operation is to be financed by loans which the local government expects to redeem by letting the land on which the proposed facilities are to be built.

#### Currency

27. Following the realignment of a number of world currencies at the end of 1971, it was officially announced in the Territory that the par value of the Djibouti franc would not be changed and would remain at .414507 gramme of fine gold per 100 Djibouti francs. The rate of exchange between the Djibouti and the French francs also remained unchanged.



### New territorial development plan

28. On 4 June 1971, the Standing Committee of the Chamber of Deputies approved a new five-year development plan for the period 1971-1975, which had been prepared by the local Planning Committee and subsequently endorsed by the Government Council. According to available information, the proposed plan provides for a total investment of 11,094 million Djibouti francs, including 3,512 million Djibouti francs in assistance from the French Government, 1/ divided as follows:

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1/ This figure includes assistance by the Fonds d'investissement pour le développement économique et social (FIDES) and direct assistance from funds allocated to various French "technical ministries".

French Somaliland: Proposed method of financing development plan

(million Djibouti francs)

	<u>Total investments</u>	<u>FIDES</u>	<u>State technical ministries</u>	<u>European Development Fund</u>	<u>Private sector</u>	<u>Territory and govern- mental offices and corporations</u>	<u>Loans</u>
Production							
(Agriculture, cattle farming, fisheries and rural water resources development)	410	385			20	5	
Infrastructure							
(Roads, harbour, oil companies, electricity, tourism and broadcasting)	8,191	790	742	338	723	2,466	3,132
Social services							
(Health, education, sports, culture, housing and town planning)	2,202	687	617	320		383	195
Studies and research	291	291					
	<u>11,094</u>	<u>2,153</u>	<u>1,359</u>	<u>658</u>	<u>743</u>	<u>2,854</u>	<u>3,327</u>
Total							

29. In connexion with the new development plan, it was reported that whereas most of the Territory's needs for assistance from FIDES had been taken into account by the French Government, the funds to be contributed by the various "technical ministries" involved were substantially below the amount originally requested by the territorial authorities. In view of this development, a number of locally important projects m/ are to be financed either directly by local budgetary resources or by resorting to loans.

#### Scientific research

30. It will be recalled n/ that following the signing of an agreement between the local authorities and the University of Bordeaux, a Geological Studies and Development Centre was established in the Territory in December 1970. During the period under review, the Centre is reported to have continued its cartographic and research activities and is currently engaged in a study of Djibouti's underground water resources. With the assistance of six scientists from the University of Bordeaux, the Centre is also reported to be studying the possibility of setting up a number of distillation plants to product fresh water from sea water.

31. Also reportedly under consideration in the Territory is a plan under which local geothermal energy would be applied to the production of electricity to supplement the output of the Djibouti power station. In this connexion, it was reported in August 1971 that a geothermal plant, the financing of which would exceed by only 40 per cent that of a diesel-powered plant, could produce electricity for less than 2 Djibouti francs per kwh.

### 4. SOCIAL CONDITIONS

#### Public health

32. Despite strict sanitary controls at the borders of the Territory and two intensive prophylactic and vaccination campaigns during the last two months of 1970 and the first months of 1971, cholera flared up again in June 1971, and by the end of July the epidemic had claimed 66 lives out of 285 known cases. Following a third vaccination campaign, travel restrictions within the Territory were lifted in August and no new cases of the disease were reported until October, when two deaths occurred among six cases diagnosed at Hol-Hol and Ali-Sabieh in the interior. There were no subsequent reports of the disease and the epidemic is reported to be under control.

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m/ These include the construction of a shipyard for repair work in Djibouti, the construction of a highway between Tadjourah, Randa and Dorra, and the proposed exploitation of the Territory's geothermal energy.

n/ See Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XII, annex, para. 21.

33. Tuberculosis, which has been endemic in the Territory for many years, o/ continued to be a major source of concern for the authorities. During the period under review, over 1,000 new cases were detected by X-ray examinations of school children, persons seeking employment, civil servants and business employees. The administration is also reported to have organized an extensive BCG vaccination campaign which enabled all the children in Djibouti and some 4,700 children in the Dikhil and Ali-Sabieh cercles to receive the vaccine. A fund-raising tuberculosis control campaign was started in Djibouti on 15 January 1972.

34. Plans for 1972 are said to include a Territory-wide smallpox vaccination campaign; work on a new 32-bed ward in the Paul Faure Chest Disease Centre and on a new psychiatric wing at the Djibouti hospital; completion of two new hospital wards at Dikhil; and work on a new ward for tuberculosis patients at Tadjourah. Also included in the plans for 1972 is the establishment in Djibouti of a modern dispensary which will provide free medical and dental care as well as free medicine to all workers in the Territory. The dispensary, which is expected to be built at a cost of 50 million Djibouti francs and which will operate on an annual budget of between 60 to 70 million Djibouti francs, is expected to become operational on 1 October 1972. Current information indicates that the projected dispensary will be capable of handling some 15,000 persons annually.

#### Labour

35. According to a statement made on 30 November 1971 by Mr. Ali Aref Bourhan, the President of the Government Council, the lack of employment opportunities in the Territory continued to be a source of concern for the authorities during the period under consideration. In order to solve the problem, the territorial Administration is said to be considering a plan whereby an unspecified number of workers from the Territory would be employed on the French labour market, and to have already discussed the feasibility of such a plan with a French parliamentary mission which visited the Territory in August 1971. As a first step towards the implementation of this plan, the Administration reportedly intends to develop a number of local vocational training centres so as to give those workers who might subsequently wish to leave the Territory the same skills and qualifications as their French counterparts.

36. In view of the current labour situation, and in order to increase the number of employment opportunities, the Administration also intends to develop its public works programme in various areas of the Territory. To this effect, the establishment of a Fonds d'aide et de prévoyance (assistance and reserve fund), to be financed by means of an annual contribution representing .05 per cent of the regular income of the Territory and a lump sum provided by the French Government, was suggested by the Administration at the November 1971 session of the territorial Chamber of Deputies.

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o/ According to territorial health authorities, some 15,000 cases of the disease are known to exist in the Territory, chiefly among the indigenous population.

37. During the first 10 months of 1971, a total of 320 labour disputes were placed before the Territory's Inspection du travail et des lois sociales (Bureau of Labour and Social Laws); 70 per cent of these were reportedly settled amicably. During the same period, the local Caisse de prestations sociales (Social Security Office) is reported to have paid out 84.7 million Djibouti francs in compensation payments to workers who were involved in labour accidents, and 79.5 million Djibouti francs in family allowances. In this connexion, provision was also made during the year to increase the monthly spouse allowance from 900 to 1,000 Djibouti francs, and to increase from 600 to 800 Djibouti francs the monthly allowance paid in respect of each child. In addition, the Office is reported to have contributed 1 million Djibouti francs to assist the population of the drought-stricken Obock area.

38. At the beginning of 1972, the prescribed minimum rates of pay in the various employment categories were reported to be as follows:

Minimum rates  
(Djibouti francs)

Workers in occupations to which the 40-hour week is applicable:

Per hour	41.25
Per month (173.33 hours)	7,150.00

Workers in agriculture and related fields:

Per hour	34.65
Per month (200 hours)	6,930.00

Longshoremen (according to category):

Per hour	41.25 to 46.15
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Domestic help:

Per month (free provision of food)	5,350.00 to 9,660.00
Per month (food not provided)	7,150.00 to 11,461.00

Business employees, building industry and small industry workers (according to skills):

Per hour	41.25 to 323.21
Per month	7,150.00 to 99,241.00

39. On 1 January 1972, a 3 per cent salary increase went into effect for all civil servants and persons otherwise employed by the local government (agents territoriaux).

## 5. EDUCATIONAL CONDITIONS

40. The educational arrangements described in a previous working paper p/ remained unchanged during the period under consideration. It will be recalled that education in the Territory is free but not compulsory and that it is provided by both religious and secular institutions. The local administration finances public primary education and gives financial aid to mission schools. Secondary and technical education is provided by both types of institutions. In recent years, the taux de scolarisation (school enrolment ratio) averaged 40 per cent in Djibouti and 12 per cent in the interior.

41. In December 1971, it was reported that enrolment in the Territory's public primary schools had risen by 12 per cent between 1 January 1970 and 1 October 1971. It was also reported that 15 new classes, with a capacity of 540 pupils, had been started during the year to accommodate non-French-speaking children without prior school experience. Owing to lack of space, however, some 560 applications could not be satisfied.

42. As regards public secondary education, the Djibouti Lycée enrolled 900 students during the 1971/72 school year, as against 750 during the previous school year. The school is reported to have a faculty of 77 teachers, as against 57 in 1970. In the local Collège d'enseignement technique (technical high school), enrolment rose from 236 in 1970/71 to 378 during the current school year as a result of the opening of three new classes.

43. As noted above, a serious problem is reported to exist in the Territory as regards the availability of school buildings, particularly in the Djibouti area which has the highest concentration of population. Acknowledging this situation, the President of the Government Council stated in September 1971 that although the territorial Administration would continue to devote a substantial share of its budget to education in 1972, it could not expect, in view of the limited means at its disposal, to bridge the current gap without additional financial support from the French Government. That such a support would not be forthcoming in 1972 was subsequently confirmed by the President of the Government Council, who stated, during the budget session in the Chamber of Deputies, that only 50 per cent of the school buildings required for the 1972/73 school year would be built during the current year.

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p/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XI, annex.

# CHAPTERS XV-XXI

(A/8723/Add.5)

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ISLANDS, PITCAIRN AND THE SOLOMON ISLANDS, AMERICAN SAMOA AND  
GUAM, TRUST TERRITORY OF THE PACIFIC ISLANDS, COCOS (KEELING)  
ISLANDS, PAPUA NEW GUINEA AND BRUNEI

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## CHAPTER XV

### NEW HEBRIDES

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of the Working Group (A/AC.109/L.763), decided, inter alia, to refer the New Hebrides to Sub-Committee II for consideration and report.
2. The Special Committee considered the item at its 875th and 876th meetings, on 31 July and 1 August.
3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions including, in particular, resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account General Assembly resolution 2869 (XXVI) of 20 December 1971 concerning 17 Territories, including the New Hebrides, by paragraph 8 of which the General Assembly requested the Special Committee "to continue to give full consideration to this question, including in particular the dispatch of visiting missions to those Territories ...".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action previously taken by the Special Committee as well as by the General Assembly, and on the latest developments concerning the Territory.
5. The administering Powers did not participate in the work of the Special Committee during its consideration of the item.
6. At the 875th meeting on 31 July, the Chairman of Sub-Committee II, in a statement to the Special Committee (A/AC.109/PV.875), introduced the report of that Sub-Committee (A/AC.109/L.801) containing an account of its consideration of the New Hebrides (A/AC.109/SC.3/SR.150-154).
7. At its 876th meeting, on 1 August, following statements by the representatives of Sweden, India, the Union of Soviet Socialist Republics and Mali (A/AC.109/PV.876), the Special Committee adopted without objection the report of Sub-Committee II and endorsed the conclusions and recommendations contained therein (see para. 9 below), it being understood that the reservation expressed by the representative of Sweden would be reflected in the record of the meeting.

8. On 2 August, the text of the conclusions and recommendations was transmitted to the Permanent Representatives of France and the United Kingdom of Great Britain and Northern Ireland to the United Nations for the attention of their respective Governments.

#### B. DECISION OF THE SPECIAL COMMITTEE

9. The text of the conclusions and recommendations adopted by the Special Committee at its 876th meeting, on 1 August, to which reference is made in paragraph 7 above, is reproduced below:

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms the inalienable right of the people of the New Hebrides to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960.

(2) Fully aware of the peculiar problems of the Territory by virtue of its being a condominium, as well as of the special circumstances of geographical location and economic conditions that exist in the Territory, the Special Committee reiterates its view that the questions of size, isolation and limited resources should in no way delay the speedy implementation of the Declaration in the Territory.

(3) The Special Committee expresses its profound regret at the continued refusal of the representatives of the administering Powers concerned, namely France and the United Kingdom of Great Britain and Northern Ireland, to participate in its consideration of the question of the New Hebrides, thereby depriving it of supplementary information which would assist the Committee in formulating its conclusions and recommendations. The Committee accordingly requests the two Governments concerned to reconsider their attitude and to provide adequate information on the Territory.

(4) The Special Committee notes with deep regret that the intentions of the administering Powers with regard to the future of the New Hebrides are unclear. It considers the three parallel administrations, namely the joint Franco-British Administration, the French Administration and the British Administration, to be an obstacle to the political and economic advancement of the people of the Territory. The Special Committee therefore urges the administering Powers concerned to establish a system of government based on the full participation of the people with a view to the speedy implementation of resolution 1514 (XV).

(5) In this connexion, the Special Committee notes the report of a statement made at Vila, New Hebrides, by the French Minister of State for Overseas Departments and Territories on 27 May 1972, in which an indication was given of the desire on the part of the United Kingdom administration and of some indigenous inhabitants to transform rapidly the Advisory Council into a legislative assembly and to create a local executive authority. The Special Committee notes with concern that the French Administration, as reported in the statement, finds this request premature. It reiterates its hope that constitutional development will take place, including the revision of the 1914 Protocol, so as to transfer full governmental authority to the people of the Territory, and it urges the Governments of France and the United Kingdom to comply with these wishes.

(6) The Special Committee draws the attention of the administering Powers concerned to the high proportion of expatriate officials in the three administrations governing the Territory. In order to remedy this situation, the Special Committee proposes that the administering Powers organize accelerated training courses for senior local officials as well as higher education for promising young men and women in order to expedite the localization of the public services along the lines discussed by the enlarged Advisory Council.

(7) The Special Committee, bearing in mind that foreign interests appear to control seven times more registered land than the indigenous population and that the number of foreign companies registered in the Territory seems to have increased from 200 to 500 during the period under review, reiterates its serious concern over the rapid multiplication of foreign economic investments which are detrimental to the interests of the people of the Territory.

(8) The Special Committee is disquieted by the information concerning exploitation of land in the New Hebrides, and expresses the hope that recent measures introduced will be implemented to the benefit of the indigenous population.

(9) The Special Committee notes that the economy of the Territory is based on the production of copra, the world price of which has continued to fall in recent months. It expresses the hope that the administering Powers concerned will take the steps necessary to diversify the economy.

(10) The Special Committee notes with regret that the exodus of the work force, attributed to migration to New Caledonia, has continued. It is aware that such trends could be offset only by the improvement of economic conditions in the Territory, and therefore reiterates its suggestion that a study should be made of the subject.

(11) The Special Committee notes with regret that educational conditions lag far behind the Territory's requirements and urges the administering Powers concerned to take steps to ensure continued progress in that field. The Special Committee would also welcome information on the standards of the teacher-training programme in the Territory.

(12) Bearing in mind the invitation extended to it by the national political movement of Na-griamel "to visit the country forthwith", the Special Committee stresses once again the importance which it attaches to the dispatch of a visiting mission to the Territory. It is only through direct contact that the true attitudes, aspirations and wishes of the people can be ascertained. The Special Committee urges the administering Powers to reconsider their position concerning visiting missions and to allow a mission to visit the New Hebrides.

ANNEX\*

WORKING PAPER PREPARED BY THE SECRETARIAT

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\* Previously issued under the symbol A/AC.109/L.777.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE  
AND THE GENERAL ASSEMBLY

1. The Territory of the New Hebrides has been considered by the Special Committee and the General Assembly since 1964. The Special Committee's conclusions and recommendations concerning the Territory are set out in the reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/

2. The text of the conclusions and recommendations adopted by the Special Committee in 1971 in regard to the Territory and subsequently approved by the General Assembly at its twenty-sixth session and the text of General Assembly resolution 2869 (XXVI) of 20 December 1971, which concerned 17 Territories including the New Hebrides, have been made available to the Committee.

B. INFORMATION ON THE TERRITORY<sup>b/</sup>

1. GENERAL

3. Basic information on the New Hebrides is contained in the reports of the Special Committee to the General Assembly in its twenty-fifth and twenty-sixth sessions. c/ Supplementary information is set out below.

4. At 31 December 1970, the total population of the New Hebrides was estimated at 85,446 persons, of whom 5,438 were non-indigenous. Compared with the population at 31 December 1969, this represents an increase of 2,677 and 93 respectively. According to a 1971 survey made by the Immigration Department there were 1,964 British subjects living in the Territory. Of this number, 45 per cent were European and about 20 per cent Gilbertese and Fijian.

5. An earthquake of the strength of 7.4 on the Richter scale struck the New Hebrides on 28 October 1971. There was reportedly widespread damage and at least one man lost his life.

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a/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. XVII, para. 10; ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, para. 26 (a) and (d); ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XIV, para. 9.

b/ This section is based on published reports and the information transmitted to the Secretary-General by the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter on 2 December 1971 for the year ending 31 December 1970 and by France on 11 January 1972 for the year ending 31 December 1970.

c/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III. C; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XIV, annex I.

## 2. POLITICAL AND CONSTITUTIONAL DEVELOPMENTS

6. As previously reported, the Territory forms a condominium administered jointly by France and the United Kingdom. It is governed according to the terms of the Anglo-French Protocol of 6 August 1914.

7. The Advisory Council, which was enlarged in 1969, consists of 24 unofficial members (14 of whom are elected and 10 nominated) and 6 official members, including the British and French Resident Commissioners.

8. By Joint Regulation No. 21 of 1971, dated 24 September 1971, the Resident Commissioners prolonged the life of the Advisory Council for one year until 3 September 1972 "or until the date on which new elections are held by Joint Decision of the Resident Commissioners, whichever /date/ shall be earlier". d/

9. It is reported that one of the issues confronting the administering Powers is the constitution of the Advisory Council. Elections may take place in 1972 for a new kind of council, possibly with an enlarged franchise for both New Hebridean and European members and with more than simple advisory powers.

10. The problems caused by the economic boom in Vila, the capital, and the future of the cattle and beef industry in the New Hebrides were among the main concerns of the Advisory Council at its October 1971 session. The highlight of the session, however, was reportedly the debate on a petition e/ to the United Nations prepared by the Fiji law firm of Ramrakham on behalf of the Na-griamel movement. In connexion with the latter, the Resident Commissioners were supposedly requested to correct what was alleged to be false information supplied to the United Nations in the petition. The originator of the motion (No. 6) before the Council, Archdeacon D. A. Rawcliffe, requested the Resident Commissioners to urge the two metropolitan Governments to take steps to correct the false information regarding the New Hebrides General Assembly on behalf of Na-griamel and to enable the United Nations Secretariat to have access to more complete information on this group to furnish to its members. Archdeacon Rawcliffe cited portions of the petition dealing with land, cash crops exports, marriage customs and education as being in error.

11. Archdeacon Rawcliffe also complained that one fact not made clear in the working paper f/ on the Territory before the Special Committee in 1971, but which was of importance in understanding the way in which the Advisory Council works, was the fact that its six official members did not vote. There were in effect 24 voting members of whom 50 per cent were New Hebrideans. If the six official members were not counted it also was not true that the nominated members outnumbered the elected members. In the field of education, Archdeacon Rawcliffe

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d/ New Hebrides Condominium Gazette (No. 306), September 1971.

e/ A/AC.109/PET.1164 and Add.1.

f/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XIV, annex I.

was also concerned about the number studying outside the Territory. He put the number "probably... in the region of 200 to 300." The motion was adopted by 18 votes to 1, with 2 abstentions.

12. At the end of 1971, the New Hebrides National Party was reportedly established in the Territory. Developing out of the New Hebrides Culture Association, one of its main objectives is supposedly to oppose the Na-griamel movement. Its president is Mr. Aiden Garae.

#### Local government

13. According to the information transmitted by France, there were 21 local government councils in 1970, 15 of which were said to be functioning satisfactorily.

#### Public service

14. At the end of 1970, the joint services employed 166 overseas and 136 local officers, according to the United Kingdom report for the period under review. For the same period, the French reported 160 overseas and 576 local officers. The British National Service employed 115 overseas and 255 local officers. France reported that in the same year, there were 541 officers in the French administration of whom 85 were overseas officers. The remainder were either New Hebrideans or Tahitians and Wallis Islanders.

15. Order in Council No. 871 of 1971, which was to come into operation on 2 June 1971, makes provision for certain officers in the public service of the New Hebrides (British Service) to participate in a scheme whereby they receive certain financial benefits in return for remaining in the public service for a specified period, i.e., normally upon attaining the age of 50 years between 1 April 1972 and 1 April 1979.

16. Joint Standing Order No. 3, issued by the Resident Commissioners at Vila, to come into force on 31 July 1970, lays down the conditions of service of officers in the condominium service of the Joint Administration. The Joint-Standing Order covers such subjects as appointments, discipline, salaries and allowances, transport and subsistence both overseas and within the New Hebrides, housing, medical attention, courses of instruction and leave.

### 3. ECONOMIC CONDITIONS

17. The economy of the New Hebrides is based mainly on subsistence gardening and the production of copra.

## Copra

18. The New Hebrides is reported to be the second largest copra producing territory in the South Pacific, surpassed only by Papua New Guinea. Virtually all copra produced in the New Hebrides is exported, although there have been some small-scale local enterprises. Copra is exported mainly in bulk, although copra in sacks is exported to Japan.

19. Copra exports declined from 37,015 metric tons in 1969 to 31,197 metric tons in 1970. Production for 1971 was expected to be 35,000 metric tons. Reports from London and other European markets indicate that world demand may not increase in the near future. International monetary troubles and the longshoremen's strike on the west coast of the United States of America were among the reasons given for the loss of a substantial market in 1971. In November 1971, the price of copra fell to a record low level of \$A 50 per ton. g/ The New Hebrides beach price h/ had been \$A 85 per ton in February.

20. The principal markets for New Hebrides copra during the last decade have been France (by far the most important market), Japan, South America, Central America and the Netherlands. Following are the export figures for 1969 and 1970:

<u>Destination of exports</u>	<u>1969</u> (metric tons)	<u>1970</u> (metric tons)
France	29,835	27,754
Japan	2,365	3,443
South America	2,699	-
Central America	1,019	-
Netherlands	1,097	-
Total	37,015	31,197

21. The f.o.b. value of copra exported in 1969 was \$A 5.3 million, which represented 53 per cent of all New Hebrides exports. Copra exports in 1970 were valued at \$A 4.8 million, which was less than 50 per cent of total exports from the New Hebrides during the last year (\$A 11.6 million).

22. All New Hebridean copra, most of which is smoke-dried, is considered to be of poor quality. Owing to the almost complete absence of quality control and the method of marketing, there is no real incentive to improve copra quality. The only exceptions are a number of European plantations and some New Hebridean co-operatives which have produced improved copra of good quality for export to Japan.

23. Quality control for New Hebridean copra has long been talked about, but the absence of a wharf with storage facilities at Vila has been the main objection to

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g/ The pound sterling and the French franc are legal tender in the Territory. The currencies in use, however, are the Australian dollar (\$A) and the New Hebrides franc (FNH). One Australian dollar equals 100 New Hebridean francs or \$US 1.20.

h/ The beach price is the advance price per ton of copra delivered to the main storage facility.



some form of over-all control. A deep-water wharf is now being constructed at Vila and is scheduled for completion in 1972. This may then open the way for legislation to be introduced to control and improve copra quality if this is thought to be desirable by the two administering Powers.

24. There is a strong possibility that a copra oil mill may be constructed in the Territory. This could vitally affect copra quality control and even production. It is believed that an oil extraction plant might be situated at Espiritu Santo in the north of the group and that all or most of New Hebridean copra could be processed there. Presumably, improved quality copra would be required by the oil mill and there would be a differential in producer price between good and bad copra, thus encouraging uniform quality, if not control, in the next few years.

### Cattle

25. Cattle were originally imported into the New Hebrides at the end of the nineteenth and during the early part of the twentieth centuries. They were used initially as milk producers by the missions and as "brush cutters" (tondeuses) on the plantations. Later they became an important source of meat. As plantations developed, herds of cattle were kept to eliminate hand labour for plantation maintenance. Today, no plantation of any importance is without cattle, and New Hebrideans are now keeping cattle in increasing numbers underneath their coconut trees.

26. Some 10 years ago the number of cattle began to outstrip both the available grazing beneath the coconut trees and the demands of the local market. European plantation owners began to consider that cattle might be a more interesting agricultural proposition than copra. Declining copra yields, low prices, labour problems and an increasing return from beef reinforced this belief. New pastures are therefore being developed. In 1970, there were approximately 74,000 head of cattle in the Territory: 35,000 head were on Espiritu Santo, 18,000 head on Efate and the remainder on the other islands. France reported an increase to 75,000 head in 1971.

27. The Department of Agriculture recommends the raising of cattle in conjunction with coconut trees and is planning to follow this policy in such operations as the thinning of the coconut groves, diversification of agricultural production and improvements in plantation maintenance.

29. The Joint Administration, which has a financial interest of FNH 2 million in the Compagnie de Navigation Interîles, recently established by Plantations Réunies des Nouvelles-Hébrides for the transport of meat, is encouraging initiatives by the private sector in this area. The company is having a barge built in Australia to transport cattle; this will make it possible to ship animals from the islands, which until now have had no such means of transport. Construction of the barge was expected to be completed towards the end of September 1971.

29. Exports of meat and cattle products in 1970 totalled 442 metric tons valued at \$A 285,650. The French report the figure as FNH 23.6 million. There is now a freezer and cold storage unit on Efate and two such units on Espiritu Santo.

### Other crops

30. Cash crops other than copra include cocoa and coffee, but their production has been relatively small. In 1970, 832 tons of cocoa were exported at a value of FNH 32.2 million, representing 3.2 per cent of the total value of exports. Of this, 545 tons went to France and 287 tons to Asutralia. In 1970, 91.2 tons of coffee were exported to France, valued at FNH 4.1 million, or 0.35 per cent of total exports.

### Fisheries

31. In 1970, 9,218 metric tons of frozen fish were exported at a value of \$A 4.7 million, or 45.7 per cent of the total value of exports. Of this, 7,491 tons went to the United States and 1,727 tons to Japan. Most of the fish is brought to Pallicolo on Espiritu Santo, where it is frozen for export. The business is Japanese and employs fishermen and boats from Korea.

### Forestry

32. After receiving an initial temporary licence, the Agathis Company was awarded a two-year forest development licence effective January 1970; in 1970 the company exported 17,013 cubic metres of rough timber and 350 cubic metres of sawn timber having a total value of FNH 69.1 million, compared with FNH 47.4 million in 1969. Tax and customs receipts from the development of the Erromango species come from forestry taxes and export duties. These earnings amounted to FNH 5.5 million in 1970.

33. In July 1971, an expedition of the Royal Society of London began a special study of soils, plants and animals in the Erromanga Kauri forests and of the ecological consequences of timber extraction from the area. The main expeditionary party was composed of 16 scientists led by Dr. K. E. Lee of the Commonwealth Scientific Research Organisation of Adelaide, Australia.

### Mining

34. In 1970, 28,545 metric tons of manganese were exported at a value of \$A 327,692. Le Manganése de Vate (LMV), set up in 1969 to continue mining manganese at Forari, began operating anew on 1 June 1970. Southland Mining, Ltd. will handle the marketing. There is a possibility of a market in New Caledonia, but Japan remains the most reliable market.

35. The Magellan Petroleum Company, which had earlier shown interest in oil prospecting around Espiritu Santo and Mallicolo, decided subsequently to withdraw its request for prospecting and mining leases.

36. According to Joint Decision No. 58 of 1970, i/ dated 22 September 1970, Broken Hill Pty. Co., Ltd. was granted five renewable prospecting licences on Espiritu Santo to prospect for aluminium, iron, titanium, manganese, copper, lead, zinc, nickel, platinum-metal, uranium, vanadium, phosphates, sulphur and chromium from June 1970 to June 1972. Similar licences were granted to the Utah Construction and Mining Company and Utah Development Company (see Joint Decisions Nos. 44 and 109 of 1971, dated 8 April and 8 October 1971 respectively j/) and to Southland Mining, Ltd. (Joint Decision No. 45 of 1971, dated 13 April 1971 k/).

37. France reports that during the period under review, various firms sought to establish priority claims over mining areas. They included the following:

(a) BRGM, which obtained 15 licences covering 132,000 hectares on the island of Mallicolo and requested the renewal of licences for prospecting 490 hectares on Espiritu Santo.

(b) The Broken Hill Company, which obtained five licences covering a total of 50,000 hectares to explore for bauxite deposits in the eastern part of Espiritu Santo.

(c) The Magellan Petroleum Company, which had filed for licences covering 681,000 hectares to prospect for hydrocarbons (in-shore and off-shore) on Espiritu Santo and Mallicolo, subsequently decided to withdraw its request.

(d) Comstock Minerals and Bridge Minerals, which requested licences covering 30,500 hectares on Maewo and 2,300 hectares on Espiritu Santo.

(e) Southland Mining Ltd. and Coprospect, which filed two additional requests for authorization to conduct prospecting operations on their own account in an area covering 600,000 hectares.

38. Requests to conduct operations on their own account have also been filed by Mr. de Rouvray and the firms of Hebridean Exploration, Resource Exploration, Brinds, Ltd., Utah, covering a total of approximately one million hectares.

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i/ New Hebrides Condominium Gazette (No. 294), September 1970.

j/ New Hebrides Condominium Gazette, Nos. 301 and 307, April and October 1971.

k/ Ibid., No. 301, April 1971.

### International trade

39. Until 1968, the New Hebrides had a favourable balance of trade derived from the export of copra, fish and manganese. In 1969 imports exceeded exports by \$A 549,000. The trade balances for the years 1966-1970 were as follows:

<u>Year</u>	<u>Credit balance</u> (Australian dollars)	<u>Debit balance</u>
1966	1,993,350	-
1967	1,988,789	-
1968	1,351,407	-
1969	-	549,900
1970	-	1,534,000

40. There is no investment code in the New Hebrides. The British Residency has thus far opposed such regulations, which it considers unnecessary as there is neither a company nor a personal income tax in the Territory. The Joint Administration encourages private investment by granting tax benefits to firms whose activities promote the economic development of the Territory.

### Public finance

41. As previously reported, the Territory has three budgets. Revenue and expenditure for 1970 were as follows:

	<u>Revenue</u>	<u>Expenditure</u>
Joint budget	\$A 4,021,362	\$A 3,802,021
British National Administration	\$A 2,170,840	\$A 2,103,687
French National Administration	FNH 169,586,000	FNH 157,070,000

### Development aid

42. A five-year development programme for the period 1971-1973 has been announced by the two administering Powers, designed to increase the economic potential of the condominium. The development plan was prepared on the basis of recommendations by planning committees which included representatives of the Advisory Council and of the private sector. It was endorsed by the Advisory Council in November 1970. Wherever possible, emphasis has been given to projects which would either increase production or encourage new production.

43. The plan covers the following four sectors:

(a) Natural resources. Extension services are to be expanded and improved to encourage the rapid acceptance of better farming methods; subsidies and agricultural credit facilities are to be increased; a survey is to be commissioned of the potential for the beef cattle industry and money is to be provided towards the cost of building two abattoirs.

(b) Communications. All forms of communications are to be improved, including civil aviation facilities.

(c) Public works. The emphasis is to be on the provision and improvement of rural roads and water supplies, construction of public buildings and purchase of construction equipment.

(d) Urban development. This sector is to be concerned mainly with a low-cost housing programme but includes urban roads and other facilities.

44. The five-year programme envisages a total expenditure of about £4 million. It is to be financed from local revenue, loans, and subject to their approval of individual projects, from equal grants by the United Kingdom and French Governments.

45. In 1970, the extraordinary budget included \$A 551,781 for the Local Development Fund and \$A 598,250 for the Development Plan from Colonial Development and Welfare funds (CDW) and the Fonds d'Investissements pour le Développement Economique et Social (FIDES). France reported this latter figure as FNH 20,546,468 (CDW) and FNH 38,100,862 (FIDES).

46. In view of the high level of financial assistance and the active policy of encouragement envisaged in the plan, a single credit fund appeared inadequate for future requirements. A new autonomous joint agricultural fund was therefore to be established in early 1971, to be concerned solely with agricultural loans. The Agricultural and Industrial Loan Fund had a working capital totalling FNH 15 million. That amount was to be distributed, with FNH 10 million going to the new Fund and FNH 5 million being allocated for industrial loans. Annual contributions of FNH 10 million between 1971 and 1975 would raise the Fund's total available assets to FNH 60 million in 1975.

### Land

#### Registration and use

47. Apart from 591,057 hectares of unused land, more than 300,000 hectares of land out of a total of 1,188,166 hectares have not yet been registered.

48. Ninety per cent of the land still to be registered is controlled by three different groups. The breakdown is as follows:

	<u>Indigenous population</u>	<u>Société Française des Nouvelles- Hébrides (SFNH) (hectares)</u>	<u>French Government</u>
Registered land	15,248	88,343	21,406
Land being registered	177,252	79,438	70,403
Unused land	591,057	-	-
Total	783,557	167,781	91,809

49. The 177,252 hectares of Native land in the process of being registered correspond almost entirely to the reserves set aside for the indigenous population.

50. Land in the process of being registered is land which has been the subject of a preliminary judgement concerning registration and is awaiting a final judgement from the Joint Court. The second judgement is delivered only after delimitation by the topographical service and therefore does not automatically confirm the boundaries fixed in the initial judgement.

51. The system of land utilization and tenure in the New Hebrides was described at length in the report of the Special Committee to the General Assembly at its twenty-fifth session. 1/ Petitions from the Na-griamel movement m/ have raised the question of land alienation (see below). According to the most recent information received from France arable land use is divided as follows:

(a) Agriculture, about 640,000 hectares, of which 90,000 hectares are utilized, partly by the indigenous inhabitants, partly by European planters.

(b) Forestry, about 300,000 hectares; a very small amount of this land is used by the indigenous inhabitants for agricultural production.

(c) Uncultivated land, about 300,000 hectares.

#### Businesses

52. For all intents and purposes a "tax haven", the New Hebrides did not until recently (1970) have the facilities to enable firms or individuals to conduct transactions which would take their securities or capital outside the usual taxation channels. The rapid proliferation of business offices or financial companies (solicitors, trust companies, mortgage companies) has signalled the establishment of an infrastructure for the purpose of providing such facilities. This is the same process as that experienced 20 years ago in the Bahamas, a process which, as in the Bahamas, was generated by the development of tourism and by the advertising of business agents or major land developers. The latter apparently have to some extent played a revelatory role. Advertising brochures, published mainly in the United States, associating the beauty of the Territory with the advantages of a system of taxation reduced essentially to customs and registration duties, have undoubtedly contributed to the discovery of the New Hebrides as an ideal centre for transactions involving off-shore funds.

53. Because the New Hebrides lacks a telex network and rapid communications with the major future markets, and in view of the fact that in Europe and off the eastern coast of the United States there are countries offering the same benefits (the Bahamas, Bermuda, the Cayman Islands), Australians and, to a lesser extent, New Zealanders, are practically the only people who are interested in the

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1/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III.C.

m/ For the most recent petitions, see A/AC.109/PET.1164 and Add.1.

establishment of firms in the New Hebrides. However, the United States dollar crisis in the summer of 1971 and the fear of possible devaluation has attracted some United States investment to the New Hebrides.

54. The British Residency, which has the power to amend the national legislation of the New Hebrides, has followed the example of other tax havens, particularly that of the Cayman Islands, and has introduced special legislation simplifying establishment and taxation procedures for companies.

55. Following reports of the Territory's status as the world's newest tax haven, about 500 international companies have registered at Vila. Early in 1970, land near the harbour in Vila sold for \$US 0.12 a square foot. One year later it was selling for \$US 1.12 a square foot. The New Hebrides tax benefits were reportedly discovered by a Hawaiian real estate broker, Eugene Peacock. Mr. Peacock found that the islands had no income, company, profit or capital gains tax. Furthermore, people of any nationality were allowed to become residents. Mr. Peacock, through his Hawaiian associates, Amalgamated Land, Inc., reportedly bought several thousand acres of plantation land on Espiritu Santo for \$US 86,000, which he then subdivided into 800 lots and resold. He allegedly made more than \$US 3 million, minus sales and development costs. Amalgamated Land, Inc. then began selling subdivisions of more than 700 lots for an additional \$US 2 million at Cape Queiros and 1,200 housing and industrial lots in an area called Palikula about three miles from Luganville on Espiritu Santo. The Espiritu Santo subdivision sales were registered by Hawaii Government officials who visited the island to investigate.

56. Eventually, this land development became involved with the claims made by the Na-griamel movement and its leader, Jimmy Stephens, also known as Chief President Moses. Na-griamel has claimed land belonging to SFNH n/ but it has also laid claim to some of the land subdivided by Mr. Peacock, notably that at Cape Queiros. Some of the members of the Na-griamel movement removed surveyor's stakes and subsequently were arrested.

#### Legislation

57. On 2 August 1971, the Condominium Government enacted legislation to curb land speculation in the New Hebrides (Joint Regulation No. 16). Under the new regulations, the Administration's approval was required for any subdivision scheme involving more than two plots, and an added value tax of 50 per cent was imposed on all subdivided land sales. A regulation was also introduced to control immigration more closely, reportedly with the aim of preventing further purchases of land by foreigners. Subsequently, it was reported that public meetings had been held in Vila and Espiritu Santo in reaction to this legislation, a citizen's committee had

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n/ France reports that of the 168,504 hectares which SFNH manages, 88,343 hectares are registered (immatriculés). The remaining 80,161 hectares, which are the object of indigenous claims, have not yet received a permanent classification (judgement) from the Joint Court.

been formed, petitions had been presented to the Resident Commissioners and cables had been sent to Paris and London protesting the measures and to Washington, D.C., complaining of discrimination against United States citizens.

58. New added value tax legislation was issued in Vila on 8 October to replace the controversial regulation issued on 2 August 1971. Joint Regulation No. 22 of 1971 is a completely new text, rewritten to include amendments suggested by the Advisory Council Standing Committee when it met in late August. A tax rebate is allowed, starting at 15 per cent for over five years of ownership, up to a maximum of 80 per cent for over 50 years of ownership by the vendor. In addition, although the tax applies to the sale of every plot of land subdivided after 1 January 1967, on hire purchase sales already in progress on 2 August 1971, it will apply only to instalments paid since then.

59. Other amendments differentiate between the tax applicable on rural subdivisions (50 per cent of the maximum added value) and urban subdivisions (25 per cent), and provide for appeal to "the appropriate court" in the event of dispute over the assessment.

60. Despite changes, the legislation maintains the original intention to stop speculative land subdivision and it appears to be effective. According to those interested in developing the Territory's economy, high land prices, "grossly inflated and bearing no relationship to the land's true value", have frightened off potential hoteliers, ranchers and industrialists. Mr. Alan Collings, adviser on economic development to the Western Pacific High Commission, has pointed out that some Vila land prices are close to those for central industrial sites in Australia. Fully serviced central industrial land in Sydney is currently being offered at between \$A 90,000 and \$A 170,000 an acre. An acre and a half block in Vila, with no services, has been advertised at \$A 131,000.

61. The State of Hawaii is reportedly maintaining a ban on the purchase of New Hebrides land by residents of the State.

#### Transport and communications

62. The new wharf being built at Vila, on Efate, was expected to be completed around April 1972. It has a capacity for two medium-size cargo ships or one vessel of up to 30,000 tons. Some Tongans are reportedly employed in its construction, owing to the shortage of skilled workers in the Territory.

63. The United Kingdom reported that 292 vessels entered the New Hebrides in 1970.

64. Two companies provide air links with other countries. UTA has four flights a week to Auckland, Nouméa, Paris and Sydney, and Fiji Airways has six flights weekly to Honiara, Nadi, the Trust Territory of the Pacific Islands, Tahiti, Canada, the United Kingdom and the United States.



65. Air Melanesia provides local air service among the islands. Espiritu Santo is also served by Fiji Airways. Since early 1971, Air Melanesia has been operated as a consortium by the British-controlled New Hebrides Airways and the French-controlled Société Française Air Hébrides. In February 1971 Air Melanesia approved a new operating schedule to provide 48 flights weekly between Vila and Espiritu Santo, of which 36 are to be direct and 19 are to connect with UTA flights to and from New Caledonia.

#### 4. SOCIAL CONDITIONS

##### Co-operative societies

66. According to the administering Powers, there were 134 co-operative societies registered in the Territory with a total membership of 7,500. Co-operatives under the jurisdiction of the British Service numbered 107 (87 active and 20 being formed) while those under the jurisdiction of the French Service numbered 27 (20 active and 7 being formed).

67. Consumer societies had an average monthly turnover of \$A 103,737, while the total co-operative turnover for 1970 was \$A 1.9 million. The total capital investment in co-operatives was \$A 567,397.

68. It is reported that the co-operative movement in the New Hebrides has had a stimulating effect upon the Territory's copra production by making co-operative members more cash and income conscious. New Hebrideans are now beginning to form producer co-operatives and to develop coconut plantations together with cattle on a co-operative basis.

##### Labour

69. As previously reported, most of the employed labour works on copra plantations, trading ships or in semi-skilled jobs. In 1970, there were 35,367 persons working for wages and 5,954 on salary. There were 246 employers, bringing the total work force to 41,567 persons, compared with 42,132 in 1969. The loss in the work force, which has aggravated the labour shortage on the plantations, is attributed by France to emigration to New Caledonia.

70. Considering the economic development of the Territory since 1970, and taking into account population movements (immigration from Fiji, the Kingdom of Tonga, the Solomon Islands and the Wallis Archipelago fails to offset the emigration of New Hebrideans to New Caledonia), figures relating to the situation in the labour market can only be approximate. The projections for 1972 prepared by an expert from the International Labour Organisation (ILO) provide an indication of the current situation. Apparently there are more jobs for better money in New Caledonia, and it is estimated that there are about 3,500 New Hebrideans there. This represents about 13 per cent of the indigenous population actively employed in agriculture.

71. Contrary to what may have been expected, it is reported in a recent study of New Hebrides expatriates, made by a combined team from the British and French residencies in the condominium, that most of the New Hebrideans have been working in the building industry rather than the mines of New Caledonia. The study notes: "New Hebrideans prefer to live in town, where they can keep each other company, and to work in a team... life in the mines, being at once harder, lonelier and less conducive to social contacts...". According to the study, there are very few carpenters, joiners, masons, plumbers, electricians, mechanics, repairmen or hotel personnel who have to be trained.

72. According to the study, New Hebrideans in New Caledonia are paid well: those doing heavy work receive a monthly take-home pay of \$A 250 to \$A 350. Of this it is estimated that \$A 100,000 monthly flows back to the New Hebrides through the banks. An additional \$A 100,000 a month is reportedly taken home by expatriates. This amounts to a total of approximately \$A 2.4 million a year.

73. The lowest wage paid in the New Hebrides is that of an unskilled plantation worker who, in addition to free rations, earned \$A 20 to \$A 30 per month: in 1970, plus overtime. At the other end of the scale, skilled store employees received from \$A 3 to \$A 6 per day.

#### Public health

74. In 1970, there were in the Territory a total of 17 registered physicians (including 15 employed by the government). There were also 2 pharmacists, both private; 3 dentists (one government employed); and 184 nurses (121 government employed). Hospital facilities consisted of 3 government general hospitals, 7 auxiliary hospitals, 4 medical centres, 18 rural dispensaries with beds, 66 dispensaries, 1 leprosary, 1 psychiatric centre and 3 maternity and child care centres.

75. In 1970/71 expenditure on public health by the British National Service totalled \$A 330,901. Expenditure by the French National Service in 1970 was FNH 39,151,000.

76. Construction on the French hospital and the British hospital, both at Vila, was expected to start in 1971.

#### Family planning

77. The New Hebrides has one of the fastest rates of population increase in the Pacific. It is not uncommon for New Hebridean women to have 10 to 15 children. Among the proponents of family planning is Dr. Makau Kalsakau of Vila, a New Hebridean member of the Advisory Council, who reportedly advocates a programme under government sponsorship to explain family planning methods to the local population.

78. Owing to the population increase, it is reported that in the more heavily populated islands of the New Hebrides a class of dispossessed people is emerging who must rely on regular wages for a livelihood. New Hebrideans in the past have been able to scorn wage-paid labour; if they did not wish paid work they could always subsist in their villages. Now in some areas, such as Paama, Tongoa, and to some extent, Tanna, it is reported that many persons are obliged to move to Espiritu Santo and Vila because there is not enough land in their villages. Whole families are moving into town permanently. Slums are beginning to appear in Vila.

## 5. EDUCATIONAL CONDITIONS

79. Primary education supported by the British National Administration was provided in 183 independent or mission schools and 21 public schools with a total enrolment of 11,493 pupils in 1970. The French National Administration operated 44 primary schools in 1970 staffed by 168 teachers, of whom 49 were indigenous. These schools had an enrolment of 3,324 pupils, of whom 2,972 were indigenous. There were also 35 private schools, run by French voluntary organizations, with an enrolment of 3,800 pupils, of whom 3,700 were indigenous. The total number of children of school age was 24,000 in 1970.

80. The French National Administration operated two secondary schools, with a total enrolment of 255 students in 1970. The one British secondary school had an enrolment of 132 pupils in 1970. There were also three independent schools with an enrolment of 214 students. The United Kingdom reported eight secondary students enrolled overseas and France reported nine scholarship students in New Caledonia and one in France. Four students were in French universities on scholarships granted by the French National Administration.

81. Vocational training for boys is provided by an independent school with an enrolment of 32. In addition, the British National Administration's teacher-training college, staffed by eight teachers, had an enrolment of 77 students in 1970.

82. The Joint Administration of the condominium provides an annual subvention for education, which is equally divided between the two national administrations and is used to help provide educational facilities in accordance with the respective policies of the metropolitan countries. In 1970, the subvention amounted to \$A 119,600 to each national administration. Expenditure by the British National Administration totalled \$A 659,653. British Development Aid provided an educational grant of \$A 103,950. Educational expenditure by the French National Administration in 1970 amounted to 11,711,744 French francs.

## CHAPTER XVI\*

### NIUE AND THE TOKELAU ISLANDS

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of the Working Group (A/AC.109/L.763), decided, inter alia, to refer Niue and the Tokelau Islands to Sub-Committee II for consideration and report.
2. The Special Committee considered the item at its 877th, 879th, 881st, 885th and 886th meetings, between 2 and 23 August.
3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account General Assembly resolution 2868 (XXVI) of 20 December 1971 on the question of Niue and the Tokelau Islands. By paragraph 3 of that resolution the General Assembly, in taking note of the arrangements made by the Special Committee for the dispatch of a visiting mission to Niue in 1972, requested the Special Committee, inter alia, "to instruct the Visiting Mission to obtain first-hand information on conditions in the Territory and on the wishes and aspirations of its people and to recommend practical steps for their advancement as soon as possible towards self-government and self-determination".
4. During its consideration of the item, the Special Committee had before it a working paper relating to the Tokelau Islands prepared by the Secretariat (see annex II to the present chapter) containing information on action previously taken by the Special Committee as well as by the General Assembly, and on the latest developments concerning the Territory. In addition, the Special Committee took into account the relevant section of the report of its Chairman on the question of sending visiting missions to Territories. 1/
5. The representative of New Zealand, as the administering Power, participated in the work of the Special Committee during its consideration of the item.

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\* Chapters III and IV (A/8723 (Part II)) of the Special Committee's report also relate to the present chapter.

1/ A/8723 (Part II), chap. IV, annex.

6. At the 877th meeting, on 2 August, the Chairman of the Special Committee, in his capacity as the Chairman of the United Nations Visiting Mission to Niue, 1972, introduced the report of the Mission (see annex I to the present report). Statements were also made by the other two members of the Mission, the representatives of Sweden and of Trinidad and Tobago, as well as by the representative of New Zealand (A/AC.109/PV.877).

7. At the 879th meeting, on 8 August, statements on the item were made by the representatives of Sierra Leone and of Venezuela (A/AC.109/PV.879).

8. At its 881st meeting, on 14 August, the Special Committee decided without objection to adopt the report and to endorse the conclusions and recommendations contained therein (see paragraph 12 below).

9. At the 885th meeting, on 21 August, the Chairman of Sub-Committee II, in a statement to the Special Committee (A/AC.109/PV.885), introduced the report of that Sub-Committee (A/AC.109/L.826) containing an account of its consideration of the Tokelau Islands (A/AC.109/SC.3/SR.160, 161). Statements were also made by the representatives of Trinidad and Tobago and New Zealand and by the Chairman (A/AC.109/PV.885).

10. At its 886th meeting, on 23 August, following statements by the representatives of Czechoslovakia, the Union of Soviet Socialist Republics and New Zealand as well as by the Chairman (A/AC.109/PV.886), the Special Committee adopted without objection the report of Sub-Committee II and endorsed the conclusions and recommendations contained therein (see paragraph 13 below), it being understood that the reservations expressed by members would be reflected in the records of the meeting.

11. On 29 August, the text of the conclusions and recommendations on the item was transmitted to the Permanent Representative of New Zealand to the United Nations for the attention of his Government.

## B. DECISIONS OF THE SPECIAL COMMITTEE

### Niue

12. The text of the conclusions and recommendations of the United Nations Visiting Mission to Niue in 1972, which were endorsed by the Special Committee at its 881st meeting, on 14 August, to which reference is made in paragraph 8 above, is set out in chapter V (paragraphs 266 to 300) of the Mission's report appended to the present chapter as annex I.

### Tokelau Islands

13. The text of the conclusions and recommendations concerning the Tokelau Islands adopted by the Special Committee at its 886th meeting, on 23 August, to which reference is made in paragraph 10 above, is reproduced below:

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms the inalienable right of the peoples of the Tokelau Islands to self-determination in conformity with the Declaration contained in General Assembly resolution 1514 (XV) of 14 December 1960.

(2) The Special Committee notes the statement of the representative of the administering Power concerning the difficulties of life on atolls in the Pacific such as the Tokelau Islands. It further notes the statement of the representative of the administering Power to the effect that many small Non-Self-Governing Territories face problems of area, remoteness, lack of resources and size of population and that the United Nations has an obligation to make a deliberate effort to guide the future of such Territories, taking into account the existence of these features. It considers, however, that these problems should not prevent the implementation of the Declaration contained in General Assembly resolution 1514 (XV) in the Tokelau Islands. In this connexion, it notes that the right of the people of the Territory to self-determination is fully supported by the administering Power.

(3) The Special Committee notes with satisfaction the extensive co-operation which the Government of New Zealand afforded to it by inviting the Special Committee to send a visiting mission to Niue and the Tokelau Islands. It regrets, in this connexion, that, owing to circumstances beyond the control of the Committee and the administering Power, the 1972 Mission to Niue was unable at that time to visit the Tokelau Islands. Nevertheless, the Special Committee notes that the 1972 Mission, in its official programme in New Zealand, gave some consideration to the Tokelau Islands. The Special Committee expresses the hope that a visit to the Territory may become a reality in the future.

(4) The Special Committee notes that a final decision on the future of the Tokelau Islands has not yet been taken. Nevertheless, it notes that the Tokelauans have rejected union with neighbouring island groups and that they appear to consider that migration to adjacent island groups or to New Zealand may provide the answer to their problems, particularly that of over-population. It also notes that for this reason, the administering Power is continuing to implement the Tokelau Islands Resettlement Scheme.

(5) The Special Committee takes note of the statement of the representative of the administering Power that opportunities are provided for Tokelauans to attend secondary schools, receive training in trades and attend university and that 41 Tokelauans are currently attending courses in New Zealand, Western Samoa and Fiji under the New Zealand training scheme, while 15 new students are expected to commence training under the scheme in 1973. It expressed the hope that the administering Power will continue to facilitate access to higher education and to training so as to produce the professional personnel which the Tokelauans will require when they are in a position to determine their own future.

# ANNEX I\*

## REPORT OF THE UNITED NATIONS VISITING MISSION TO NIUE, 1972

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\* Previously issued under the symbol A/AC.109/L.810/Rev.1 and Add.1.

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## INTRODUCTION

### A. Terms of reference

1. For a number of years the General Assembly has stressed the vital importance of United Nations visiting missions as a means of securing adequate and first-hand information on political, economic and social conditions in Non-Self-Governing Territories, and also as a means of ascertaining the views, wishes and aspirations of the people in these Territories. Accordingly, it has urged the administering Powers to permit access by such visiting missions to Territories under their administration.

2. In paragraph 13 of its resolution 2708 (XXV) of 14 December 1970, the General Assembly again called upon the administering Powers "to co-operate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" as regards the receiving of visiting missions, and in paragraph 8 of its resolution 2709 (XXV) of the same date concerning 25 Territories, including Niue and the Tokelau Islands, requested the Special Committee "to continue to pay special attention to the question of small Territories" and to report to the General Assembly at its twenty-sixth session on the implementation of the present resolution".

3. In June 1971, as reflected in the report of the Chairman of the Special Committee on his consultations with representatives of the administering Powers, a/ the representative of New Zealand expressed his Government's willingness to receive a small visiting mission to Niue and the Tokelau Islands at a suitable time in 1972 to enable the United Nations to obtain first-hand information on the wishes of the people, the situation prevailing in, and the problems being faced by, these two Territories.

4. At its 816th meeting on 16 August 1971, the Special Committee, by adopting the report of its Sub-Committee II, b/ inter alia, welcomed the invitation extended to it by the Government of New Zealand and requested its Chairman to take the necessary steps, in consultation with its members and the administering Power, to dispatch a mission to the Territories at a suitable time in 1972. Subsequently, at its 822nd meeting on 1 September 1971, the Special Committee adopted a resolution on the question of sending visiting missions to Territories, c/ paragraph 1 of which read as follows:

"1. Notes with satisfaction that the Government of New Zealand has responded positively to the request contained in the relevant General Assembly resolutions by extending an invitation to the Special Committee on

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a/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. IV, annex I, para. 11.

b/ Ibid., chap. XV, annex III.

c/ Ibid., chap. IV, para. 20.

the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a visiting mission to Niue and the Tokelau Islands in 1972;"

5. At its 832nd meeting on 26 November 1971, the Special Committee, following consultations by the Chairman with the members of the Committee and the administering Power, decided, inter alia, that: (a) the proposed visiting mission should consist of three members of the Committee to be nominated by the Chairman at a date early in 1972, on the basis of consultations with members of the Committee and the administering Power; and (b) in the light of the information it had received from the representative of the administering Power, that the mission should at this time visit only Niue.

6. At its 2028th plenary meeting, on 20 December 1971, the General Assembly adopted resolution 2868 (XXVI) on the question of Niue and the Tokelau Islands by a recorded vote of 117 to none, with one abstention. The resolution reads as follows:

"The General Assembly,

"Having considered the question of Niue and the Tokelau Islands,

"Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, d/

"Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Having heard the statement of the representative of the administering Power, e/

"Taking into account the conclusions and recommendations of the Special Committee regarding developments in Niue and the Tokelau Islands,

"Noting the recent constitutional developments in Niue which have been embodied in the Niue Amendment Act, enacted in 1971 by the Government of New Zealand as the administering Power,

"Noting with appreciation that the administering Power has responded positively to the requests contained in the relevant General Assembly resolutions by extending an invitation to the Special Committee to send a visiting mission to Niue and the Tokelau Islands in 1972,

"1. Reaffirms the inalienable right of the people of Niue and the Tokelau Islands to self-determination in conformity with General Assembly resolution 1514 (XV);

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d/ Ibid., chaps. IV and XV.

e/ See document A/C.4/SR.1960.

"2. Calls upon the administering Power to take further measures, in accordance with the wishes of the people, to enable the people of the Territory to exercise their right to self-determination as soon as possible;

"3. Takes note of the arrangements made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for the dispatch of a visiting mission to Niue in 1972 f/ and requests the Special Committee to instruct the visiting mission to obtain first-hand information on conditions in the Territory and on the wishes and aspirations of its people and to recommend practical steps for their advancement as soon as possible towards self-government and self-determination;

"4. Requests the administering Power to provide all the necessary assistance and facilities to the visiting mission in the discharge of its tasks;

"5. Requests the Special Committee to continue to examine this question and to report thereon to the General Assembly at its twenty-seventh session."

#### B. Composition of the Mission

7. At its 842nd meeting, on 20 March 1972, the Special Committee, on the proposal of the Chairman, decided that the proposed visiting mission to Niue should consist of the representatives of Sweden, Trinidad and Tobago and the United Republic of Tanzania. Accordingly, the mission was composed as follows:

H.E. Mr. Salim Ahmed Salim	United Republic of Tanzania (Chairman)
Mr. Frank Owen Abdulah	Trinidad and Tobago
Dr. Brita Skottsberg-Ahman	Sweden

8. The Secretary-General made available the following staff members to accompany the mission: Mr. Richard W. Wathen, Principal Secretary; Mr. Michel Pelletier, Political Affairs and Administrative Officer; and Miss Carmen Reinares, Secretary.

#### C. Itinerary

9. The Mission departed from New York on 16 June 1972 with the intention of arriving in Niue on 19 June 1972. Owing, however, to a strike of airline pilots, it did not arrive in Niue until 21 June. Nevertheless, it proceeded

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f/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1).

to Nuku'alofa in the Kingdom of Tonga where it held its first formal meeting with representatives of the administering Power on the day before its arrival in Niue.

10. The Mission's itinerary in Niue forms annex I to this report. The Mission proceeded to Western Samoa and American Samoa on 26 June and to New Zealand on the following day. In New Zealand, the Mission met with representatives of the New Zealand Government as well as representatives of Niuean communities in both Auckland and Wellington. Summaries of these meetings are set forth in the body of the report.

11. Upon completion of its programme in Wellington, the Mission returned to Auckland by car whence it departed on 2 July 1972. At Rotorua, where the Mission spent the night of 1 July, part of the official programme included visiting the homes of two Tokelauan families who had been resettled in New Zealand.

#### D. Acknowledgements

12. The Mission wishes to place on record its deep appreciation to the Government of New Zealand for the full measure of co-operation and assistance it received throughout its visit and for the courtesy and kindness extended by the Prime Minister, the Right Honourable J. R. Marshall; by the Minister of Island Affairs, the Honourable Duncan MacIntyre; by the Minister of Overseas Trade, the Honourable B. E. Talboys; and by senior officials of their departments as well as those of the Ministry of Foreign Affairs during the Mission's stay in Auckland and Wellington.

13. The Mission also wishes to express its profound gratitude to the Government and people of Niue for their co-operation and invaluable assistance to the Mission. The Mission was very much moved not only by the extraordinary warmth and hospitality displayed by the people of Niue and their leaders to the Mission but also by their willing participation in the work of the Mission. The Mission wishes in particular to convey its appreciation to the Resident Commissioner, Mr. Selwyn D. Wilson; the Leader of Government, the Honourable Robert R. Rex; and the members of the Executive Committee who did everything to facilitate the smooth functioning of the Mission.

14. Last but by no means least, the Mission wishes to single out for special appreciation, the Secretary of Maori and Island Affairs, Mr. J. M. McEwen, and the First Secretary of the New Zealand Mission to the United Nations, Miss Alison Stokes, who accompanied the Mission throughout and who both by their presence and attention contributed in no small way to the successful completion of the Mission's task.

15. The members of the Mission also wish to place on record their gratitude to the Governments of Fiji and Tonga for the hospitality extended to them and the facilities placed at their disposal during their brief visits to those countries while on their way to Niue. It also wishes to thank the Governments of Western Samoa and American Samoa for the cordial reception it received in Apia and Pago Pago while en route to New Zealand.

## I. INFORMATION ON THE TERRITORY

### A. General description

16. Niue Island lies approximately 300 miles eastward of the Kingdom of Tonga and 350 miles south-east of the Samoan group. It has an area of about 100 square miles and a circumference of more than 40 miles by road. Measured from north to south, the island is 13 miles long.

17. Niue consists entirely of upheaved coral and is probably the result of a series of upheavals, to which many deep chasms bear witness. In general formation it takes the shape of two terraces, the lower being 90 feet above sea level and the upper about 220 feet above sea level. Its villages, 14 in number, are situated around the coast on the lower terrace on the western side of the island, and on the upper terrace on the north-eastern and southern sides. The interior of the island, which is covered by forests, is uninhabited.

18. The port of Alofi is an open roadstead. Vessels anchor some distance off-shore, or cruise about, and passengers and cargo are brought ashore by launches towing lighters through a natural passage in the reef which must be widened from time to time since coral encroaches thereon. There is no alternative safe anchorage in the island but there are landings at Tuapa and Avatele.

19. Niue is on the edge of the hurricane belt. The last major storm in February 1968 caused much crop damage.

20. Niue probably has been inhabited for more than 1,000 years, settlement being made by two principal migrations from Samoa and Tonga respectively. The people of the Cook Islands also have legends relating to migrations to Niue.

21. At 31 March 1972 the population totalled 4,988. Increasing numbers of Niueans are leaving the island each year. Excluding non-Niueans, the excess of departures over arrivals in the last three calendar years has been 179, 308 and 382. In the same three years, excess of Niuean births over deaths has been 174, 158 and 117. This means that there has been a net loss of population in each of the three years of 15, 150 and 265 respectively. The 1971 figure represents a loss of over 5 per cent of the population, that is to say, in one year, a fairly rapid decline in population.

### B. Political and constitutional development

#### General

22. The people of Niue are Polynesians and their social organization is similar to that of other Polynesian societies except that there are no chiefs and hereditary links are of little importance. Village affairs are traditionally the concern of the elders of the community. Heads of family have a voice only in matters relating to land.

## Status

23. Captain James Cook is the first European known to have visited the island, making three landings in June 1774. In the mid-nineteenth century the island fell under the influence of the London Missionary Society. Niue was declared a British Protectorate in April 1900 and brought under British sovereignty in October 1900. In June 1901, the island was annexed to New Zealand by proclamation.

24. Today, Niue is included within the boundaries of New Zealand. The New Zealand Department of Maori and Island Affairs is the executive link between the territorial Government of Niue and the Government of New Zealand. Niueans are British subjects and New Zealand citizens; they are therefore free to enter New Zealand without restriction. There is a resident community of about 4,900 Niuean people in New Zealand.

## Executive and legislative branches

25. Originally administered by the New Zealand Government as part of the Cook Islands, Niue was placed under separate administration in 1903. The executive Government of Niue is vested in the Crown in right of the Government of New Zealand. Until 4 March 1972, the Resident Commissioner was charged with the executive Government of Niue and exercised his powers and functions subject to the authority of the Minister of Island Affairs. Since then the Executive Committee has been charged with the legal responsibility for the executive Government of Niue. Under the Niue Act of 1966, there is a Niue Island Legislative Assembly of 14 members elected by universal suffrage. The Leader of Government and the three appointed members of the Executive Committee are collectively responsible to it.

26. The Resident Commissioner remains the chief administrative officer of the Government of Niue and is also required to report to the Minister of Island Affairs with respect to the affairs of Niue, and to convey to the Government of Niue the views of the Government of New Zealand on any matter.

27. General elections were held on 18 March 1972 and the new Legislative Assembly held its first meeting on 28 March, when Mr. Robert R. Rex was elected Leader of Government (formerly Leader of Government Business) for a further three-year term.

28. It should be recalled that elections are held under the Assembly Ordinance of 1966, No. 33, of 1 February 1966. A person is deemed qualified to be registered as an elector if he is a British subject, over the age of 18 years, has been ordinarily a resident of Niue for three months prior to his enrolment, has at some period resided continuously in the Territory for 12 months, has not been convicted in Niue or any other part of the Commonwealth of any offence punishable by death or by imprisonment for a term of one year or more, is not of unsound mind and is a resident of a constituency.

29. Every person registered as an elector of any constituency is qualified to be a candidate and to be elected a member for his own or any other constituency, provided that he is not disqualified as an elector or is not an undischarged bankrupt.

30. The 1972 general elections returned to office four members who had held office continuously since the establishment of the Island Assembly in October 1959: Messrs. Rex (Alofi South), Talaiti (Vaiea), Poegata Limatau (Hikutavake) and Liumaihetau (Toi). The average age of the Assembly is 51.

31. The following gives the ratio of assemblymen to the voters and to the population:

<u>Constituency</u>	<u>Elections 1972 rolls</u>	<u>Population 1971 census</u>
Alofi North	150	414
Makefu	78	214
Tuapa	154	372
Namakulu	46	137
Hikutavake	126	253
Toi	68	188
Mutalau	189	523
Lakepu	135	370
Liku	137	476
Hakupu	142	461
Vaiea	46	127
Avatele	195	476
Tamakautonga	147	347
Alofi South	<u>190</u>	<u>630</u>
Total	1,803	4,988
Ratio of assemblymen	1:129	1:356

32. Only five constituencies had contending candidates in the 1972 general elections. The results were as follows:

Tamakautonga g/

Mr. Ikifotu	52	144 electors participated minus 4 informal votes
Mr. Gumaka	44	
Mr. Neki	24	
Mr. Makanuie	20	

g/ The incumbent did not stand.

#### Tuapa

Mr. Pihigia (incumbent)	69	137 electors participated
Mr. Lakatani	68	minus 2 informal votes

#### Hikutavake

Mr. Limatau (incumbent)	58	114 electors participated
Mr. Tuhipa	44	minus 2 informal votes
Mr. Silonipule	10	

#### Makefu

Mr. Elisoni (incumbent)	35	78 electors participated
Mr. Falamaka	26	minus 2 informal votes
Mr. Panikitau	15	

#### Mutalau

Mr. Tonikalauni	92	166 electors participated
Mr. Tongakilo (incumbent)	74	minus 8 informal votes

33. In 1970, at the request of the Legislative Assembly, Professor R. Q. Quentin-Baxter of Victoria University in Wellington was appointed Constitutional Adviser to the Legislative Assembly. His report on the constitutional development of Niue appears in the report of the Special Committee to the General Assembly at its twenty-sixth session. h/

34. The Niue Amendment Act, 1971, was adopted by the New Zealand Parliament on 9 December 1971. Part I of the Act (see appendix V to this report) contains the provisions giving legal effect to the constitutional recommendations of Professor Quentin-Baxter and was brought into force in Niue on 4 March 1972. It places the final seal on the transfer of responsibility for the executive Government of Niue from the Resident Commissioner to the members of the Executive Committee, who are responsible to the Legislative Assembly, and, through the Assembly, to the people of Niue. It also provides for a revision of the procedure for choosing the appointed members of the Executive Committee. The Leader of Government, as he is now known, continues to be elected by the members of the Legislative Assembly, but the Leader himself now chooses his three colleagues in the Executive Committee. The Resident Commissioner remains a member of the Committee, according to the administering Power, in order to express the New Zealand point of view whenever necessary and to ensure that he fully understands the approach of the appointed members on any policy decisions.

35. The Executive Committee, which consists of the Leader of Government and three other elected members of the Legislative Assembly in addition to the Resident Commissioner is responsible for the formation and implementation of policy. The Leader of Government holds the portfolios of finance (including inland revenue, customs), shipping and trade and administration (including local government and community development). The other three members hold the portfolios of justice, health, post office and radio; police and works and agriculture, economic development, marketing and education. The member for Mutalau was defeated and a change took place in the new Committee. Mr. F. F. Lui, member for Alofi North, replaced Mr. Tongakilo.

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h/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XV, annex II.



36. The Leader of Government presides over the meetings of the Executive Committee. According to section 3 of the Niue Amendment (section 14A (3) of the Act) the Committee regulates "its own procedure in such manner as it thinks fit". Rule 7 of its Rules for the Conduct of its Business (see appendix VI to this report) states:

"7. The Leader of Government will normally preside at every meeting of the Committee that he attends but he may ask the Resident Commissioner to preside if he considers this appropriate."

37. The Resident Commissioner remains the Assembly's President under the Niue Amendment Act, 1971. The Assembly controls the appropriation of all government moneys including the New Zealand grant, as well as loan moneys and funds raised locally. Ordinances adopted by the Assembly must have the assent of the Resident Commissioner or the Governor-General of New Zealand.

38. The Resident Commissioner continues to serve as the chief administrative officer of the Niue Public Service. He continues to be the representative of the New Zealand Government in Niue and carries out certain statutory functions on behalf of the Governor-General of New Zealand. He is also the Judge of the High Court of Niue.

#### Judiciary

39. In the judicial field there is a High Court, a Land Court, and a Land Appellate Court. A right of appeal exists from the Niue High Court to the New Zealand Supreme Court. The High Court has criminal and civil jurisdiction. The Resident Commissioner may act as Judge when there is no high court judge available. The Land Court has jurisdiction over land disputes and the use of land. The Resident Commissioner acts as judge in this court. Appeal may be made to the Land Appellate Court. The Niue Amendment Act of 1968 (No. 2 of 1968) provides for a revised system of land tenure based on existing customs and practices. The new registration system was formally established in August 1970.

#### Local government

40. Local government takes the form of village councils which were first set up in 1967. There are 14 councils and their members are elected for a period of three years.

#### Public service

41. At 31 March 1972, there were 262 permanent locally appointed staff and 43 expatriate staff. The figures include teachers, nurses and others not classified as public servants in New Zealand. There were also 339 casual employees. The Resident Commissioner functions much as the "permanent head" of the public service.

### C. Economic conditions

42. Niue's economy is based on subsistence fishing and agriculture as well as on the production of a few cash crops. In 1965, the first steps towards a planned economic development programme were taken by the Government of Niue with the appointment of an adviser to the Government on all matters pertaining to economic development. As a result, in 1966, the Niue Island Assembly established a Development Board to undertake the management and direction of any development schemes approved by the Assembly.

43. At the same time, the Assembly considered that the first task of this Board should be the improvement of existing coconut plantations. The Niue Development Board was inaugurated during 1966, with the passing of the Development Ordinance 1966 (No. 36 of 1966). Work was then begun on an Economic Development Plan covering a seven-year period from 1966 to 1973. It was expected that it would be financed to a large extent by New Zealand Government aid. The basis of the plan was the rehabilitation of the coconut industry. A revised programme in 1968 placed much greater emphasis on cattle production and aimed at an expansion of the coconut development blocks. Since 1968, the programme has been twice revised by the Fields Director of the Department of Maori and Island Affairs.

44. It is estimated that the area utilized during the period under review for each of the main crops were as follows:

	<u>Acres</u>
Coconuts	5,000
Taros	350
Limes	42
Passion fruit	35
Yams	25
Cassava	25
Kumaras (sweet potatoes)	35

45. Copra production for the year ended 31 March 1972 was 153 tons. In 1970, 124 tons of copra valued at \$NZ 26,706 i/ were exported. Production of copra and bananas was virtually non-existent following the 1968 hurricane. Kumara exports have also declined, although this crop should not be as affected by hurricanes as are bananas and copra. In 1971, exports of kumaras amounted to 1,765 bags valued at \$NZ 5,981. Production of frozen preserved passion fruit pulp for the same period was estimated at 62 tons. It is reported that exports for the same period amounted to 154,703 pounds, valued at \$NZ 48,125. During 1971, the Niue Honey Company exported 122,850 pounds of honey from 1,280 hives.

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i/ At the present rate of exchange, \$NZ 1.22 equals \$US 1.

46. With the implementation of the 1968-1971 Development Plan, the lime replanting scheme was taken over by the Development Board, although the Department of Agriculture continued to act as its agent in the day-to-day administration of the scheme. It is expected that peak production, when it is attained, will amount to 160 pounds of fruit per tree; i.e., 5 tons of fruit per acre or 70 trees per acre. It is sold at 3 cents (New Zealand) per pound. This is equivalent to an annual return of \$NZ 4.80 per tree.

47. On its agricultural tour of the island on 24 June, the Mission visited the small fruit processing factory which the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Development Programme (UNDP) have helped to develop.

48. There are approximately 530 head of cattle in Niue. Apart from two dairy herds, cattle are raised in conjunction with coconut improvement schemes operated under the plantation method. A regular slaughtering programme is conducted at the slaughterhouse, but this does not yet meet the local demand for fresh meat. A small flock of 50 head of Perendale sheep is being retained for experimental purposes.

49. Plaited ware is also exported and sold to tourists in the form of baskets, pandanus hats and mats.

50. The island population requires 138,000 pounds of fish annually to feed all the inhabitants, each of whom needs at least half a pound of fish a week. Of this figure, more than a 100,000 pounds are imported either as tinned mackerel from Japan or in frozen packaged form from New Zealand. The balance is presumably supplied by local landings. Since fresh fish is usually consumed in the family circle, it is seldom offered for commercial sale and it is therefore difficult to estimate the amount landed. A fisheries officer from the South Pacific Commission recently visited the Territory and reported that, in order to increase local production, local fishermen should be provided with improved craft and fishing gear suited to their requirements and that a modest form of fish marketing for a cash return should be introduced. The latter would require some form of fish storage. The fisheries officer also believed that it would be desirable to create a fishermen's association representing fishermen's interests linked to the Niue Development Board in order to ensure that loan funds are used more profitably.

51. Niue has about 13,600 acres of millable forest. The sawmill produced 132,000 superficial feet of timber for local housing and construction work during the year under review. A forest management consultant attached to the UNDP project in Western Samoa visited Niue in November 1970 to advise the Government on measures to be adopted if the existing areas of merchantable forest are to be managed on a sustained yield basis. His report is at present under consideration.

52. New Zealand is the destination of most of Niue's exports. The largest proportion of its imports, about 90 per cent, are also from New Zealand. Australia, the United Kingdom of Great Britain and Northern Ireland and Japan supply most of the balance of the imports. Total revenue from all sources does not cover expenditure

and the New Zealand Government makes up the deficit with grants which are fixed every three years in advance.

53. In the year ended 31 March 1972, revenue and expenditure amounted to \$NZ 980,219 and \$NZ 2,023,781 respectively. In the same period, aid given by New Zealand amounted to \$NZ 1,139,760. The administering Power reports that its grants to the Territory during the forthcoming three-year financial period will amount to \$NZ 3,334,000.

54. The Hanan International Airport on Niue was officially opened on 23 November 1971. The runway is sealed for its 5,400 feet length and is 150 feet wide. It can handle most types of aircraft operating in the region, including short-haul jet aircraft. It was completed in two years at a cost of some \$NZ 600,000. By the time communications and airport facilities have been upgraded, the total will be about \$NZ 1 million.

#### D. Social conditions

##### Public health

55. The hospital has a total establishment of 30 beds. In the year ended 31 March 1972, the daily average of bed occupancy was 12.13. This is considerably lower than in previous years and reflects the decreasing population and the increasing effectiveness of treatment. In addition, there is mobile medical service available throughout the island.

56. With two mobile dental clinics operating in the villages and schools and the main clinic operating at the hospital, the coverage of preschool and school children has been satisfactory. Few adults, however, take advantage of the free treatment offered. The majority of them visit the clinic only for relief of pain and not on a routine basis. A recall system may be instituted this year for adults who wish to avail themselves of this service.

57. Expenditure on public health for the year ended 31 March 1972 was \$NZ 162,559, compared with \$NZ 158,229 in the previous year. The cost per attendance was \$NZ 5.6 as compared with \$NZ 7.1 in the previous year.

58. In his report on the Health Department for the most recent fiscal year completed, the Director stated that if Niue was going to prosper and if people were going to want to live in Niue, then the Health Services must be equal to, or better than those in the metropolitan country.

##### Housing

59. Loan money repaid under the hurricane housing scheme is being used as a revolving fund to provide finance for a housing improvement scheme. The Housing Improvement Committee administers the fund and during the year 44 loans were approved totalling \$NZ 48,625.

#### E. Educational conditions

60. Education is free and compulsory between the ages of 6 and 14 years. At 31 March 1972, nine of the primary schools on Niue had a total enrolment of 1,138 pupils and a staff of 58 Niuean teachers. Another primary school, the Side School, admits pupils whose first or only language is English. It is staffed by a young married couple from New Zealand. New Zealand syllabuses and methods of teaching are followed from entry through form II. Pupils are enrolled from their fifth birthday.

61. There is one modern high school, the Niue High School, which provides education from form II to form V. It is staffed mainly by New Zealand certified teachers both European and Niuean. There were 426 high school students in 1972 with a staff of 25 teachers two of whom work on a part-time basis.

62. There are also 13 student teachers at the teachers' training college. For other higher education, students must go off island to receive their training. Most of this is done through the New Zealand Government Training Scheme.

63. At 31 March 1972, 45 long-term students including seven secondary pupils and six teacher trainees were attending schools in New Zealand and Fiji under the training scheme. One trainee was in New Zealand for a short term (in-service) course. Expenditure on education for the year ended 31 March 1972 totalled \$NZ 315,014, compared with \$NZ 288,357 in the previous year.

## II. DISCUSSIONS WITH OFFICIALS OF THE NIUE GOVERNMENT

### A. Reception, on arrival at the Administration Green

64. On 21 June 1972, shortly after its arrival on Niue, the Visiting Mission was received at the Administration Green by representatives of the local government and the administering Power. Statements of welcome were delivered by the Resident Commissioner, the Leader of Government and the Secretary of Maori and Island Affairs, to which the Chairman of the Mission made a statement in reply. The statements of the Resident Commissioner and the Leader of Government dealt among other things with the attitude and policies of the Niuean and New Zealand Governments concerning the future status of the Territory (see appendices II and III to this report).

### B. Legislative Assembly

65. On 22 June, the Mission held a meeting with the Legislative Assembly. During the meeting, further statements of welcome were made by the Resident Commissioner, Mr. Selwyn Wilson, in his capacity as the President of the Assembly, and by the Leader of Government, Mr. R. R. Rex. Mr. Rex stated that the members of the Assembly were accustomed to arriving freely and uninfluenced at solutions to their problems. They were practical people and they took a pragmatic approach to the constitutional development of their country. In this connexion, following the elections in March 1972, a Select Committee on Constitutional Development <sup>j/</sup> had been appointed to deal, among other things, with the future relationship with New Zealand and matters relating to the organization of the public service, educational standards and land laws. When the Committee concluded its task, it would consult with the New Zealand Government with a view to reaching an agreement concerning the relevant requirements of the Niuean people. As regards the work of the Visiting Mission, it was suggested that the Mission should aim at meeting with representatives of the broadest possible cross-section of the population of the island.

66. Following a statement by the Chairman of the Visiting Mission in reply to the President of the Assembly and to the Leader of Government (see appendix IV to this report), the Mission heard general statements from the other 13 members of the Legislative Assembly.

67. Mr. M. Y. Vivian, of the Executive Committee, member for Hakupu, congratulated the Mission for its statement to the effect that it had not come to Niue to impose on it certain preconceived ideas but to ascertain the wishes and the aspirations of the people and to gather information about local conditions. It was right that, first and foremost, the Mission should hear the views of the people of the Territory.

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<sup>j/</sup> Members of the Select Committee on Constitutional Development include Messrs. R. R. Rex, Leader of Government; F. F. Lui, member of the Executive Committee; M. Y. Vivian, member of the Executive Committee; Dr. Enetama, member of the Executive Committee; Talaiti, member for Vaiea; and T. Togatama, member for Lakepu.

In his opinion, the Territory was very close to achieving internal self-government. For the first time the Leader of Government presided over the Executive Committee. Niueans had maximum control over their local affairs without losing the advantages of retaining their New Zealand citizenship.

68. There were many Niueans in high positions in the public service; he would, however, like to see a further localization of the service. The Select Committee on Constitutional Development had not yet met, but when it did many of these subjects would be considered. The Select Committee would first talk with the people to seek their views and support and then go to New Zealand to consult with the administering Power.

69. Mr. Vivian recalled that in the early 1960's New Zealand had suggested the establishment of a time-table for achieving self-government, but the Niuean people had put aside this proposal. Mr. Vivian recalled that the basic approach of the report to that question was to think ahead one step at a time. Now he was not certain whether the question of establishing a time-table should be taken up again.

70. Concerning the position of the Resident Commissioner, the people of Niue must be consulted before a Niuean delegation discussed the matter with the authorities in Wellington. He had faith in New Zealand; if Niue wanted internal self-government the administering Power would grant it. But before deciding upon future status, Niue should explore all the possibilities available to it and be fully cognizant of their implications. Niue might be slow by other countries' standards, but he felt that haste might not lead it to a proper solution.

71. Mr. P. Halo, member for Avatele, referring to the three possibilities as regards the future relations between Niue and New Zealand which had been proposed by Professor Quentin-Baxter, said that, in his opinion, Niue should maintain its present relationship or, failing that, it should be integrated with New Zealand. What New Zealand had done for the Territory could not be expressed in words. The airport and other constructions were proof that, under New Zealand's tutelage, Niue was always properly looked after. Unfortunately, it had no resources with which to repay New Zealand for what the latter had done.

72. Mr. T. Togatama, member for Lakepu, stated that the administering Power had done a great deal for the progress and welfare of the Territory. Niue could not reciprocate such undertakings because of its lack of resources which also frustrated the efforts of the Niueans to achieve their aspirations. Niue had now come of age, but it still needed outside assistance. He hoped the United Nations would provide some.

73. Mr. T. Elisoni, member for Makefu, believed that the direction in which Niue was headed was the right one. He endorsed the views expressed by Mr. Vivian.

74. Mr. Liumahetau, member for Toi, said that the Mission would find out for itself how the people of Niue were facing their problems. New Zealand had assisted the island very well. In recent years there had been growing concern for the

creation of a new order and Niue was working towards its goal in that regard. The people were free to express their own views and exercised control over their own destiny. The members of the Mission would have the opportunity to observe this for themselves and to form their own opinion.

75. Mr. T. Pihigia, member for Tuapa, referred to the relevant provisions of the Charter of the United Nations and the decisions of the Organization regarding small Territories. He recalled that since 1960, a number of persons, including Messrs. Aikman and McEwen, had been sent by the Government of New Zealand to advise the people of Niue on the form of government that they might consider adopting; they had put forward four proposals to achieve constitutional changes. After the visit some 18 months ago of Professor Quentin-Baxter to the island, Mr. Pihigia was confident that the new Select Committee on Constitutional Development would examine the appropriate course of action to be taken in respect of the problems facing Niue.

76. Mr. P. Limatau, member for Hikutavake, Mr. S. Simose, member for Liku and Mr. I. Manamana, member for Tamakautonga, informed the Mission that usually the people found the way to come to agreement and, as a result, spoke with one voice. In doing so, they often endorsed the position taken by their leaders. They fully supported the present practices, which would eventually lead the Territory to self-government.

77. Mr. Talaiti, member for Vaiea, stated that the Executive Committee reflected the views of the Assembly and that Niue would achieve the sort of government it desired. Since 1901, New Zealand had stretched out her hand to the Territory. "Mother New Zealand" had been good in many ways in educating and helping the people. Niue was a little known spot on the map and its inhabitants had no alternative but to turn to New Zealand.

78. Mr. Tonikalauni, member for Mutalau, endorsed the views expressed by the government leaders. If the country was slow in developing itself, it was because it had no resources on which to operate. Only New Zealand had attempted to help it financially and otherwise. He considered that the country was now progressing very well towards internal self-government and expressed the hope that full self-government would be attained in the very near future.

79. Dr. Enetama, member for Namakulu and also a member of the Executive Committee, considered that, at the present stage, members of the Assembly ought to begin to form their own opinions. They were following a democratic principle and should take their final decision concerning the next step in their development based on the express wishes of the people. Moreover, the Assembly had the obligation to enlighten the people on these matters so that they would not take a decision contrary to their best interests. This implied that the Legislative Assembly would act in an advisory capacity in helping the people to determine their future status, by explaining to them the pros and cons of the situation, bearing in mind Niue's particular circumstances. Even though some people might want a maximum local autonomy, it should be attained without prejudice to the advantages which the country at present enjoyed.



80. In order to implement new decisions it was obvious that a dialogue with New Zealand would have to take place. In this connexion, Dr. Enetama was happy to see that the United Nations was not exerting any pressure on New Zealand to do something which would be detrimental to the people of Niue. Constitutional changes were a matter on which the Niuean people themselves had to decide.

81. As was borne out by the visit of Professor Quentin-Baxter, it was becoming increasingly difficult for Niue to keep her identity in the modern world. Improved communications, transport, intermarriage and emigration, represented irrevocable forces bringing about changes in the life in Niue and the effects of these elements could be felt on the increasingly conspicuous loss of identity of the Territory. With the rising level of education, further employment opportunities would open up in New Zealand for Niueans, thus resulting in an increasing outflow of human resources from the Territory. There could be no government if there were no people to govern.

82. Mr. F. F. Lui, member for Alofi North and also a member of the Executive Committee, recalled that, with regard to the options currently open to Niueans, i.e., independence, complete integration with New Zealand, or full internal self-government, a fourth alternative, namely, that of federation with other islands in the region, had been rejected from the beginning.

83. Mr. Lui further stated that he personally favoured the present pace of progress towards full internal self-government. New Zealand had recently enacted legislation placing more responsibility in the hands of the Executive Committee. On the occasion of the Mission's visit to the Territory, efforts might be made to take steps to modify the organization of the Executive Committee. He wished to take this opportunity to request financial assistance for a new building to replace the old structure where the Assembly was now housed. When the Assembly was in the new house they would be anxious to get ahead and would think more clearly. Mr. Lui was particularly grateful to the administering Power for having provided the means for Niueans to be able to maintain the pace of educational advancement as it had. The general trend of providing increasing educational opportunities in the Territory had resulted in the need to furnish greater financial assistance to the people. Finally, he was convinced that the land laws should not be changed.

84. The Mission then proceeded to put questions to members of the Assembly. The representative of Trinidad and Tobago recalled the three principal issues mentioned by Professor Quentin-Baxter in his report, namely, the wish of the Niuean people to retain New Zealand citizenship, New Zealand's assurance of financial assistance and the desire of the Niueans to control their own affairs. He inquired whether the attitude and thinking of the people with regard to any of these issues had perceptibly changed or shifted since the report appeared. Dr. Enetama replied that there had been no change in his opinion regarding citizenship, aid or identity. Mr. Halo considered that the people still feared the loss of citizenship and aid. Mr. Lui said that New Zealand had repeatedly assured the Legislative Assembly and the people that the present arrangements concerning citizenship and financial aid would be continued. Mr. Vivian felt that notwithstanding that assurance, a small segment of the population still had this fear, but he had no doubt regarding the sincerity of New Zealand's promises.

85. The representative of Sweden inquired if any thought had been given to the idea of replacing the Resident Commissioner as presiding officer of the Legislative Assembly and if this were not a question which the Select Committee should deal with. The Mission was informed that the new Select Committee on Constitutional Development had not yet met.

86. Mr. Vivian felt it advisable that the Select Committee on Constitutional Development should discuss the presidency of the Legislative Assembly and issue an interim report before the end of 1972, as well as a final report by the end of 1973.

87. Mr. Simose, member for Liku, stated that if the Resident Commissioner no longer presided over the Legislative Assembly then he would be nothing more than a figure-head. His function, in reality, was to listen to anything concerning New Zealand.

88. The Chairman of the Visiting Mission inquired whether there were any programmes of political education in connexion with the future status of the Territory and whether any were needed. Mr. Vivian, among others, replied that only half the married men attended the village councils. The Select Committee might also attempt to carry out programmes for the political education of the people, in making its rounds to gather information.

#### C. Executive Committee

89. The Mission held two meetings with the Executive Committee, on 23 and 25 June. The Executive Committee is composed of the Leader of Government, the Resident Commissioner and three members designated by the Leader of Government. Representatives of the New Zealand Government were also present. It was pointed out that although the Leader of Government (Mr. Rex) had been presiding over the Committee as a matter of right only since March 1972 (see para. 36 above), the Resident Commissioner since mid-1969 had given him the opportunity to do so about 50 per cent of the time.

90. The Chairman of the Mission drew attention to the Niue Amendment Act, 1971, which contained no provisions for a presiding officer of the Committee except to stipulate that the body itself would regulate its own procedure. Mr. Vivian agreed that the situation created by the Rules for the Conduct of Executive Committee Business (see appendix VI to this report) might well be embodied in the constitution itself. He felt it was a point that could be discussed, perhaps in the newly created Select Committee on Constitutional Development. The Resident Commissioner considered that it was up to the Executive Committee itself to improve the existing arrangements, perhaps by setting out a new or supplementary act; the administering Power should also be consulted in that regard.

91. The six members of the Select Committee had already been elected, but the Committee had not yet begun its work. When it had carried out its mandate, a Niuean delegation would then go to New Zealand to have talks with the Minister of Island Affairs and other officials in his department.

92. The Leader of Government, in reply to a question by the Chairman of the Mission, stated that the mandate of the Select Committee had not yet been decided upon. The Resident Commissioner, however, pointed out the concept of two baskets which the Constitutional Adviser had used by way of illustration to the Government and people of Niue. One basket represented self-government and the other integration. (Independence had been ruled out by the people at an early stage.) The administrative services could be placed in one or the other basket. When all had been discussed, one "basket" would be heavier than the other. He used the example of the postal services which could either be integrated with the New Zealand service or be created as a separate service.

93. The Chairman of the Mission pointed out the possible pitfalls in approaching the question of future status by piecemeal procedures. He wondered if a time-table was not needed as an over-all target for the attainment of self-determination. Mr. Vivian felt that perhaps it was time to discuss approaches and the concept of a time-table might again be considered. The proposal had finally been rejected in 1965 in connexion with the discussions on the Aikman-McEwen report. Because the island was isolated, their people were not always aware of what others were doing, and it was the duty of the political leaders to explain to their constituents available political alternatives. Niue was going about this in its own slow way, but the people had to be made fully aware of the changes that could be envisaged.

94. On the question of a time-table, Mr. Lui said that he would not like to comment at present as he would prefer to leave it to the Select Committee to consider.

95. Dr. Enetama felt that perhaps Niue should have some sort of time-table.

96. The representative of Trinidad and Tobago inquired if the Select Committee had a time-table for the completion of its own work. The Leader of Government replied that no specific date had been fixed for the submission of the Committee's report to the Legislative Assembly as a whole.

97. The Chairman, in expressing his belief that there seemed to be only a few hurdles to overcome in the achievement of full internal self-government, inquired whether any specific measures were under consideration in the Territory's constitutional development. The members of the Executive Committee considered that there was not enough political education and there was indeed an urgent need, in the first instance, to prepare the people psychologically for future constitutional advancement. Such preparatory work, in their view, would be required to pave the way towards achieving self-government smoothly and at an early date.

98. The members of the Executive Committee also considered that they must have adequate time to evaluate the entire situation in order to determine what course of action to take.

99. The Chairman asked how they envisaged their future relationship with New Zealand. Mr. Vivian replied that Niue had come a long way since 1965. They had had a very good teacher in the Resident Commissioner in the last four years and, in his own opinion, his people should attain the status of internal self-government.

100. Dr. Enetama believed that there were many unknown factors which would determine the future. Education, for example, would have a major role to play in determining the nature of the future relationship. Changes would have to be made not only in material arrangements but also in the thought process. He was cautiously feeling his way. Unless one had a blueprint for such changes, it would be difficult to have a discussion of the matter.

101. Mr. Vivian wondered whether, by blueprint, his colleague meant time-table.

102. Mr. Lui expressed the hope that conditions would continue to be such that the Territory would receive sufficient outside assistance. The future was difficult to predict; however, if nuclear tests, for example, continued to be carried out in the region, there might not be a future at all.

103. The Chairman wanted several impressions confirmed. First, the people clearly did not want independence at this time, but rather they wanted full internal self-government, while retaining their identity. Did this reflect the majority view regardless of the form of government? Also, they wished to retain their New Zealand citizenship and assistance. External affairs and defence and perhaps several other subjects would be retained by the administering Power.

104. Mr. Vivian replied that until they came up with another solution, the status achieved by the Cook Islands could resemble the goal towards which they aspired.

105. Dr. Enetama stated that Niue was already functioning in a self-governing way. He felt that the people were already in control of their own affairs, even if they might not have understood the juridical meaning of self-rule or even if it was not explicitly so provided in a constitutional instrument.

106. The Chairman stated that the United Nations was interested in verifying that nothing was done to prevent the people from exercising their right to self-determination. That was the reason for the United Nations inquiry into the reports of the administering Power; it was not because the United Nations questioned the administering Power's good faith.

107. Mr. Vivian said that a representative of the New Zealand Government might perhaps clarify the situation with reference to the forthcoming New Zealand elections in November 1972. He wondered, for example, how soon the Niuean Government could negotiate with Wellington.

108. The Secretary of Maori and Island Affairs thought that there was not much difference in the approach of the two major parties k/ to the question of the future of Niue. If the representatives of Niue so desired, a dialogue might take place before the end of September 1972 when Parliament would adjourn so that members might campaign for the elections. Whichever party won the coming elections, it would need time to settle in before taking up this question. He considered the best time to be the second half of February 1973.

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k/ The National Party is at present in power. The Labour Party is the Opposition. A third party, the Social Credit Party, has no representative in the present Parliament.

109. Mr. Vivian said that, in any case, there was considerable work to be done before the dialogue took place. They must consult the people and collect their views.

110. After a statement by Dr. Enetama, the Chairman said that there seemed to be a consensus on the approach and he thought that the preparation of a time-table should be seriously considered. He asked if there were any ideas concerning incentives which would encourage the people to remain on Niue or to return from New Zealand.

111. Mr. Vivian said he was very much aware of the problem of emigration and, in this connexion, he drew attention to the Smallholders' Scheme which would retain Niueans on the land. Under the scheme, a selected number of small individual landholders would be enabled to plant an area varying, in each case, from one to five acres in size. At present, smallholdings were not economically fenced and watered and therefore the advantages of cattle/coconut farming were lost. But it was felt that a coconut/cover crop system of farming might be successful. Four two-acre plots had recently been planted in the villages of Hakupu, Liku, Lakepu and Toi at an average cost of \$NZ 100 each. The Niue Development Board made funds available on loan to growers who agreed to make repayments at a minimum rate of \$NZ 10 per annum. It was this payment which retained the landholder in Niue. He could not go to New Zealand until the land was paid for. The Board provided machinery to clear the area, as well as fertilizer, cover crop seed (siratro) and seedling coconuts. The grower was responsible for maintaining the plantation, and inter-cropping with subsistence crops was encouraged.

112. According to Mr. Vivian, 90 persons had applied for this type of loan. They were restricted to two areas, however, because of a breakdown of equipment. Perhaps the Mission might point out the need for better equipment in its report. The members of the Niue Development Board had not had the opportunity to travel overseas and compare this with other schemes. Fellowships for members were needed so that they might travel to other countries for this purpose. Mr. Vivian, who had just returned from the recent conference of the Pacific Island Producers' Association (PIPA) in Rarotonga, said that PIPA had not educated the growers of the area in this respect, but then this was not the purpose of PIPA.

113. Mr. Lui felt that something should be done to provide loans for housing. If such loans were available it might induce the people to remain. He considered that Niueans now in New Zealand should be encouraged to set an example by returning to the island. He asked also what could be done if there was dissatisfaction with the "mother country". The Mission pointed out to him, in that respect, that he could submit a written petition to the Special Committee.

114. As an inducement, it was also suggested that Niueans who returned to the island might be given financial assistance for homes and economic projects in order to make a beginning.

115. Dr. Enetama said that there was a need to find practical formulae for inducing overseas Niueans to return. He pointed out that there had been many improvements in Niue in the last 10 years. He added that there was a continuing need to provide financial assistance to the peoples concerned.

116. Mr. Vivian said that some of those who had emigrated had written to their relatives complaining of life in New Zealand and asking them to contribute financially to their support. The extra money then might be used to buy a television or automobile on hire purchase, to gamble or to move into a new house. If those persons subsequently returned to Niue they would find it difficult to settle down anew to life on the island.

117. The Resident Commissioner considered that education in Niue did not meet the needs of life in New Zealand, but the drift of the young people to New Zealand would continue; as a result, the population of Niue might in the next decade be reduced to half of what it was at present. He agreed with Mr. Vivian that there must be a reorientation programme to help those who showed a willingness to work on the land. The Government would have to work with a handful of families, perhaps 20, who would set an example by working on the land. The movement of Polynesians to urban centres was similar to the world-wide drift to the cities, and he felt that it would be self-deluding to try to convert Alofi into a New Zealand-type town. Niue, in his opinion, was in the same situation as a rural area of New Zealand. Those in authority should make a genuine effort to examine their policies so as to be certain that the right plans were being financed. In the light of the declining work force, the immigration policy of the administering Power should perhaps be examined if that was what the people wanted. He alluded to the resettlement plan in the Tokelau where the population had decreased to 1,800.

118. The Chairman again raised the question of the timing of an act of self-determination. Mr. Rex, Leader of Government stated that, in his opinion, Niueans were in some measure already practicing self-determination. He felt that the Executive Committee should first go to the people in the villages to hear their views and then seek a dialogue with New Zealand after the New Zealand elections at the end of 1972. If the Opposition won the elections it should be given time to settle in, say by mid-February 1973.

119. The Leader of Government recalled the effects of emigration on the Niuean Government. It was also noted that Niueans were seafarers with a built-in desire to move off. Niueans had ventured to other islands in the Pacific and the bright lights of Auckland were like a magnet. Perhaps two or three assemblymen should go to New Zealand to sell the idea to fellow Niueans to return. Niueans, it was felt, were not enthusiastic to work on the land. They left in order to get an education. If the Mission could help to bring some back to the island it would be appreciated.

120. The Chairman alluded again to the need for incentives. He foresaw a real problem arising out of the manpower situation and asked how it was envisaged to solve this problem; he wondered whether it could be solved by training apprentices or importing labour from other islands.

121. Mr. Rex stated that the possibilities of recruiting labour from outside had been discussed. The Resident Commissioner added that he had contacted the Government of the Kingdom of Tonga in this regard and the Secretary of the Government had informed him that the matter was under consideration.

122. On the subject of political parties, Mr. Lui considered that when the population became educated, it might wish to initiate a party system. He asked the Mission whether it thought that a party system would be possible in Niue and whether it thought that such a system would be helpful for the island's future.

123. The Chairman replied that much would depend on the political maturity of the people. In most countries, a political party system was felt to be desirable. Whether or not it would be helpful would depend on the situation and the platform of the party. It should be recalled that political parties divided the population into groups.

124. The talks also covered the question of expanding economic co-operation in the area, including the assistance that Niue might expect to receive from regional associations, and the feasibility of seeking additional markets outside New Zealand, especially in Japan and the United States.

125. In the final exchange of pleasantries, Mr. Rex said that before the Mission's arrival there had been some apprehensions, but now their minds had been put at ease. All of Niue's problems and needs had been discussed in a normal way. He wished to convey to the United Nations his most sincere thanks.

#### D. Niuean members of the public service

126. On 23 June, at Makini Hall, Alofi, the Mission met with senior Niuean public servants. The meeting was chaired by the Resident Commissioner in his capacity as chief administrative officer, or "permanent head" of the Niue Public Service. Some 50 Niueans attended the meeting.

127. The Government employs approximately 40 per cent of the available labour force on a permanent or fixed-term basis. According to the report on the Niue Public Service for the year ended 31 March 1972, submitted to the New Zealand State Services Commission by the Resident Commissioner, the decrease in the number of locally recruited permanent staff during that period represented the number of unfilled vacancies at March 1972, the public service being increasingly affected by the migration of its staff to New Zealand. There was a fractional rise in the number of wage workers.

128. After an address of welcome by the Resident Commissioner, the Chairman, on behalf of the Mission requested those members of the public service who intended to take the floor to be as frank and as candid as possible. Some, he stated, considered that the United Nations had come to tell the people what to do. The choice, however, was theirs, and the mission could only advise them on the implications of their choice.



129. The first speaker, Mr. Chapman, Clerk of the Legislative Assembly, stated that more weight should be given to the views of the public servants since they were better informed than the average Niuean. With regard to constitutional development, the public service preferred to think in specific terms. It was most important, no matter what form of Government was decided upon, that the State Services Commission should undertake to preserve the form of the public service. The Niuean Government was doing its utmost to localize the public service, but those whom it had sent overseas 1/ for training did not always return. At the time of Professor Quentin-Baxter's visit, it was considered more important to educate those who were directly concerned with governmental affairs; however, one could not climb to the top of the ladder without starting on the lower rungs. He requested the United Nations to make suggestions for a solution to their problems.

130. The next speaker expressed thanks to the United Nations Children's Fund (UNICEF) for its assistance on the water reticulation project and pointed out that the country, since it had no wealth of its own, needed all the assistance it could obtain from United Nations agencies. He believed that the country should "slow down a bit" in its constitutional development.

131. The third speaker also felt that the Territory was "being pushed too fast" in its constitutional development. He believed that constitutional advance should keep pace with progress in education and in the standards of the public service. Problems arising in small Territories might be harmful to the public service. This view was shared by other speakers.

132. Another speaker stated that he had feared that the visit of the United Nations Mission to the Territory might bring to an end the good things which Niue had already achieved; he had been fearful, for instance, of the possible introduction of measures which could result in the reduction of the staff in the Government.

133. A public servant employed in the Radio Department doubted whether a Niuean who had a wife and two children could support his family on fish, taro and yams

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1/ It will be recalled that, at present, there are 45 trainees and students overseas.



without New Zealand support; however, he thought that the flow of people out of Niue had to be curbed or it would seriously affect the country. If the workers were not given some sort of incentive, there would eventually be more Niueans in New Zealand than on Niue.

134. Another worker, trained in Samoa, said the country had two resources: the people and the land. He complained that Niueans did not hold upper echelon positions in the public service. Political aspirations could not be achieved if the people on the lower levels had no access to the higher levels of the service. He also called for mechanized agricultural development.

135. At this point, the Chairman of the Mission said that many had spoken about localizing the public service without impeding its efficiency. They must also ask themselves what they could do for Niue. It had been pointed out that it was increasingly difficult to induce trained persons to return to the island. How could they then inculcate the spirit to serve Niue in their fellow countrymen and thereby retain their identity? The Legislative Assembly favoured constitutional progress through self-government and self-determination, with a permanent relationship with New Zealand. When the chips were down, some sort of sacrifice was needed.

136. If the present trend were to continue, in the next five years most of the Niueans would have gone to New Zealand. At some point, therefore, methods must be devised to create incentives to remain. The people of Niue should serve the country and improve the facilities. There was no other solution. He pointed out that the question of "brain-drain", which occurred in almost every country was already a topic of discussion in a number of United Nations bodies.

137. If the people wanted to retain their identity, the Chairman said, then constitutional development must keep pace with the awareness of the people. Therefore the public should be mobilized through a programme of political education. As the public servants were the most informed on the subject matter, they had an important role to play in that regard. What, for example, would they suggest be done to allay the prevailing fears concerning constitutional development?

138. Another public servant pointed out the anxiety that existed among some that New Zealand might collapse financially and wondered where Niueans would turn to when and if that happened.

139. The Chairman said that constitutional advancement notwithstanding, if a calamity had befallen New Zealand at a time when Niue was still under New Zealand influence in one form or another, the Territory was bound to feel the effect. The Secretary of Maori and Island Affairs had pointed out that if New Zealand were at the complete mercy of an economic depression, Niue would also be affected, but that none the less, assistance from New Zealand would be continued.

140. Dr. H. T. Nemaia of the Health Department said that the public servants feared that if too much power were given to the political leaders, it might affect their own situation and they wished to be reassured of some sort of independent

control. To be faithful, the public service must be confident of its future. He also believed that sending people abroad to be trained was one of the ways of educating them and that access to such training should be maintained. He acknowledged, however, that some people saw a risk in so doing, in that the trainees who were sent abroad might not return, and that it cost more than if training were given on the island.

141. Dr. Nemaia pointed out also that the death rate on the island was very low and the little island was easily susceptible to overpopulation. There had to be some outlet. The poor and deprived must be able to look elsewhere for opportunities. A better job might be had elsewhere, as in New Zealand, and the Government could not demand that a person be sent back to the Territory. It was a fact that more opportunities were available elsewhere.

142. The Clerk of the Legislative Assembly reiterated his feeling of anxiety that politicians would control the public service. The Chairman wondered if this fear was really justified. He went on to point out that the problem of a developing country in getting its trained citizens to return home was a universal one. Some sort of incentive to encourage their return must be offered. The element of boredom and lack of social amenities should also be taken into account.

143. The Clerk of the Assembly stated that government spending should be tailored to meet practical needs and requirements and to create incentives as had been suggested. Some of the fears of the public servants stemmed from the increasing scale of taxation. Some Niueans had returned to the island, but they had no land and no houses and were little better than beachcombers.

144. Mr. Talagi said that Niue had never been a colony. It had asked for protection and, at some stage, the island had found itself "colonized". He still wanted the New Zealand Government to protect the Territory. The people did not want to leave their homes.

145. Mr. S. M. Kalauni, Registrar of the Justice Department, said that most of what he desired to say had already been said by others. He would nevertheless like to know what were the qualifications required for a small Territory such as Niue to exercise self-determination, if it had neither wealth nor resources. At present, the mother country was always there to help the people by way of a grant which was determined in accordance with the number of inhabitants on the island. If the grant was continued it would be apportioned to the people on Niue. There was very little in the villages in the way of cash crops to export and it was doubtful that the problem of lack of resources would ever be solved. Some persons were obliged to work at two or more jobs to earn enough to survive.

146. Education was the crux of the problem. If teachers were untrained, the students would not receive a good education. Niue should be run by qualified people.

147. Dr. Tikitai of the Health Department said that the pace of development was slow. In 1952, people easily grew taros everywhere. The soil now was so bad that it was difficult to grow anything.

148. Niueans in New Zealand enticed their countrymen there by writing back that it was a Canaan, a land of milk and honey where a working man was paid a living wage.

149. The Cook Islands were a step ahead of Niue and the spokesman wondered if Niue was up to taking the same step.

150. One young woman from the Education Department disagreed with the suggestion of the Clerk of the Assembly that the views of those who were not public servants should be disregarded. In her opinion, they were the real people of the island and a true view would be obtained from them. They would tell the Mission that they themselves were those who wanted to leave the island.

151. Dr. Nemaia stated again that the public servant with a job was committed to the island. Most of those who went to New Zealand, however, did not come back.

152. Mr. Vivian, Inspector of Schools, agreed that the country was on the way to self-government and that New Zealand would support this. There was, however, a danger in sending too many scholarship students to New Zealand as this could deprive the country of its best human material.

153. Dr. Nemaia took the floor again to say that there was a strong feeling in the area against its being used as a laboratory for scientific tests, resulting in the pollution of the water and the fish. The experiments also polluted rainwater. He felt that the effects of nuclear tests were harmful and inquired what the United Nations could do to assure the Niueans that the area would not be used as a laboratory again. He feared the tests would have harmful effects on the future of the people of the South Pacific. The people were at the mercy of the big Powers.

154. Mr. Leona of the Treasury expressed anxieties similar to those of earlier speakers. He said that many public servants were obliged to farm in addition to their public duties, but bananas were diseased and kumaras had beach rot. Moreover, it was difficult to grow anything on an island composed mainly of rock.

155. Another woman wanted the United Nations and New Zealand to combine forces to import rich soil to Niue, saying that this would help towards self-government. She felt that the Niuean people were being hurried into self-government.

156. The Chairman said that he had a high respect for the women of the island. There was no question of the United Nations imposing its way or will on the people. Self-determination was the ability of a people to determine their own future. Administering Powers had been reluctant to transfer effective power to the people; therefore, the United Nations was sceptical of the administering Powers' attitudes. Concerning the fears expressed, he felt that it was up to the Leader of Government and the Resident Commissioner to allay anxieties and guarantee the independence of the public service. The problem lay in how to inculcate that trust. Nepotism, among other things, should not be allowed.

157. The Chairman pointed out that a good deal of discussions centred on the question of emigration. The people of Niue must be determined to remain and create a life worth living on the island, incentives should be provided, including

amenities; the training of those who would not return should be discouraged; the fear of the unknown was not very different from that expressed by the civil services of other Territories on the verge of self-government and independence; it was argued that the soil should be improved in order to provide confidence in the future. Concerning the nuclear tests in the area, the Mission had heard similar views in other South Pacific islands where people were concerned about the tests. The Chairman, in that connexion, referred to the related discussion at the recent Environmental Conference in Stockholm. World public opinion condemned such tests; however, as the United Nations was not a world government, it could only reflect the moral conscience of the human family. In his capacity as the representative of the United Republic of Tanzania, he could clearly express this indignation to France.

#### E. The Resident Commissioner

158. Before leaving Niue, the Mission held a meeting with the Resident Commissioner, Mr. Selwyn D. Wilson. First, the Chairman asked Mr. Wilson to enumerate the powers reserved to New Zealand. The Resident Commissioner referred to a table in the index to the Laws of Niue in force on 31 March 1972 (see appendix VII to this report). These included foreign affairs, defence, civil aviation and parts of other acts which, if included in the Niue Act, would render it large and cumbersome. He pointed out that the Niuean Government was consulted and its approval sought on legislation enacted by New Zealand in these areas. The Niue Act therefore served as a constitutional instrument and as a criminal code. Housing and land laws had recently been removed from the list of the powers reserved. The number of ordinances adopted by the Legislative Assembly had been increasing. Since Mr. Wilson took office in 1968, he estimated that 30 ordinances had been passed whereas, when Mr. McEwen was Resident Commissioner (1953-1956), there had been perhaps six.

159. The Chairman felt that it was correct to say that 99 per cent of the people who addressed the Mission in one capacity or another wanted continued close relations with New Zealand. On the question of a time-table, their response had not been as forthright. He wished to know the Resident Commissioner's thoughts on the subject and, also, what could be done to allay the residual anxieties.

160. The Resident Commissioner thought that at least part of the trouble had been putting the concept of a time-table to the public in the early 1960s, when there was an initial reaction against it. Constitutional development should have been limited to a single step at a time. The basic Niuean character was pragmatic. The average Niuean was a family man. There would be less fear when experience was gained, as in the case with the member system of government. This was working well.

161. The next step was for the Select Committee to begin its work. It would be pointless to hold a dialogue with the New Zealand Government until members had done their homework.
162. In this connexion, the Chairman stated that the real shortcoming appeared to be in the field of political education, a programme for which had to be encouraged. There should be an intensive series of village meetings.
163. Mr. McEwen said that political education had been started in 1962. It used to be said that the main links of communication were the pastors, the police and the island councillors. But now, village councils were becoming more active.
164. The Chairman thought the Resident Commissioner should play a leading role. There was also a role for the administering Power in providing radio facilities.
165. The Chairman inquired whether it was correct to say that those in Avatele who favoured integration with New Zealand still wanted to maintain their own identity and did not realize the implication of their own choice. The Resident Commissioner said that he thought that was so.
166. Referring to the Resident Commissioner as the "permanent head" of the public service, he wondered what could be done to allay the fears of the public servants.
167. The Resident Commissioner replied that the State Services Commission remained largely responsible to the Government of Niue.
168. The Chairman pointed out that safeguard clauses could be entrenched in the Constitution to secure the independence of the Public Service Commission in the island.
169. The Resident Commissioner considered that the island was too small to support its own Public Service Commission. In his opinion, the public service should continue to come under the State Services Commission.
170. Mr. McEwen pointed out that the accounts of the Niue Government were audited by the authorities in New Zealand which reported to the local Government. A maximum safeguard would be attained if the public services accounts were to be audited in the same manner.
171. The Chairman considered that it was an anomaly for the Resident Commissioner to sit as a judge. The Resident Commissioner said that the judge actually had very little to do (only 6.5 per cent of cases tried were criminal cases). The Commissioner of the Court sat alone, the justices of the peace sat together, except in cases where the penalties were in excess of five years, when they sat with assessors.
172. It seemed to the Resident Commissioner that the alternative would be to have two commissioners and that the powers of the court might be reviewed and upgraded. Mr. McEwen pointed out that in cases involving capital punishment, a judge came with counsel from New Zealand to attend both sides.

173. According to Mr. McEwen, in many years of administering Niue, only one case had been appealed to the Supreme Court of New Zealand.

174. Concerning the pace at which the public service was being localized, the Resident Commissioner considered that the real problem was related to the increasingly high rate of turnover. Applications could be made for leave of three months without notice. If a public servant departed for New Zealand he often failed to return. An accelerated junior level might meet some of the problems involved. Another difficulty was that often there were no back-up personnel to replace either Niueans or New Zealanders when they left.

175. In the field of education, 50 per cent of the staff were Niueans, but there was a need to accelerate the localization.

176. On the question of the Resident Commissioner presiding over the Legislative Assembly, Mr. Wilson said that he had initiated the practice of conducting the proceedings held in the local Polynesian language. He felt that it might be possible to find a Niuean speaker outside the Legislature to perform this function.

177. In the field of economic development, there seemed to be little future for copra. Niue could produce at least 900 tons a year. Producing copra only yielded 5 1/2 cents (NZ) per pound. The production of fruit (passionfruit and lime) had now outstripped copra and at present amounted to 150 tons; the output could reach 500 tons. That was why assistance from UNDP had been requested in order to finish the processing factory. Bananas and kumara had been virtually abandoned because of disease and competition from other markets. Moreover, Fijian producers had access to the New Zealand market. In any case, exports did not provide enough revenue and the wages and salaries of government workers came from the New Zealand grant.

178. Mr. McEwen pointed out that a volunteer worker was training a Niuean successor in the field of plaited ware. The Niue honey industry was putting the tiny island on the map.

179. Mr. Wilson said that there was hardly any possibility of industries developing on any significant scale. A boat called monthly, but there were discouraging freight rates, and air freight costs were bound to increase. The sea-trek on the other hand, was never direct. All of the islands had to be served. A light industry could, however, become an incentive to shipping services. Mr. McEwen said that he was awaiting the outcome of the UNDP regional shipping survey.

180. A labour force of 12 tradesmen had been requested from Tonga with guaranteed return fares. They would be paid at Niuean rates.

181. The representative of Trinidad and Tobago inquired about the extent of electrification. Mr. Wilson said that Niue could not afford to pay for power, as there were no funds. The cost of supplying power was therefore financed by New Zealand. The estimates for 1972 showed that the amount was \$NZ 49,000. A new generator would assist during peak loads. Expenses would not be recovered.

182. To complete the interview, the Resident Commissioner said that the initiative for obtaining the services of a constitutional adviser was entirely Niuean, Professor Quentin-Baxter was employed on a continuing basis and paid by the New Zealand Government. He was available whenever the Niueans requested his services.

### III. DISCUSSIONS WITH THE PEOPLE OF THE TERRITORY

#### A. In Niue

183. As reflected in the chronicle of its visit to Niue, set out in appendix I to the present report, the Mission, while in the Territory, held two public meetings to hear the views of the Niuean people concerning their future. The first meeting was held at Alofi in the evening of 23 June and lasted for approximately five hours. It covered the west coast villages of Toi, Hikutavake, Namakulu, Tuapa, Makefu, Alofi North, Alofi South, Tamakautonga and Avatele. The second meeting, which was held at Hakupu in the evening of 24 June, lasted between five and six hours and covered the east coast villages of Mutalau, Lakepu, Liku, Hakupu and Vaiea. Both meetings were chaired by the Leader of Government, Mr. Rex, and were attended, inter alia, by the Resident Commissioner, Mr. Selwyn Wilson; Mr. J. M. McEwen, Secretary of the Department of Maori and Island Affairs, and Miss A. V. Stokes, First Secretary, Permanent Mission of New Zealand to the United Nations. Also present were the members of the Executive Committee. Most of the proceedings were conducted in Niuean with the aid of consecutive interpretation. It is estimated that about 50 persons addressed the Mission at the two meetings.

184. As regards the future constitutional status of the island, the overwhelming majority of the people who participated in the meetings expressed the view that full internal self-government was the only practical avenue open to the people of Niue. They qualified this view by expressing a desire to maintain their ties with New Zealand while keeping their identity at all cost. A small but vociferous minority consisting almost exclusively of members of one village, Avatele, however, expressed themselves in favour of complete integration with New Zealand. The larger group recalled that their position, which they said represented that of the Niuean people as a whole, had already been expressed several times to the New Zealand authorities and had been reiterated to the constitutional adviser to the Legislative Assembly, Professor R. Q. Quentin-Baxter, when he visited the island at the end of 1970. This position had not changed since that date and the Government of New Zealand was fully aware that self-government was the ultimate goal of the Niuean people. One man rejected independence outright, saying that if it was forced upon Niue, the island should seek the protection of another administering Power. Another speaker echoed this and thought the Niueans should do this forthwith. Regarding the pace of constitutional progress, a number of speakers expressed some apprehension that Niue might be moving too rapidly towards self-government, even though they agreed that the island was probably moving in the right direction; in this respect, the view was expressed several times that, constitutionally, all options should be left open to the Niuean people. The majority of the speakers, however, considered that Niue should continue to proceed along the current lines which, in their opinion, were suited to the particular situation of the island and represented the views of its inhabitants. Another point frequently made in this connexion was that it should be left to the people of Niue, through their elected representatives, to take all decisions relating to the future status of the island, including in particular, those relating to the pace of constitutional progress. This, in the view of many was of the highest importance.



185. Repeatedly during the two meetings attention was drawn to the difficult economic conditions in Niue which, in the opinion of the islanders, are such as to make their country different from any other Territory in the Pacific. In this connexion, it was often stressed that while islands such as Nauru, Western Samoa, New Caledonia and French Polynesia had sufficient resources in their soil, their subsoil, or in the surrounding waters to ensure their inhabitants a proper standard of living, such was not the case on Niue. There, in the words of one of the speakers, the main resources were coral and makatea, m/ rock outcroppings were numerous, the soil too shallow and some cash crops such as bananas and kumaras had to a large extent ceased to be commercially produced because they had become diseased. Others, such as copra, were experiencing very serious difficulties, because of price fluctuations on the world market; fishing, because of the natural configuration of the island, was considerably more difficult than in other Territories. There were complaints that foreign nationals, especially from Asia, were poaching in their off-shore waters. When these fishermen were driven away they simply returned. Other speakers pointed out that the only regular income on the island was that which was earned by the public servants. They deplored the lack of employment opportunities and expressed profound discouragement at what they felt were the generally gloomy prospects of the island. To add to their woes, the island was now subject to radioactivity because of the nearby nuclear tests which seemed to trouble the crops.

186. These economic difficulties, they explained, accounted for the growing number of Niueans who were leaving the island in search of better opportunities. This had an adverse effect on the manpower situation.

187. The speakers were unanimous in thanking New Zealand for the financial, economic and administrative assistance it had given the Niueans over the years and for enabling them to work on its labour market if they so wished. For the same reason, all were anxious, regardless of the future form of government on the island, that a strong link be retained with the "mother country" whose financial survey they considered vital to Niue. They also wished to maintain New Zealand citizenship and free access to that country. In connexion with the future of the island, many also expressed the opinion that more assistance was needed from the United Nations family of organizations to help solve the Territory's difficulties. Although such assistance had already been received from a number of organizations such as the World Health Organization (WHO), the United Nations Scientific, Educational and Cultural Organization (UNESCO), FAO, UNICEF and UNDP, those speakers felt that more help was needed to supplement that provided by New Zealand.

#### B. In New Zealand

188. The Mission held a meeting each in Auckland and in Wellington on 28 and 30 June, with representatives of the Niuean community in those two cities. It is estimated that there are at present 4,900 Niueans living in New Zealand. Most of these have sought employment in manufacturing, transport, storage and communications and other services. The meeting held in Auckland was attended by representatives of

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m/ Unproductive lime subsoil.

the New Zealand Government accompanying the Mission as well as by Mr. Charles Craw, Assistant Secretary, Ministry of Foreign Affairs; the meeting held in Wellington was attended also by Messrs. J. Springford and G. Horn from the Department of Maori and Island Affairs. Both meetings were conducted in English.

189. Foremost among the topics discussed at both meetings was the question of the increasing emigration of the Niuean people from their island to New Zealand. In this connexion, the Mission was again informed that the current situation was to be traced back to Niue's economic problems, which prompted the inhabitants to leave the island in search of better economic opportunities. Such opportunities, they believed, were best to be found in New Zealand where, in the words of one Niuean émigré, "they could enjoy life". Also mentioned among the reasons for the departure of many Niueans was their desire to give a proper education to their children, the strong Niuean family ties which prompted those who were still on the island to join their relatives already in New Zealand, and, particularly in the case of the younger members of the community, a deeply felt sense of frustration at having to live in a limited world where distractions from a routine existence were not available. For other Niuean émigrés, the above reasons had sometimes been compounded by a fear that, should Niue become independent or self-governing, the Government of New Zealand might be inclined to discontinue its assistance to the island. Others had left because they feared that legislation might be enacted by the island's Assembly which could restrict or even prevent any further emigration to New Zealand. For others, finally, the decision to leave the island appeared to have been partly motivated by the fact that expatriate New Zealand civil servants employed on Niue enjoyed more lucrative benefits than indigenous Niueans in similar positions. In general, the Mission was informed, emigration was directly connected with the Niuean's lack of confidence in the future of his island.

190. Concerning some of the causes of emigration, a number of Niuean émigrés expressed the opinion that much had to be done on the island to dispel what they described as a misunderstanding between the island's Legislative Assembly and the population at large. Lack of proper information provided by the local authorities they thought, all too often gave rise to unfounded rumours, which in turn led to equally unfounded fears (see paras. 129, 142, 154 and 157 above). In the opinion of those Niueans, such misunderstandings would be dispelled if the Government were to use the local broadcasting facilities to inform the population about current issues and to explain its plans and decisions.

191. According to some speakers, few, if any, expatriate islanders intended to return to Niue to settle there permanently. Those who did try were faced with problems of social and economic readaptation which they seldom were able to solve; they, therefore, generally escaped by returning to New Zealand. Other speakers stated that, notwithstanding the difficulties faced by the island, they wanted their children to return to Niue after completing their education in New Zealand. The belief was also expressed that the current trend would sooner or later be reversed and that Niueans would return to their country as they had in the past, following migrations to other neighbouring islands.

192. Also mentioned by one speaker as an issue generating some anxiety among the Niuean community in New Zealand was the inability of its members to participate in the political life of Niue. This, some felt, was paradoxical, as New Zealand expatriate personnel on Niue were allowed to take part in local elections (see para. 28 above), and should be corrected.

193. The Mission was subsequently informed by the administering Power that the New Zealand electoral laws provide that public servants who have been previously qualified as electors in New Zealand and who are employed overseas in the service of the Crown and have every intention of returning to New Zealand to reside there permanently, may continue to vote in parliamentary elections in New Zealand. Expatriate officers in Niue, who are not public servants on secondment from the New Zealand Service, are not entitled to vote in the New Zealand elections. A large proportion of expatriate officers who were entitled to vote in the last Niue general elections are employed from outside the New Zealand service and are not entitled to vote in elections held in New Zealand because they are not New Zealand public servants.

#### IV. DISCUSSIONS WITH OFFICIALS OF THE NEW ZEALAND GOVERNMENT

##### A. The Secretary, Maori and Island Affairs Department

194. On 21 June, in Tonga, the Mission met with Mr. J.M. McEwen, and Miss A.V. Stokes.

195. The Chairman expressed the Mission's appreciation to the representatives of the administering Power for meeting and consulting with it and said that he appreciated their presence not only as representatives of their Government but also as persons with a vast amount of experience concerning Niue. The Niue Mission was unique in that there were no conflicts. All that was in the minds of the members of the Mission was the welfare of the people. The Mission was undertaking its task with the best intentions. He informed Mr. McEwen that the members of the Mission had studied the report of Professor Quentin-Baxter and he requested Mr. McEwen to enlighten them on further political and constitutional developments in Niue since the publication of the report and to furnish any other useful information which might aid their work.

196. Mr. McEwen thanked the members of the Mission. He said that New Zealand had endeavoured to co-operate with the United Nations and he referred to his country's record in the field of decolonization. He added that New Zealand was now the first administering Power to have invited a mission to visit a Territory in the Pacific, other than a Trust Territory, before the time had come for it to exercise self-determination. The policy of the New Zealand Government towards Niue was to allow the Niuean people to decide for themselves upon their future. The New Zealand Government was firm on this. Niueans were hard-working people; their most useful tool was a crow-bar. Although they had had bad droughts, they looked ahead. They were nevertheless cautious and shy with strangers.

197. As regards the Quentin-Baxter report, certain amendments to the Constitution which the Professor had suggested had been enacted late in 1971. General elections had been held in March 1972 and these amendments had come into force thereafter.

198. Previously, the Legislative Assembly had elected a Leader of Government Business and three members of the Executive Committee. Under the new system the Assembly elected the Leader of Government and he in turn designated his own team.

199. Constitutionally, Niue was now quite close to self-government. It was a fact that the New Zealand Government could still legislate for Niue in certain fields; but the trend had been to reduce the range of matters on which New Zealand enacted legislation and to increase the scope of locally enacted laws.

200. Eventually, the post of Resident Commissioner should be eliminated. Currently, the Resident Commissioner had frequently refrained from attending the Assembly, in order to create and develop an atmosphere of self-confidence on the part of the Leader of Government and other assembly members. In fact, the Assembly has been sitting regularly without the Resident Commissioner's presence. The Executive Committee had certain statutory authority previously held by the Resident Commissioner and they had full authority to act as ministers. The system was working well.

201. The educational system in Niue enabled every child to go on to secondary school. Thereafter, any child could go to one of three places: Upper form VI in New Zealand; the University of the South Pacific; or the Agricultural Institution in Western Samoa.

202. Niue had a better health service than New Zealand: there were free medical, dental, hospital and pharmaceutical services. It was still the practice to display a red flag for a doctor and a white flag for a nurse.

203. He referred also to the problem of the Niuean exodus. He did not know whether the construction of an airport had been a good thing as it had aided in the steady outflow of the people. He had been told that the exodus was due to the unsatisfactory economic conditions and insufficient educational facilities. However, he thought that the chief reason for the steady and growing exodus was "sheer boredom". Every Niuean had relatives in New Zealand, Western Samoa, the Cook Islands, etc. and this had made them restless and wanting to leave.

204. Economically, Niue had difficult problems. Copra exports had dropped, because of conditions in the world market. Banana cultivation had never been successful, as the fruit had to be shipped every one or two weeks, and half the crops spoiled during the four-week intervals between ship calls. Honey looked promising, but financially it was not encouraging. The raising of cattle in conjunction with coconut planting schemes was a good combination, the cattle fertilizing the soil for coconuts. Dairy and meat products in Niue were of good quality. There had been endeavours to improve the economic situation but the future looked "dismal". In general, Samoa, Tonga and the Cook Islands, grew better crops than Niue, especially bananas, pineapple and citrus fruits.

205. The standard of living on Niue was high. Almost all the working force was employed by the Government which paid reasonable wages. The basic problem was that New Zealand was providing over 90 per cent of the money needed by the Niueans. Roads were particularly difficult and expensive to maintain since Niue had a coral base.

206. The Chairman inquired whether the term "member government" had the same meaning as "responsible government". Mr. McEwen said it was a technical nomenclature. Until the achievement of full self-government, there was no minister or ministers, there was a Leader of Government. He cited the Cook Islands and Tonga as examples. Niue had never had chiefs; the basis of society was the village. He said that married men, not single (never married) had a voice in village affairs regardless of their age.

207. The Chairman inquired as to when full self-government was envisaged. Mr. McEwen said that this would happen when the Niueans asked for it.

208. The Chairman said that, according to the Quentin-Baxter report, the Niueans wanted to maintain their identity but were afraid of losing their New Zealand citizenship. Mr. McEwen said that the Niueans had been assured that New Zealand would not cut off aid to them and that if they wished to retain their New Zealand citizenship they might do so. However, despite these assurances, they continued to worry about the discontinuance of aid. Western Samoa now received more aid from New Zealand than it had when it was administered by New Zealand; the aid to the Cook Islands had also doubled. Niueans regarded New Zealand citizenship as desirable because they had relatives in New Zealand and could move about freely if they so wished.

209. The Chairman referred to the psychological and political situation in Niue. Because it was a small Territory, people might even be opposed to independence because of the fear of the unknown. He asked what had been done to allay these fears. Mr. McEwen replied that the Resident Commissioner was extremely conscious of this and had taken steps to promote the political education of the people. This was somewhat easier on Niue where one could communicate in person as Niue was so small. It was easy to hold discussions not only with political leaders themselves but with the population in general.

210. The Chairman asked how candidates were chosen as there were no political parties. Mr. McEwen replied that there were no clear party lines and that it was rather a matter of personalities. The people offered themselves.

211. The Chairman also asked whether in the last elections there had been two or more candidates competing for elections in any of the constituencies. Mr. McEwen replied that in several constituencies there had been only one candidate. People took voting seriously and a high percentage of eligible voters had participated in the elections.

212. The Chairman inquired if voting was by universal adult franchise. Mr. McEwen replied in the affirmative and explained what the qualifications were (see para. 28 above).

213. The Chairman inquired whether, since Professor Quentin-Baxter's recommended amendments to the Niue Act, any changes had been made as regards education, health and public service. Mr. McEwen said that the Niue Amendment Act had amended the provisions of the 1966 Niue Act relating to the control of the Niue Public Service and of education to conform more closely to the stage of constitutional development which Niue had reached.

214. The Chairman inquired about the judiciary and the post of Resident Commissioner. Mr. McEwen said that except in cases of a more serious nature, most of the court trials were held before justices of the peace.

215. The Chairman considered that there was something wrong in having the Resident Commissioner as judge since a Resident Commissioner might not have legal training. Mr. McEwen replied that there was no need for a full-time judge in Niue because of the limited number of cases to be adjudicated. For cases involving serious crimes, a magistrate was sent from New Zealand.

216. The Chairman was impressed by the statistics on education contained in the documents furnished by the administering Power, as well as by those contained in the United Nations Secretariat working papers. He asked what measures had been taken to adapt the educational programme to the needs in the area. Mr. McEwen said that many children went to school in Niue but later spent their lives in New Zealand. It was a question whether one educated these children for life in Niue and forgot where they might spend the rest of their lives or equipped them to hold their own in the outside world.

217. A discussion ensued on various related subjects, such as the "brain drain", students going to universities, the availability of scholarships to Niueans and the

effects of the new air service to and from Niue. Mr. McEwen said that efforts to control emigration would create dissension. The only solution was to make life in Niue satisfactory to the people. As far as "going to the land" was concerned, the people could not make much money out of crops in Niue.

218. The Chairman inquired about industries in Niue. Mr. McEwen replied that the island was getting more machinery to process the passion fruit; sawmilling was a profitable activity and the production of limes held some promise.

219. The Chairman inquired about fishing. Mr. McEwen said that Niue was higher than Mt. Everest but nearly submerged in water; the water surrounding the area was the second deepest in the world. Fishing was difficult, some tuna was caught but owing to depths and reefs, fishing was not plentiful.

220. The Chairman stated that WHO and UNICEF, among others, had been involved in territorial projects; he asked whether there were any other areas where the United Nations could help. Mr. McEwen suggested that the United Nations might perhaps help in the development of forestry. WHO had already provided post-graduate training. The United Nations had also assisted on the water supply project. The authorities were in close touch with UNDP.

221. The Chairman inquired concerning the prospects for tourism. Mr. McEwen said that a 40-bed hotel operated by the Niuean Government was under construction. A survey showed good prospects for a small tourist trade. Many New Zealand farmers liked the "quietness" of Niue; also there was no problem with the currency as it was the same as in New Zealand.

222. The representative of Trinidad and Tobago inquired about the straw (pandanus) industry. Mr. McEwen stated that a volunteer from Volunteer Services Abroad (VSA) was trying to help the Niueans organize the marketing of plaited ware and he was doing a good job. The quality of basket-weaving was good and, in fact, the weaving was being copied by Fijians, Tongans and Samoans.

#### B. The Prime Minister

223. On 29 June, the Mission called on the Prime Minister, Mr. Marshall, in the Parliament Buildings at Wellington. The Prime Minister stated that New Zealand would endeavour to do what was best for Niue and the Niueans and pointed to the examples of Western Samoa and Nauru, both former Trust Territories, and also the Cook Islands, where there had been an act of self-determination in 1965, observed by a United Nations mission. He assured the members that his Government would take note of their comments and give the Mission's report the consideration which it would doubtless merit.

#### C. Senior Officials of the Ministry of Foreign Affairs and the Department of Maori and Island Affairs

224. Later, on the same date, the Mission met with senior officials from the Ministry of Foreign Affairs and the Department of Maori and Island Affairs, including Mr. McEwen and Miss Stokes. Among those representing the Ministry of Foreign Affairs were Mr. Charles Craw, Assistant Secretary, Mr. J. G. McArthur, head of the United Nations Division, and Mr. R. E. B. Peren, head of the South Pacific Division, while Mr. J. R. Springford, Senior Administration Officer, Islands Division, represented the Department of Maori and Island Affairs.



225. The Chairman began by stating that the members of the Mission had formed a fairly favourable impression of the island and considered that there should be no real difference of principle between New Zealand and the United Nations. It seemed to the Mission that the majority of the people of Niue preferred full internal self-government. On a number of occasions it had been mentioned throughout the Territory that full internal self-government should be attained within three years. The Mission tended to share this view. It should be possible to implement a programme of political education within this period. He felt that it was important, in this connexion, to have a time-table. The Mission was aware that such a concept had eventually been rejected in 1965, but it was important to prepare the people. This would give the political leaders an opportunity to do some homework as well. It was not clear to what extent those Niueans, mainly in the village of Avatele, who advocated full integration with New Zealand understood the full implications of this course.

226. The Resident Commissioner had warned that the population could decrease to half its present number in the near future. It was therefore important that every type of encouragement and assistance be given to prepare the people for the changes that would come about.

227. The Chairman then turned to the future role of the Resident Commissioner. He pointed out that, whereas under the Niue Act, 1966, the Resident Commissioner had had a casting vote in the Legislative Assembly, as a result of the recent constitutional amendments this was no longer true, and the role of the Resident Commissioner in the Legislative Assembly now appeared to be more that of a Speaker. In order to instill a greater spirit of self-confidence, the Mission felt it desirable that the Resident Commissioner now be replaced by a Niuean as President of the Legislative Assembly.

228. With regard to the position of the presiding officer of the Executive Committee, the Mission felt that the present arrangement, whereby the Leader of Government acted as chairman, should be formalized. There was a serious need for instituting appropriate political education and the Executive Committee should provide the leadership in this work. Niueans wished to continue its close relations with New Zealand for as long as it was needed.

229. Mr. McEwen pointed out that the Constitutional Adviser, Prof. Quentin-Baxter, whose services were paid for by the New Zealand Government, had been asked by the Government of Niue to return to the island while the Select Committee on Constitutional Development was undertaking its investigations, in order to assist it, by explaining certain technical points and setting out clearly the issues involved.

230. Later, it was felt Niueans should discuss the future with the New Zealand Government some time early in 1973, after the general elections in New Zealand.

231. Concerning the Resident Commissioner's future role, Mr. McEwen saw no great difficulty in his withdrawing from the Legislative Assembly. This, however, could not be formalized until the next session of the Parliament. In fact, the Resident Commissioner had withdrawn from meetings of the Executive Committee rather



frequently. With regard to the Executive Committee, Mr. McEwen thought that an interim stage, whereby the Resident Commissioner would withdraw but retain the right to see Committee decisions and to meet with the Committee to discuss particular items, could be as useful as it had been in Western Samoa and in the Cook Islands.

232. On the question of assurances of continued New Zealand aid, the present Minister of Island Affairs could write a formal letter to the Niuean Government setting forth New Zealand's attitude.

233. On the question of political education, this could effectively be undertaken only by the members of the Executive Committee. Members should go to each constituency. Radio would also be a powerful tool in carrying out the programme of political education. The people listened to the radio. Those who had not attended the public meetings held for the Visiting Mission in the Territory had listened to the broadcasts.

234. The Mission was encouraged by these remarks. The Chairman wondered if the Minister might go to Niue personally to give assurances that New Zealand would not withdraw its assistance once Niue attained self-government.

235. Mr. McEwen found a parallel with the situation which had existed in Western Samoa and the Cook Islands where the inhabitants had experienced similar feelings of anxiety before they became self-governing. He was not certain the fear would disappear until after the act of self-determination.

236. Mr. Craw felt that any time-table for self-government should be set by the Niueans themselves, and that if the United Nations were to recommend self-determination within three years, it might accelerate emigration from Niue.

237. The Chairman said the Mission need not be extremely rigid on this subject. Mr. Rex and Mr. Vivian had suggested that self-determination should come about before the 1975 elections for reasons which they had outlined. Others were not as fixed in their minds. The people must also have time to deliberate. The Mission would endorse the views expressed to it by the Niueans as a whole. It would not put pressure on the people, but would give them encouragement. The administering Power was also able to guide the deliberations.

238. Mr. McEwen said that, although they had not undertaken an act of self-determination, the people were on the right path.

239. The Chairman then took up the role of the Resident Commissioner as a judge. There was a need, in his view, to look for someone other than the Resident Commissioner to assume this function.

240. Mr. McEwen agreed that strictly speaking the positions of Chief Executive and head of the judiciary were incompatible, but a practical alternative was not readily available and the amount of work undertaken by the Resident Commissioner in this respect did not justify the employment of a full-time judge. In any event, the administering Power would take the point into account and try to find a solution.

241. The Chairman raised the question of the fears expressed by the members of the public service and their desire for measures to safeguard the integrity of the service.

242. The Chairman then referred to the very serious problem of emigration, which could not be controlled by legislation as this might create dissension within the community with unforeseen repercussions. Prospects might always seem brighter elsewhere, but facilities must be provided to make life more complete in Niue and as free from boredom as possible.

243. Mr. McEwen said that while he was in Niue he was conscious of this need; sports attractions and dances were held and there was much enthusiasm for three to six months and then the enthusiasm would wane. The attempt never really succeeded. Moreover, he felt that the Niuean community in Auckland was actively encouraging the departure of people from the island. Mr. Craw added that with their greater wealth, the Auckland community had broadcast a special programme for one week, using it as a propaganda machine to entice the people away from Niue.

244. The representative of Trinidad and Tobago inquired if there were any plans for accelerating the localization of the public service in view of the constant exodus of trained personnel. Mr. McEwen replied that the drop-out rate among students trained in New Zealand was about 15 per cent which was not as high as one might expect. The young in New Zealand should be impressed with the need to help others in the island.

245. Reference was made to the fact that it was now legally possible to name a Suva-trained doctor as Chief Medical Officer. Medical training programmes were geared to the needs of the Territory.

246. The Chairman thought that some expatriate teachers encouraged the idea of migration to New Zealand.

247. Mr. McEwen stated that expatriates taught only in secondary schools. There were four at the Teachers' College. At the high school, there seemed to be a wish on the part of the students to continue their studies in New Zealand. This might account for the expatriate teachers' subconscious attitude on the matter, which perhaps gave an impetus to emigration.

248. The representative of Trinidad and Tobago raised the question of trained back-up personnel. Mr. McEwen replied that he was aware of this need. For this purpose, the greatest possible use should be made of the University of the South Pacific, where there was an element of cultural contiguity as well as financial advantages, rather than universities in New Zealand.

249. The Chairman considered that some effort should be made to send students to developing countries as that might rectify the notion among some Niueans that they faced the worst plight in the world.

250. In the field of economic development, having regard to the request of Niueans for an expert from VSA to come to Niue to promote near off-shore fishing, Mr. McEwen explained that as there was no anchorage on Niue, the inhabitants were forced to use small boats, some of which were motor-driven. A VSA expert had not yet been found, but the administering Power would continue to look for one. The people should not have to import fish from abroad.

251. The Chairman raised the question of cold storage facilities which could also be used to preserve meat. He was informed that refrigeration equipment was waiting for a new generator. There were three refrigeration installations, one to be used in case of an emergency. All were in use at present. United Nations assistance had been sought in connexion with the fruit-processing factory. High freight rates and infrequent shipping from Niue made industry hopelessly difficult. Some of the requests for United Nations assistance had been turned down because they were considered to be on too small a scale. Mr. McEwen emphasized the need for projects to be tailored to the specific needs of the Niueans. The Chairman agreed with this view.

252. The Chairman said that he was convinced of the need to support Niue in whatever field. The United Nations might be able to supply a fisheries officer.

253. In reply to a question concerning inter-island trade, Mr. McEwen enumerated regional co-operative arrangements in the Pacific, including the South Pacific Commission, PIPA, the South Pacific Forum, the South Pacific Health Services, the South Pacific Bureau of Economic Co-operation and others. Practical measures had to be taken in the field of trade and shipping in order to meet the particular needs of the Niueans.

254. Referring to the South Pacific Conference, he said that, with the entry of Western Samoa, votes were weighted and New Zealand received four votes, including one for Niue. The Niueans decided their own vote and could cast it against New Zealand if they felt so disposed. Niue also had a full vote in PIPA. Mr. Craw pointed out that in both these organizations, Niue acted as if it were "independent"

255. Mr. Craw raised the subject of capital credit. Banking facilities in the area were reluctant to give sympathetic considerations to small loans. This was especially true of the Asian Development Bank.

256. The representative of Sweden inquired how living conditions could be made more attractive to young people. Reference was made to the South Pacific Games and the recent Festival of (Pacific) Arts. Niue also played rugby with teams from the Cook Islands, Western Samoa and Tonga. Mr. McEwen observed that sporting activities and sporting tours were developing. He did not believe that good housing and satisfactory income in Niue had necessarily stopped migration to New Zealand.

257. The discussions turned to the advisability of sending a Niuean delegation to United Nations Headquarters to discuss their future. This would provide further experience for the government leaders.

258. The meeting closed with explanations concerning the voting rights of those Niueans residing in New Zealand and of expatriates working in Niue (see paras. 28 and 192 above). It was felt that the attitude of Niueans still living on the island would determine whether they wanted to enfranchise Niueans residing abroad. The Select Committee on Constitutional Development might consider this question when it met.

259. The question of land rights was also raised and the view was expressed that this was a matter on which the Niueans themselves had the right to legislate.

#### D. The Minister of Island Affairs

260. The Mission called on the Minister of Island Affairs, the Honourable Duncan MacIntyre, on 30 June. The Minister informed the Mission that Professor Quentin-Baxter had been asked to return to Niue in August 1972 to assist the Select Committee on Constitutional Development. Following this, a Niuean delegation would go to Wellington in February 1973 to hold discussions with the administering Power.

261. The Chairman informed the Minister that the Mission had gained the impression that Niue aspired to full internal self-government with continued aid from New Zealand and New Zealand citizenship. There was a need for the political education of the people and the first steps in this field could be taken by the Select Committee.

262. The Chairman inquired whether, in order to allay general suspicions in the Territory, the Minister might undertake a trip to the Territory. A letter to the Legislative Assembly giving the administering Power's assurance of continued assistance would also be useful.

263. The Minister stated that he would recommend to his Government that it should issue a written statement to the effect that any further step towards internal self-government would not result in a lessening of the financial assistance Niue was receiving from New Zealand. He added that he would be happy to facilitate anything farther along those lines. The Niueans had only to look at New Zealand's record in the Cook Islands and Western Samoa. With regard to a trip to the Territory, he pointed out that he had paid two visits to Niue and would visit it again as necessary.

264. The Minister discussed the latest achievements in the Territory, including the construction of the aerodrome at a minimal cost. He pointed out the evolution of the University of the South Pacific. He thought it augured well that such institutions were becoming gradually "indigenized". PIPA, for example, was considered by the people of the South Pacific as their own institution.

265. The Minister discussed the possibility of sending Niueans to other developing countries so that they would be in a better position to deal with their own problems. He pointed out that New Zealand was itself a small and developing country with the largest Polynesian population in the world.

## V. OBSERVATIONS, CONCLUSIONS AND RECOMMENDATIONS

### A. Political and constitutional conditions

266. It will be observed from the above that the Visiting Mission had the opportunity of meeting a broad cross-section of the community. The Mission's contacts ranged from discussions with the members of the Executive Committee, members of the Legislative Assembly, senior public servants, chairmen of village councils and individual citizens. The Mission was impressed by the frank contribution made by those who took the floor at public, as well as other meetings. It was convinced that those who spoke, spoke their minds quite freely and it was quite obvious that no restraint was being imposed on them. Furthermore, it is of interest to record that such contributions were made by both the old and the young, the women and the men. Naturally, during the five days which the Mission spent on Niue, it was impossible to obtain the views of everyone. Nevertheless, the Mission did reach a large segment of the population and, consequently, believes that the views of the entire community were effectively projected and represented. Furthermore, it is important to observe that some of the Mission's proceedings were broadcast live and were therefore heard by a very large segment of the community.

267. On the basis of the information which it derived from these discussions and exchanges, including private talks with individuals, the Mission can clearly confirm the following trends. The overwhelming majority of the population is in favour of full internal self-government. A small minority clearly expressed its position in favour of full integration with New Zealand. Yet, almost everyone maintained the position that the people wished to retain their Niuean identity. The Mission was not able to ascertain whether that section of the community which favoured integration was aware that such a process could entail a total assimilation and therefore the loss of its identity. It is the Mission's belief that this particular section of the community is not fully aware of such implications. There is a consensus concerning one factor, namely the desire for continued close relationship with New Zealand in whatever form of self-government that Niue attains eventually. This point was stressed again and again by almost everyone, ranging from legislators to villagers. Almost everyone also emphasized the desire of Niueans to retain New Zealand citizenship and free access to New Zealand. Emphasis was repeatedly placed on the need for continued assistance from New Zealand. Most of those underscoring this point expressed the fear that without such assistance, the island had no future. The Mission is of the opinion that this anxiety concerning the possibility that New Zealand assistance might diminish once full self-government has been achieved has made some people particularly cautious towards accelerated constitutional progress.

268. Concerning the pace of constitutional progress, the Mission noted three different trends of opinion. There were those who made it quite clear that they thought the time had come for self-government. Others expressed some fear that constitutional development was moving too fast and they strongly advocated maintenance of the status quo. The third group, which was the predominant one, considered that the present constitutional development was progressing at the

proper pace and that measures should be taken steadily and cautiously towards self-government. The Mission noted that this view represented the majority. All three groups were, however, united on one point: the people of Niue, through their Legislative Assembly, should determine their own pace of constitutional development.

269. The Mission found an underlying feeling of fear that self-government would mean cutting off the close relationship with New Zealand. It seemed to the Mission that there was an apparent lack of self-confidence among some sectors of the Niuean people. The Mission heard repeated representations stressing the need for Niue to remain with "mother New Zealand". This feeling of total dependence on New Zealand is the breeding ground for the view, expressed by some, that full integration with the metropolitan country should be the goal for Niue.

270. To allay the fear that self-government would result in the loss of assistance from New Zealand, the Mission considers that there must be a binding, official commitment from the New Zealand Government that whatever form of self-government the Niueans eventually choose for themselves, New Zealand will continue its assistance as long as the Niueans require it and wish it to continue. The Mission raised this point at its meeting with the Minister of Island Affairs. The Minister was favourably disposed to the Mission's observations and undertook to recommend to the Government and Parliament that a formal letter of assurance should be sent to the Niueans.

271. It was clear to the members of the Mission that one of the serious shortcomings in the Territory was the lack of adequate political education. This manifested itself in many ways. On numerous occasions in the course of meetings, it transpired that many of the participants did not have a full understanding of what constitutes self-government. In the view of the members of the Mission, the administering Power has the responsibility to undertake all necessary measures to ensure that this deficiency is rectified. At the same time, the Mission considers that the elected members of the Assembly should, in fact, exercise their leadership responsibilities for the education of the people on this vital point. Apart from the inadequacy of political education which the Mission found to exist among the Niuean population, there appeared to be a lack of adequate communication between the elected members of the Assembly and their constituents. The Mission does not wish to imply that the members of the Assembly are not adequately or effectively representing the wishes and aspirations of their constituents but simply to underscore that not enough is being done to inform the citizens of Niue of what they should properly know concerning the future of the Territory. In this respect, the Mission found it encouraging that the members of the Niue Government seemed fully aware of the need for intensified political education. They acknowledged that they themselves had not done enough in this field and stressed their intention to go out to the villages in order to enhance the political awareness of the people and to explain to them what further constitutional progress would mean.

272. The Mission, in taking note of the provisions of part I of the Niue Amendment Act, 1971, which came into force on 4 March 1972 (see appendix VII to this report), considers that the Act has brought Niue a step further towards self-government. While welcoming the enactment of the amendments, the Mission is nevertheless of the opinion that there are two areas in which immediate steps could be taken to reinforce these changes. In the first place, the Mission considers that the provisions of the Rules for the Conduct of Executive Committee Business, whereby

the Leader of Government is empowered to preside over meetings of the Committee (see appendix VI, para. 7, to this report) should be formally embodied in the Constitution. In this connexion, it should be pointed out that the Niue Act, 1966, provides that the Resident Commissioner shall normally preside over the Executive Committee. The Act as amended, at present, however, contains no provision for a presiding officer of the Committee except to stipulate that the Committee itself will determine its own conduct of business. It is the view of the Mission that the Constitution should contain clear provisions in this respect.

273. Secondly, the Mission is of the opinion that the President of the Legislative Assembly should be a Niuean instead of the Resident Commissioner, as is the case at present. It should be pointed out that, whereas, before the recent constitutional amendments were enacted, the Resident Commissioner had a casting vote in the Assembly, at present, he now has no such prerogative. In other words, the position of the President of the Assembly at the moment is merely that of a Speaker. In the circumstances, the Mission finds no reason whatsoever to retain the status quo and is of the firm view that the matter should be rectified. The Mission believes that the appointment of a Niuean as President of the Assembly would give the Niueans a greater feeling of responsibility in the management of their own affairs and would thus represent a step towards the objective of enabling the people of Niue to exercise self-government and self-determination as soon as possible.

274. The Mission considers that it is both unsatisfactory and anachronistic for the Resident Commissioner to continue to act as the judge. It strongly recommends that steps be taken as soon as possible to put an end to this situation and to devise a more appropriate alternative for the execution of justice in the Territory. The Mission holds the view that it is important to separate the powers of the executive from those of the judiciary, and in recommending that an alternative be found to the present practice, the Mission has also been encouraged by the assurances given to it by the officials of the New Zealand Government in Wellington that serious efforts will be made to correct the situation. It should be added that the representatives of the New Zealand Government in the Territory are also of the opinion that the present situation is unsatisfactory.

275. The Mission notes with satisfaction the formation by the island's Legislative Assembly of a Select Committee on Constitutional Development whose functions include examining ways and means for achieving further constitutional progress. The Mission was informed by the members of the Executive Committee that they expect the Select Committee to consult the population concerning measures for constitutional advancement. At the same time, the members of the Executive Committee emphasized to the Mission that the Select Committee will also serve as a medium for the political education of the community. The Mission very much welcomes the formation of this Committee and expects the administering Power to give it the greatest possible co-operation. The Mission was informed by the members of the Executive Committee, all of whom are members of the Select Committee, that the latter intends to consult the people of all the villages in Niue and after obtaining their views, to send a delegation to Wellington in order to hold a dialogue with the Government of New Zealand concerning Niue's constitutional advancement. The Select Committee is planning to undertake and conclude its consultations with the people as soon as possible and it is expected that the delegation's visit to Wellington will take place some time in February 1973. Before its departure from Wellington, the Mission was informed by the Minister of Island Affairs that the



Government of Niue had requested the services of its Constitutional Adviser, Professor Quentin-Baxter, some time in August and had also requested to visit Wellington in February 1973 to hold discussions with the New Zealand Government concerning constitutional matters. The Mission welcomes this latest initiative of the Government of Niue. Coming as it does almost immediately after the Mission's visit, the Mission considers it as an eloquent reaffirmation of its finding that the people of Niue are now firmly determined to proceed towards full internal self-government.

276. At a meeting with the members of the Legislative Assembly, one member, who is also on the Executive Committee, suggested that a time-table for constitutional development might now be considered. The Mission took up this question during its meetings with the Executive Committee and found that, in principle, a time-table was considered to be not only acceptable but desirable. In this context, it should be mentioned that one member said that in his opinion a period of three years should be the maximum time within which full internal self-government should be realized in the island. Although favouring a time-table, the Niuean Government emphasized to the Mission that a certain amount of groundwork had to be done before any firm decision was taken on the timing of further constitutional advances. They seemed to feel that a time-table could be made to work only if its meaning was explained to the people. The Mission is firmly convinced that the idea of a fixed time-table for constitutional development should be seriously pursued and draws the attention of the administering Power to the essential role it must play in that regard. The Mission is of the opinion that the proposal to set three years as a time-limit for the attainment of full internal self-government is fair and reasonable and deserves serious consideration. In commending this proposal to the administering Power, the Mission has taken fully into consideration the particular circumstances of the island and the clearly expressed wish of the islanders for full internal self-government. The Mission considers that such a time-table would give a greater sense of direction to the people and would also serve to strengthen their self-confidence and their willingness to assume greater responsibilities. At the same time, the Mission wishes to stress the importance of fully involving the people in this exercise.

277. The Mission found that the senior public servants had some apprehensions concerning the future of the civil service unless adequate safeguards were laid down to prevent undue political influence in the running of the affairs of the service. The Mission recalls in this connexion that in many Non-Self-Governing Territories on the eve of self-government, senior civil servants have often expressed similar fears, primarily out of concern for their own position. These have proved to be exaggerated. The Mission believes that the feelings of apprehension expressed by the Niue public servants are for the most part unfounded. In order to dispel such fears, however, the Mission considers it essential that the constitution of a self-governing Niue should contain effective safeguards for the maintenance of an independent civil service commission.

#### B. Economic and social conditions

278. Almost every speaker at the meetings stressed the difficulties experienced by Niue owing to its lack of resources. There were repeated references to the rocky nature of the island and the paucity of its soil, which prevented anything but coconuts, taros and kumaras from growing. Even these, it was said, were produced with great difficulty.



279. The Mission was able to appreciate the harshness of life for the people of the Territory during a tour of the entire island which occupied nearly a day. In some places, there is indeed no soil whatsoever and such vegetation as there is grows straight out of the rocks. In other places, the soil is poor and it varies in depth from three inches to one foot. However, the Mission is not of the view that agricultural production is as impossible as some Niueans make it out to be. The work at present being carried out by the Department of Agriculture to bring about diversification through proper fertilization and through introduction of new crops such as passion fruit and limes, as well as by establishing a beef industry in conjunction with a scheme for the rehabilitation of the coconut industry, has convinced the Mission that the future of agriculture in Niue is not as unpromising as so many people seem to imagine. The production of traditional crops of kumaras and coconuts has met with increased difficulties lately because of crop disease on the one hand and declining world copra prices on the other. Nevertheless, passion fruit exports have brought in the highest return in the island's commodity trade for the year ended 31 March 1972, thus attesting to the importance of intensifying efforts already being made to diversify the economy.

280. The Mission also notes the progress being made in the growing and processing of limes. In that regard, the Mission considers that the assistance provided by UNDP in connexion with the construction of a new factory to meet the requirements for the expected increase in the processing of both passion fruit and lime products constitutes a positive step.

281. The Mission notes that in recent years Niue has received technical assistance from the United Nations family of organizations in filariasis control (WHO), water reticulation (UNICEF), and educational aids (UNESCO). It has also been the recipient of a number of fellowships and scholarships from WHO.

282. The Mission further notes that experts in the fields of population policies from the Economic Commission for Asia and the Far East (ECAFE); forestry development and utilization and food processing from FAO; transport from the United Nations Conference on Trade and Development (UNCTAD); and tourism from the United Nations Development Advisory Team (UNDAT); as well as specialists in various subjects from the South Pacific Commission have visited the Territory and presented reports. In this connexion, it notes with special interest and shares the observations made in 1971 by experts from FAO and UNDP to the effect that the establishment of a suitable light industry could provide adequate employment opportunities for the available labour force, estimated at approximately 1,000 persons, and would thus reduce the flow of emigration.

283. The Mission was also informed that an expert from the South Pacific Commission had recently studied the possibilities of a fishing industry in the Territory. In this connexion, it understands that the Niuean Government has requested the services of a fisheries officer from VSA of New Zealand to assist in encouraging near off-shore fishing. The Mission wishes to observe that one of the apparent obstacles to the development of local fishing is the lack of anchorage in the vicinity of the island, as a consequence of which fishing is restricted to small boats that must be brought ashore. The administering Power informed the Mission that the services of a fisheries officer had not yet been found but that it would continue in its efforts to obtain such an expert. In view of the importance which Niuean officials attach to the need for such an expert, the Mission expresses the hope that the matter will be given high priority by the administering Power.

284. The Mission was informed that in recent years there had been increasing activity in the field of inter-island trade in the area, under the auspices of the South Pacific Commission, PIPA and the newly created South Pacific Forum. It cannot be emphasized too strongly that efforts must be made to diversify the economy and at the same time to find new export markets. Access to new markets is basically contingent on the availability of adequate means of transporting goods. Further, the possibility of marketing special products such as honey and handicrafts in areas outside of the southern Pacific deserves study.

285. There has never been much commerce between the islands as they all tend to grow the same products. It is to be noted, moreover, that during the year ended 31 December 1971, more than three quarters of Niue's imports originated in New Zealand (\$NZ 637,408 out of \$NZ 810,682) and the destination for nearly 90 per cent of its exports was New Zealand (\$NZ 160,051 out of \$NZ 178,969). The Mission considers that it would improve Niue's economic life if steps were taken to develop trade relations with a larger number of countries. There is an obvious need, in the Mission's view, to rationalize industry in the area, but the Mission is aware that this will be almost impossible so long as shipping continues to follow outdated and arbitrary routes, resulting in inadequate services. In this connexion, the Mission expresses the hope that the regional transport survey undertaken by UNDP will soon become available and point the way to establishing better and less expensive shipping routes which may benefit the small islands in the Pacific.

286. The Mission heard some criticism that financial institutions in the area are reluctant to service small loans from which they stand to gain too small a profit. It considers that it is essential that Niue and similar communities in the area should receive equal treatment with their larger neighbours for the healthy economic development of the entire region. The Mission therefore urges all international agencies providing capital credit in the Pacific, especially the Asian Development Bank, to give full and sympathetic consideration to requests for support from local economic enterprises in small Territories.

287. The Mission considers that the administering Powers concerned have a special responsibility towards small Territories such as Niue, in view of the particular circumstances created by the geographical location and the economic conditions of those Territories. It also believes that the international community has a role to play in this respect.

288. The Mission urges all concerned to intensify their efforts to assist the Territory in diversifying and developing its economy. In the opinion of the Mission, such steps would help to discourage the movement of population away from the island and would provide further incentives to those who wish to remain in their homeland.

289. The Mission was told again and again that Niueans wished to maintain their link with New Zealand not only because of the financial assistance they received from the New Zealand Government but also because this link provided Niueans with free access to New Zealand. This constant emigration has resulted in the outflow from the Territory of much needed manpower and skills. At one government project, the Mission was told that work had been seriously hampered by the acute shortage of labour, as the original work force had been reduced by one third through emigration and there were no replacements to be found. This situation had forced

the Government of Niue to explore the possibility of importing skilled labour from neighbouring islands. The Mission is of the view that, while, in the short run, this measure is desirable to maintain and carry out essential work, in the long run, the future needs of the Territory can be realized only if there are a sufficient number of Niueans committed to serving their own community on the island. In this respect, the Mission notes with concern that the Niuean Government's efforts to train people through apprenticeship schemes and scholarships are being frustrated by the failure of a number of the trainees to return to serve in the Territory. This trend is particularly noticeable in the public service and renders the process of localization of the public service more complex.

290. It became obvious to the Mission that one of the basic problems having an important bearing on the future of the Territory was the continuous migration to New Zealand which is beginning to reduce the population of Niue at an ever-increasing rate. According to the latest statistics, there are as many Niueans resident in New Zealand as there are in the Territory. At the meetings held by the Mission, the question was raised repeatedly in different contexts and from different angles. The serious implications for the future of Niue were drastically pin-pointed in a comment by a member of the Legislative Assembly who flatly stated that the island could not be governed if there were no people to govern.

291. The Mission shares the concern over this steady outflow of the population of Niue. A small community with big problems on its hands, Niue cannot sustain such a drain of its human resources without seriously endangering its future. The economic and social problems are accelerated in a vicious circle. As more people leave the island, it becomes increasingly more difficult for those staying behind not to follow suit.

292. The Mission feels that this migration could also have serious implications for the political future of the Territory. If the population figures continue to dwindle at the present rate, it would render the task of actively involving the people in further constitutional progress infinitely more difficult and might well weaken the determination of those at present trying to carry it out. The possibilities of preserving Niue as a self-governing entity with a national identity of its own, which is the goal the islanders have set for themselves, would be done serious harm.

293. The Mission is fully aware that there are no easy answers to the question as to what could and should be done to stem the outgoing tide of emigration and, preferably, reverse it. It is therefore important that the search for a solution should not only be continued but also further intensified. It appears to the Mission to be of special importance that the young people, whether in training in New Zealand or still living on the island, be given incentives to apply their skills in Niue.

294. The search for brighter economic prospects and easier living conditions is, of course, the main reason for emigration, and the obvious antidote would be better employment opportunities in the Territory. There appears to be also an element of simple boredom involved, especially among the young who have difficulty in finding enough stimuli for their minds or possibilities of satisfying their need for leisure-time enjoyment in a tiny village on a tiny isolated island. It appears to the Mission that everyday life might be made more satisfying and rewarding for the restless young, for instance, by organizing social activities such as sports clubs

and sporting events, as well as establishing recreational facilities and a range of other social amenities. The recent extension of broadcasting facilities on the island should help to provide better contacts with the outside world for those who feel a need for it. A more comprehensive newspaper, published more frequently, would serve the same purpose and would also stimulate greater involvement in the development of the island which in turn would tend to give the people a greater stake in the future of Niue.

295. The Mission believes that it might be helpful if scholarships or other kinds of funds were made available to young Niueans to enable them to visit parts of the world other than New Zealand, preferably developing countries. This would give them an opportunity to learn and to become aware of the fact that Niue shares many problems with other countries. In the view of the Mission, there is a need to impress upon the Niueans the fact that many of the problems they face, though complex, exist in several other countries.

296. The basic problem appears to be the psychological attitude of the Niueans. In the minds of many, the lure of New Zealand tends to outweigh the will to remain in the island in order to develop it. The Niueans, comparing their own potential with the resources of better endowed islands in the South Pacific, have tended to regard themselves as the least privileged community in the region and this attitude has led to a certain lack of confidence in their own ability to develop the island.

297. The Mission believes that education could play a more important and positive role in this context. It is essential to strike a balance between equipping young Niueans for life and work in the outside world and conditioning him to assume his proper responsibility to the Niuean community. The Mission believes that the administering Power and the local authorities should continue to examine thoroughly the application of such an approach to education in Niue.

298. There is no doubt in the minds of the members of the Mission that Niue has some serious economic and other problems of a practical nature. Some of these problems are common to all small Territories, but others are peculiar to Niue. Its two foremost problems are the paucity of its natural resources and the rapidly declining population, the latter largely the result of emigration. The Mission is convinced that these difficulties, although acute, are not insurmountable, given the necessary determination and commitment on the part of the Niuean people, and the co-operation and assistance of the administering Power, together with the support of the international community.

299. It is evident, at the same time, that there exists a need for a better understanding and appreciation of the problems confronting the Niueans, in order to assist them effectively and also to allay their fears and dispel some of their misconceptions. The Mission wishes in this regard, to stress the special responsibility of the administering Power, bearing in mind in particular the relevant provisions of Article 73 of the Charter.

300. Here are a people definitely intent on maintaining their identity and achieving self-government and self-determination, but, nevertheless, rather apprehensive of their future in view of their special situation. There lies the real challenge. The Mission considers it imperative that all necessary assistance be given to the Niuean people in order that they may achieve their legitimate right to self-determination in accordance with the provisions of General Assembly resolution 1514 (XV) of 15 December 1960.

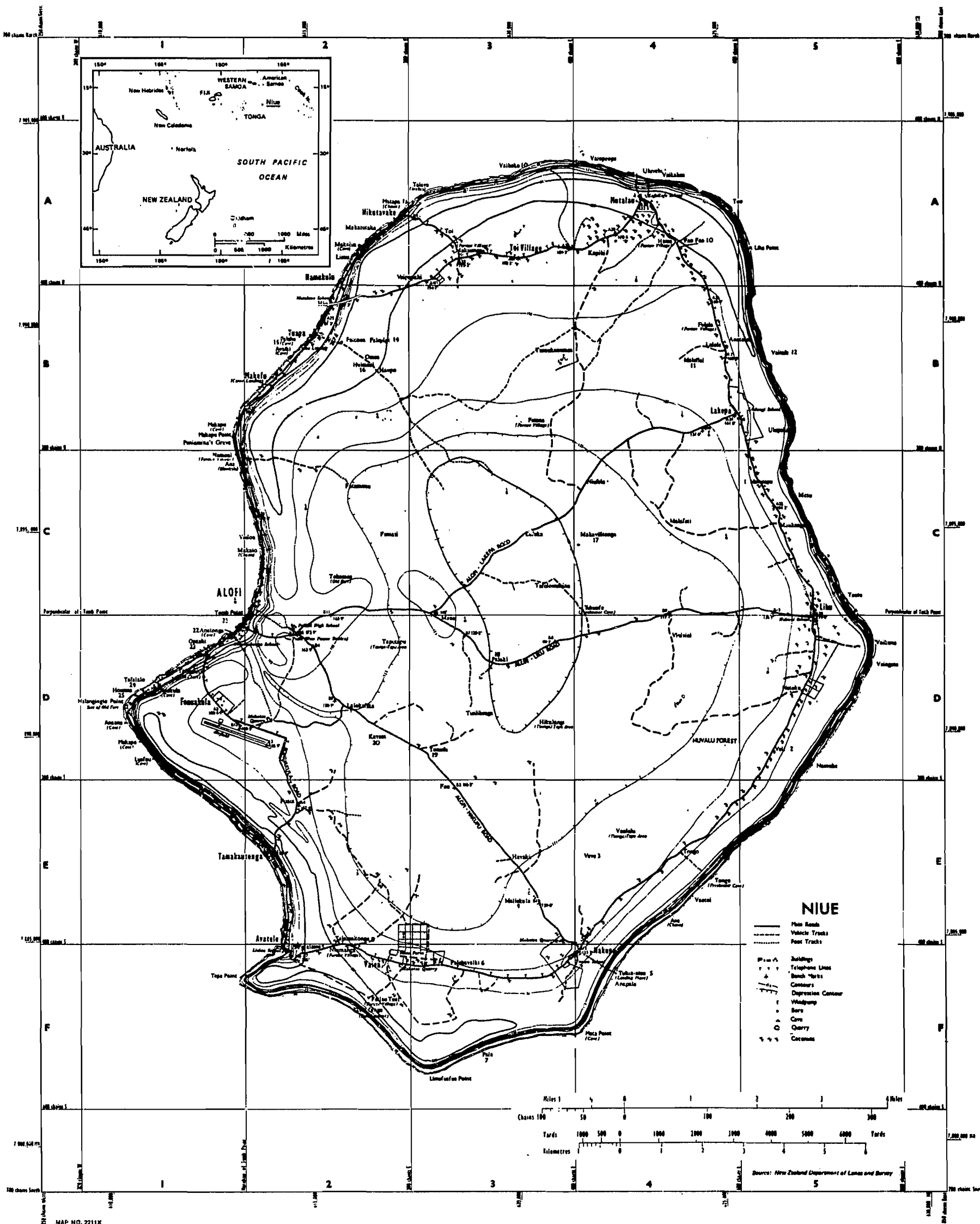
VI. ADOPTION OF THE REPORT

301. This report has been subscribed to in its entirety by the three members of the 1972 Visiting Mission to Niue at their final meeting, at Rotorua, New Zealand, on 2 July 1972.

(Signed) S. A. SALIM  
Chairman  
Representative of the  
United Republic of Tanzania

(Signed) F. O. ABDULAH  
Representative of Trinidad and  
Tobago

(Signed) B. SKOTTSBERG-ÅHMAN  
Representative of Sweden



Appendix I

CHRONICLE OF THE VISITING MISSION IN THE TERRITORY

<u>Date</u>	<u>Remarks</u>
Wednesday 21 June 1972	Arrival at Hanan International Airport, Niue. Official welcome at the Administration Green, Alofi. Statements made by the Resident Commissioner, the Leader of Government, the New Zealand Secretary for Maori and Island Affairs and the Chairman of the Mission.
Thursday 22 June 1972	Meeting with members of the Niue Legislative Assembly in the Assembly Chambers at Alofi. Meeting with and guests of the Women's Clubs of Niue at a luncheon. Meeting with Niue Development Board.
Friday 23 June 1972	Meeting with the Executive Committee. Visits to the Public Works Department depot, the government hotel construction site, the Lord Liverpool Hospital, the Education Centre, the Niue High School, the power station, the Administration Centre and the port installations. Meeting with senior Niuean public servants, permanent and casual. Public meeting at Alofi with the people of the west coast villages.
Saturday 24 June 1972	Tour of the island to visit a plant for the processing of passion fruit, a lime processing plant, a lime orchard, the Niue Honey Company, the Niue Development Board's slaughter-house and the International Airport all of which are at or near Alofi; the radio communications centre at Kaimiti; an experimental farm at Vaiea; the Tuatea School at Hakupu; a plantation belonging to an assemblyman at Liku; a coconut rehabilitation scheme and associated farming activities; a coconut improvement project under the Niue Development Board's Smallholders' Scheme at Toi, and a plant propagation station at Vaipapahi. Public meeting at Hakupu with the people of the east coast villages.
Sunday 25 June 1972	Meeting with the Executive Committee; meeting with the Resident Commissioner.

Monday  
26 June

Attended display of local plaited ware; meeting with  
Niue Tourist Board.  
Farewell calls on the Resident Commissioner and the  
Leader of Government.

Departure for New Zealand.



## Appendix II

### STATEMENT BY THE RESIDENT COMMISSIONER ON 21 JUNE 1972

The Government and people of Niue are deeply honoured by the presence in Niue of representatives of the United Nations. We extend to you our most cordial welcome and trust that you will enjoy your short stay with us.

Your visit is a most significant event for not only is it a tangible expression of the interest which the international community of nations takes in Niue, but it also marks the first occasion on which representatives of your Special Committee have visited a small South Pacific Territory prior to an act of self-determination. Today is thus a unique occasion in the history of Niue and the United Nations.

Mr. Ambassador, your visit is not only unique - it is also timely, for you have come at a most interesting and significant stage in Niue's political progress. The elected representatives of the Niuean people have recently assumed legal control of the executive Government, a step which has been taken with the encouragement and very willing co-operation of the New Zealand Government. This progress has been achieved with dignity and a sense of responsibility, and I believe it has served to strengthen rather than weaken the traditional ties which currently link Niue and New Zealand - ties of allegiance to the Crown, a common citizenship and the even stronger bonds of family and kinship.

Ahead lies the perplexing question of the future status of this island and its people. Perplexing, because migration to New Zealand is increasing and yet the people of Niue are aware that this island only has a future if the majority of Niueans continue to live here, committed to responsibility for the management of their own affairs. Through the Legislative Assembly, the Executive Committee and the development and tourist boards, the Niuean people are tackling the problems of development in a spirit of co-operation with their New Zealand advisers, and in the realization that their efforts are directed to maintaining the identity of a country where their own particular way of life predominates.

In the nature of things the efforts of the Niuean people alone cannot suffice because of the restrictions which face them here - limited economic resources and social opportunities and a small and young population. In looking to the future, they have the assurances of continuing financial, technical and administrative assistance from New Zealand. Because she is partly a Polynesian nation herself, with close ethnic and cultural ties with the Polynesians of the central Pacific, New Zealand has a special interest in promoting the welfare of the Niuean people. I think it will be evident to you that she has nothing to gain from Niue by way of economic exploitation or strategic advantage.

We believe the United Nations shares New Zealand's responsibility to assist the people of this island to find a practicable solution to the problem of their future status. Whatever that solution might be, two things are certain - it can only be based on the freely expressed wishes of the Niuean people themselves, and it should be a pragmatic solution. A flexible and pragmatic approach to Niue's progress is the essence of New Zealand's policy.

New Zealand and the United Nations will no doubt continue to co-operate in assisting the Niuean people to achieve a political future without sacrificing the Niuean way of life or foregoing the guarantees of continued assistance from both New Zealand and the international community.

Your Excellency, we are delighted to have you and your colleagues with us, and we trust you will take away pleasant recollections of your visit to Niue.

### Appendix III

#### STATEMENT BY THE LEADER OF GOVERNMENT ON 21 JUNE 1972

It is my very great pleasure and honour to extend to Ambassador Salim and the members of the Mission a very cordial welcome, and also to extend to them the very warmest greetings of the Niuean people, on this very historic occasion. I am also pleased to greet and welcome our two friends from metropolitan New Zealand.

Ambassador Salim, my people and I are indeed flattered by the attention and concern the United Nations have shown for the welfare of the people of this small island. We have heard on more than one occasion of the wish of the United Nations to send a visiting mission to Niue. And the fact that the United Nations has accepted New Zealand's invitation to send a Mission to Niue this year is indicative of the Committee of Twenty-Four's genuine interest in our constitutional welfare. This is particularly heartening because more often than not, world maps do not show Niue although it is one of the largest coral islands in the world. It is not unusual for the rest of the world to confuse us with Nauru, that recently independent country whose phosphate fame is world-wide. Actually we would not have minded the insult so much if we had some of their agricultural stimulants to sell. It is therefore a no mean understatement to say how much we appreciate the concern which has been shown by world leaders based 6,000 miles away in New York, when some of those much closer geographically do not even know we exist.

Now that you distinguished people are here, international attention is going to focus on Niue. On the other hand, many of my people are going to remember the week that they shook hands and talked to very important people from Tanzania, Sweden, the West Indies, America, France, and the Philippines.

Ambassador Salim, we have planned your visit so that you and the members of your team will see all that is possible to see, and to talk to and with almost everyone on Niue. I can assure you that nowhere else in the world will you find it possible to see everything worth seeing and to talk to and meet almost the entire adult population. This is only possible because we are small in size and in number. Small places and small people have advantages and problems unique to themselves and in the many years of association with the development of my small country, I have often found that there are times when size is the determining factor whether a problem is solved or not solved. In the course of your stay here I am certain you will find out for yourselves that we, both by design and by inclination, are a practical people. Behind this philosophy you will find that we want to assert our rights to be practical in the way of life we want for ourselves. For over a decade, we have been conscious and we have been appreciative of the principles for which the United Nations stands for where colonialism is concerned. I think it is proper for me to say now, as I have said many times before on this very green, that the ultimate constitutional status of Niue will be what the majority of my people want, and whatever that status be, it must be a practical one, and one which will enable us to maintain our own identity, maintain our New Zealand citizenship and continued financial and technical support from New Zealand.

We are proud of, and indeed highly value our New Zealand citizenship because, as I have said, we are a practical people who will eventually want complete control of our own local affairs and at the same time have available at all times the more developed opportunities to be had in metropolitan New Zealand.

If, as it probably does, appear to the United Nations Committee of Twenty-Four that Niue is over-cautious in deciding on an ultimate solution to our future, let me say it here and now, that this is not because New Zealand has been slow to stimulate the Niueans to aspire towards total responsibility for the control of our own affairs. Rather, we have been cautious because we want to experiment until we find a solution that is not only unique to a small country, but one that would give us maximum security that is parallel with maximum local responsibility. By the same token, we decided almost a decade ago that we did not want independence and if we are still uncertain about many things independence is not one of them. If, after your visit you find things still unclear, one thing that will be clear to you is that we do not want independence. We regard New Zealand as our own country and as you know half of our people already live there. If you do not learn anything else, you will at least learn that we want to decide for ourselves what our future is going to be, and when that decision is going to be taken, and we want to do both of these things at our own pace. If it is self-government we want, we will decide when that will be - not when mother New Zealand says and certainly not when the United Nations says.

Ambassador Salim and members of the Mission, what I have outlined holds true of the vast majority of my people, including myself as their leader. I make this qualification before I conclude because there are those of my people in the minority who will want a solution of total integration with metropolitan New Zealand, and, to an even lesser degree, there might even be a few who might want to speed up the processes that will lead Niue to total self-government overnight. As I understand it, your Mission is a fact-finding one. Thus, if as a result of your visit, you can come up with a special solution embracing the practical philosophy of the Niuean people, we will be delighted to hear of it and we would be equally delighted to give it our very earnest consideration. In the meantime we have set up a standing committee of the Legislative Assembly - the Select Committee on Constitutional Development - the prime function of this Committee being to examine in detail what complete self-government and other possible solutions will ultimately mean for the people of Niue when the time comes to implement an act of self-determination.

In conclusion, may I again say how sincerely pleased we all are to have you here with us. We trust that your stay will be fruitful both to you and to us, and that you may enjoy your visit.

#### Appendix IV

##### STATEMENT BY THE CHAIRMAN OF THE VISITING MISSION TO THE LEGISLATIVE ASSEMBLY ON 22 JUNE 1972

Since the adoption of its now historic Declaration on the Granting of Independence to Colonial Countries and Peoples on 14 December 1960, the General Assembly of the United Nations has repeatedly reaffirmed the fact that all non-self-governing peoples have the right to self-determination and, by virtue of that right, freely to determine their political status and to pursue their economic, social and cultural development. In accordance with this principle, the General Assembly, for a number of years, has also reiterated the vital importance of United Nations visiting missions to Non-Self-Governing Territories so as to secure adequate and first hand information on the political, economic and social conditions prevailing in those Territories and to ascertain the true attitude, wishes and aspirations of their inhabitants. Accordingly, it has urged administering Powers to allow such missions to visit all Territories under their administration. The presence of a United Nations mission in Niue at this time is therefore a direct response to the request by the Assembly and has been made possible by the willingness to co-operate demonstrated by the Government of New Zealand in issuing an invitation to the United Nations Special Committee to dispatch such a mission to this Territory.

This Mission has not, therefore, come with rigid ideas on what the people of Niue should do about their future but rather it has come to determine their legitimate aspirations and how the United Nations could assist them in the realization of those aspirations. During its brief stay on the island, the Mission will endeavour to contact as much of a cross-section of the Niuean community as possible, listen to and talk with as much of the population as is possible in an effort to guide it to find a solution to the unique problems facing the Territory and to help the people to determine their future in accordance with their freely expressed will.

In this respect we find it particularly ideal for our work that we should commence our deliberations by being honoured with a meeting with you, honourable members - esteemed elected representatives of the people of Niue. We trust that you will be able to convey to us your thinking and aspirations. We realize that there have been some significant constitutional changes subsequent to Professor Quentin-Baxter's recommendations. The Mission will be glad to learn your evaluation and appreciation of these changes and what further measures, if any, you believe it would be desirable to introduce towards the goal which I believe is common to all of us - the goal of self-determination. I believe we are all agreed on this issue. By we, I mean you, the people of Niue who are directly concerned, the Government of New Zealand as the administering Power and the United Nations which firmly upholds the principle that all peoples, irrespective of race, colour, creed, the size of their country or the nature of their problems, have an inherent right to decide for themselves freely their future and destiny.

The United Nations Visiting Mission to Niue which I have the honour and privilege to lead has been given a clear and unambiguous mandate by both the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and by the General Assembly. We have been instructed to obtain first-hand information on conditions in Niue and to recommend practical steps for the advancement of the people of Niue as soon as possible towards self-government and self-determination. Obviously such recommendations can only be made on the basis of what we find here and in the light of the expressed wishes of the inhabitants of the Territory and their leaders. We can do no more. Indeed, we are here to study and to try to find ways of assisting and not to try to impose our own thinking on you.

I should also like to stress one important point. This is, that the Mission's preoccupation is not only with the constitutional progress of the country - important as that aspect is. We are equally interested in learning at first hand about the general welfare and progress of the Territory. In this respect, we look forward to be more enlightened on the economic and social problems facing the Territory and how these are being tackled and in what manner the international community can assist. We recognize that Niue has its special problems, some of which may be unique. But given the determination of the Niuean people, the co-operation of the New Zealand Government as the administering Power and the good will of the international community, the future of the Territory as a self-governing entity, in our opinion, is assured.

At this stage, I believe these preliminary remarks should suffice, particularly in the light of the fact that we have come here to listen, observe and exchange views rather than make long declarations outlining our positions. The overriding consideration is your position and your views. And it is these that we are eager to be apprised of. The United Nations believes in certain sacred principles, one of the most prominent of which is, as stated earlier, the right of all peoples to self-determination. How this principle is implemented from one Non-Self-Governing Territory to another depends on the particular conditions of that Territory. In the case of Niue, therefore, our paramount interest is how the Niueans can be assisted in achieving their legitimate and noble objective in the manner they themselves see appropriate.

Appendix V

NIUE AMENDMENT ACT, 1971

ANALYSIS

Title

1. Short Title

PART I

Constitutional Provisions

2. Commencement
3. New sections as to executive government substituted
  5. Resident Commissioner of Niue
  6. Deputy of Resident Commissioner
  7. Seal of Niue
  8. Executive Committee
  9. Leader of Government
  10. Appointment of members of Executive Committee after election of Leader of Government
  11. Vote of confidence in Executive Committee
  12. Vacation of office by appointed members of Executive Committee
  13. Temporary members of Executive Committee
  14. Assignment of responsibilities to members of Executive Committee
    - 14A. Meetings of Executive Committee
    - 14B. Exercise of powers of Resident Commissioner
    - 14C. Rules, other enactments, and decisions of Executive Committee or Resident Commissioner
    - 14D. Clerk of the Executive Committee
4. Amendments consequential on section 3
5. Education to be provided for people of Niue
6. Remuneration of members of Executive Committee and of other members of Island Assembly
7. Dissolution of Island Assembly
8. Procedure of Island Assembly
9. Clerk of the Island Assembly

10. Assent to Bills by Resident Commissioner
11. Seal of the High Court, the Land Court, and the Land Appellate Court
12. Functions, powers, and duties of State Services Commission
13. Oath of Allegiance and Judicial Oath
- ...



1971, No. 143

An Act to amend the Niue Act 1966

9 December 1971

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title - This Act may be cited as the Niue Amendment Act 1971, and shall be read together with and deemed part of the Niue Act 1966 (hereinafter referred to as the principal Act).

PART I

Constitutional Provisions

2. Commencement - This Part of this Act shall come into force on a date to be fixed by the Governor-General, by Order in Council.

3. New sections as to executive government substituted - The principal Act is hereby amended by repealing sections 5 to 14, and substituting the following sections:

"5. Resident Commissioner of Niue - (1) There shall be appointed under the provisions of Part XXXI of this Act a Resident Commissioner of Niue.

(2) The Resident Commissioner shall be the chief administrative officer of the Government of Niue, and shall have such other functions and powers as are conferred on him by this Act or any other enactment or law in force in Niue.

(3) Without limiting the generality of subsection (2) of this section, the Resident Commissioner shall, as the Minister may direct, report to the Minister with respect to the affairs of Niue, and convey to the Government of Niue the views of the Government of New Zealand on any matter.

(4) Except as provided in subsection (3) of this section or as otherwise provided by this Act or any other enactment or law in force in Niue, the Resident Commissioner shall be responsible to the Executive Committee of Niue in the performance and exercise of his functions and powers.

(5) The Resident Commissioner shall be stationed in Niue.

"6. Deputy of Resident Commissioner - (1) Whenever the office of Resident Commissioner is vacant or the holder of that office is absent from Niue or is for any reason unable to perform any of his functions or exercise any of his powers, -

(a) Those functions and powers shall be performed and exercised by a person appointed under the provisions of Part XXXI of this Act to be the Deputy of the Resident Commissioner;

(b) While there is no such Deputy, those functions and powers shall be performed and exercised by a person directed to do so pursuant to section 660 of this Act.

(2) No act done by the Deputy of the Resident Commissioner or by any person directed as aforesaid in the performance or exercise of any function or power of the Resident Commissioner shall be questioned or invalidated on the ground that the occasion therefor had not arisen or had ceased.

"7. Seal of Niue - (1) There shall be a Public Seal of Niue (in this Act referred to as the Seal of Niue), to be in such form or forms as the Executive Committee from time to time approves.

(2) The Seal of Niue shall be in the custody of the Resident Commissioner.

(3) The Seal of Niue may be used by the Resident Commissioner for the authentication of any public document in relation to the Government of Niue or for the execution of any document required by law to be executed under the Seal of Niue.

(4) Judicial notice shall be taken of the Seal of Niue in all Courts in Niue and in New Zealand.

"The Executive Committee of Niue

"8. Executive Committee - (1) There shall be an Executive Committee of Niue, which shall consist of the Resident Commissioner, the Leader of Government (who shall be a member of the Island Assembly), and 3 other members of the Island Assembly.

(2) Subject to the provisions of this Act, the Executive Committee shall have the general direction and control of the executive government of Niue, and shall have such other functions and powers as are conferred on it by this Act or any other enactment or law in force in Niue.

(3) The members of the Executive Committee, other than the Resident Commissioner, shall be collectively responsible to the Island Assembly.

(4) Subject to the provisions of section 12 of this Act, the members of the Executive Committee, other than the Resident Commissioner, shall continue in office until their successors are appointed pursuant to subsection (2) of section 10 of this Act.

(5) Unless the context otherwise requires, every reference in this Part of this Act to a member of the Island Assembly shall, in any case where the Assembly has been dissolved, be read as a reference to a person who was a member of the Assembly immediately before that dissolution.

"9. Leader of Government - (1) There shall be a Leader of Government, who shall be elected to that office by an absolute majority of the members present and voting at a meeting of the Island Assembly.

(2) The Island Assembly shall proceed to elect the Leader of Government at the first meeting of the Assembly after a general election, and also in each of the following circumstances:

(a) If the Leader of Government ceases to be a member of the Assembly for any reason other than the dissolution thereof; or

(b) If the Leader of Government tenders his resignation by writing under his hand addressed to the Resident Commissioner or is deemed to have resigned pursuant to subsection (3) of section 11 or subsection (3) of section 12 of this Act.

"10. Appointment of members of Executive Committee after election of Leader of Government - (1) As soon as practicable after his election to that office, the Leader of Government elect shall recommend to the Resident Commissioner, with their consent, 3 other members of the Island Assembly for appointment as members of the Executive Committee.

(2) Upon receiving those recommendations, the Resident Commissioner shall appoint as members of the Executive Committee the Leader of Government elect and the members so recommended.

(3) Appointments under subsection (2) of this section shall be made by the Resident Commissioner by instrument under the Seal of Niue.

(4) If the Leader of Government elect has not within 7 days after but excluding the date of his election to that office submitted to the Resident Commissioner his recommendations for appointments to the Executive Committee pursuant to this section, his election to that office shall have no effect and, subject to the provisions of paragraph (d) of subsection (1) of section 32 of this Act, a meeting of the Island Assembly shall be held as soon as practicable for the purpose of again electing a Leader of Government.

"11. Vote of confidence in Executive Committee - (1) At any meeting of the Island Assembly -

(a) The Leader of Government, or another appointed member of the Executive Committee acting on behalf of the Leader of Government, may give notice of his intention to move a vote of confidence in the Executive Committee, either generally or on any measure proposed by the Executive Committee for adoption by the Assembly;

(b) Any 4 or more members of the Assembly who are not members of the Executive Committee may give notice of their intention to move a vote of no confidence in the Executive Committee.

(2) Any motion of which notice is given under subsection (1) of this section shall be voted upon at a meeting of the Island Assembly held not earlier than 5 days nor later than 10 days after but excluding the date of the giving of the notice.

(3) If the motion of confidence is lost or, as the case may be, the motion of no confidence is carried, the Leader of Government shall be deemed to have resigned his office at the expiration of 5 days after but excluding the date of the meeting of the Island Assembly unless before the expiration of that period the Leader of Government recommends the Resident Commissioner to dissolve the Assembly.

"12. Vacation of office by appointed members of Executive Committee -

(1) Any appointed member of the Executive Committee, other than the Leader of Government, shall vacate his office if -

(a) His appointment to that office is revoked by the Resident Commissioner, acting on the recommendation of the Leader of Government, by instrument under the Seal of Niue; or

(b) He ceases to be a member of the Island Assembly for any reason other than the dissolution thereof; or

(c) He resigns his office by writing under his hand delivered to the Resident Commissioner.

(2) Within seven days after the occurrence of any vacancy in the office of an appointed member of the Executive Committee, other than the Leader of Government, the Leader of Government shall recommend to the Resident Commissioner, with the consent of the member, a member of the Island Assembly for appointment as a member of the Executive Committee, and the Resident Commissioner shall by instrument under the Seal of Niue appoint the member so recommended.

(3) If the Leader of Government does not, within seven days after but excluding the date of the occurrence of a vacancy in the office of an appointed member of the Executive Committee, other than the Leader of Government, recommend the appointment of a member of the Committee pursuant to subsection (2) of this section, he shall be deemed to have resigned his office as Leader of Government at the expiration of that period of seven days.

"13. Temporary members of Executive Committee - (1) Whenever two or more appointed members of the Executive Committee are, by reason of illness or absence from Niue, unable to discharge their functions in Niue, the Resident Commissioner, acting on the recommendation of the Leader of Government, may, by instrument under the Seal of Niue, appoint as temporary members of the Executive Committee one or more members of the Island Assembly. Every such temporary member shall be appointed in place of a designated appointed member who is for the time being unable to discharge his functions in Niue, and shall hold office as if he had been appointed under section 10 of this Act.

(2) Every such temporary member shall remain in office until the member in whose place he is appointed is able to discharge his functions in Niue, or until there are again at least three members of the Committee appointed under section 10 of this Act who are capable of discharging their functions in Niue:

Provided that the appointment of any such temporary member may be revoked at any time by the Resident Commissioner, acting on the recommendation of the Leader of Government, by instrument under the Seal of Niue.

"14. Assignment of responsibilities to members of Executive Committee -

(1) The Resident Commissioner, acting on the recommendation of the Leader of Government, may from time to time, by directions in writing, -

(a) Charge the Leader of Government or any other appointed member of the Executive Committee with the responsibility for any Department or subject;

(b) Revoke or vary any directions under this subsection.

(2) Whenever, by reason of illness or absence from Niue the Leader of Government is temporarily prevented from discharging his functions in Niue, the Resident Commissioner, acting on the recommendation of the Executive Committee, may, by instrument under the Seal of Niue, appoint another appointed member of the Executive Committee to discharge the functions of the Leader of Government until such time as the Leader of Government is capable of again discharging those functions or has vacated his office.

(3) Where the Leader of Government dies or tenders his resignation to the Resident Commissioner after a dissolution of the Island Assembly and before the appointment of the members of the Executive Committee after the general election following that dissolution, the Resident Commissioner, acting on the recommendation of the Executive Committee, may, by instrument under the Seal of Niue, appoint another appointed member of the Executive Committee to discharge the functions of the Leader of Government until the members of the Executive Committee are appointed after that general election.

"14A. Meetings of Executive Committee - (1) No business shall be transacted at any meeting of the Executive Committee unless at least three members of the Committee are present.

(2) The Executive Committee shall not be disqualified for the transaction of business by reason of any vacancy among its members, and any proceedings of the Executive Committee shall be valid notwithstanding that some person who sat and voted in the Executive Committee or otherwise took part in its proceedings was not qualified to act as a member of the Committee.

(3) Subject to the provisions of this section, the Executive Committee shall regulate its own procedure in such manner as it thinks fit.

"14B. Exercise of powers of Resident Commissioner - Where by any enactment it is provided that the Resident Commissioner may exercise any power with the advice and consent of the Executive Committee, or any like expression is used, that power may be exercised by the Resident Commissioner acting on the recommendation of the Executive Committee, and not otherwise.

"14C. Rules, other enactments, and decisions of Executive Committee or Resident Commissioner - (1) Effect shall be given to any rules or other enactments made by the Executive Committee, and the records of other decisions of the Executive Committee shall be authenticated, by the signatures of the Resident Commissioner, whether or not he was present at the meeting of the Committee at which the rules or other enactments or decisions were made, and of the Clerk of the Committee or of a person directed under section 660 of this Act to exercise and perform the powers and duties of the Clerk of the Executive Committee.

(2) Subject to the provisions of this Act, effect shall be given to any rules or other enactments made by the Resident Commissioner by the signatures of the Resident Commissioner and of the Leader of Government or of another appointed member of the Executive Committee.

"14D. Clerk of the Executive Committee - There shall be an officer of the Niue Public Service to be called the Clerk of the Executive Committee, who shall be responsible for arranging the business for, and keeping the minutes of, meetings of the Executive Committee, and for conveying decisions of the Executive Committee to the appropriate person or authority, and shall perform with respect to the Executive Committee such secretarial and other functions as may be required."

4. Amendments consequential on section 3 - (1) Section 2 of the principal Act is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

"'Executive Committee' means the Executive Committee of Niue established by section 8 of this Act; and 'appointed member', in relation to the Executive Committee, means a member other than the Resident Commissioner;

"'Leader of Government' means the appointed member of the Executive Committee who was elected as Leader of Government pursuant to section 9 of this Act; and includes the member of the Executive Committee discharging the functions of Leader of Government pursuant to subsection (2) or subsection (3) of section 14 of this Act;"

(2) Section 2 of the principal Act is hereby further amended by repealing the definitions of the terms "enactment" and "Resident Commissioner", and substituting the following definitions:

"'Enactment' includes any Act, Ordinance, regulation, rules, Order in Council, Proclamation, or Warrant of the Minister; and also includes any rules or instruments of a like nature made by the Executive Committee or by the Resident Commissioner pursuant to any Act, Ordinance, regulation, or Order in Council;

"'Resident Commissioner' means the Resident Commissioner of Niue; and includes any person performing and exercising the functions and powers of the Resident Commissioner pursuant to section 6 of this Act;"

(3) The principal Act is hereby further amended -

(a) By repealing subsection (3) of section 34;

(b) By omitting from subsection (4) of section 34 the words "both the Resident Commissioner and the Deputy Resident Commissioner", and substituting the words "the Resident Commissioner";

(c) By omitting from section 59 the words "(or his Deputy lawfully acting as such)";

(d) By inserting in paragraph (e) of the definition of the expression "Niue Public Service" in section 659, after the words "Island Assembly or", the words "an appointed member".

(4) Section 35 of the Niue Amendment Act (No. 2) 1968 is hereby amended --

(a) By omitting from subsection (1) and also from subsections (2) and (3) the words "(or his Deputy lawfully acting as such)";

(b) By omitting from subsection (4) the words "neither the Resident Commissioner nor his Deputy acting under this section shall have jurisdiction", and substituting the words "the Resident Commissioner acting under this section shall have no jurisdiction".

(5) Every reference to the Leader of Government Business in any enactment or document in force at the commencement of this Part of this Act shall be read hereafter as a reference to the Leader of Government.

(6) The Schedule to the Niue Amendment Act (No. 2) 1968 is hereby consequentially amended by repealing so much thereof as relates to the definition of the term "enactment" in section 2 of the principal Act.

#### Miscellaneous Provisions

5. Education to be provided for people of Niue - The principal Act is hereby further amended by repealing section 30, and substituting the following section:

"30. Without limiting the responsibility of the Executive Committee for the direction and control of education policy in Niue -

(a) The Executive Committee, taking into account the provisions of any enactment prescribing the ages for and conditions of compulsory school attendance, shall be responsible for establishing and maintaining public schools in Niue;

(b) The Minister, acting in consultation with the Executive Committee, shall make such provision as he considers necessary to provide reasonable educational opportunities for the people of Niue, and shall, in particular, assist the Government of Niue in formulating and implementing its educational policy."

6. Remuneration of members of Executive Committee and of other members of Island Assembly - (1) Section 31 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

"(4) The Leader of Government, the other appointed members of the Executive Committee, and the other elected members of the Island Assembly may receive such remuneration and allowances from the Niue Assembly Account and such other benefits and privileges as may be prescribed by regulations made under this Act on the recommendation of a Commission of Inquiry appointed after consultation by the Minister with the Executive Committee."

(2) Until regulations first made under subsection (4) of section 31 of the principal Act (as substituted by subsection (1) of this section) come into force, the Niue Island Civil List Ordinance 1966 shall continue in full force and effect, and shall be deemed to be repealed on the date on which those regulations come into force.

7. Dissolution of Island Assembly - Section 32 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsection:

"(1) The Resident Commissioner shall, by notice in the Niue Island Gazette, dissolve the Island Assembly -

(a) At the expiration of three years from the date of the last preceding general election, if it has not been sooner dissolved;

(b) At any time after the expiration of two years and nine months from the date of the last preceding general election, if the Leader of Government so recommends;

(c) If, pursuant to subsection (3) of section 11 of this Act, the Leader of Government recommends him to dissolve the Assembly;

(d) If a new election of a Leader of Government has been held pursuant to subsection (4) of section 10 of this Act and that new election has become of no effect pursuant to that subsection."

8. Procedure of Island Assembly - (1) Section 34 of the principal Act is hereby further amended -

(a) By omitting from subsection (5) the word "member", and substituting the words "elected members";

(b) By omitting from subsection (6) the word "member", and substituting the words "elected member".

(2) Section 34 of the principal Act is hereby further amended by repealing subsection (7), and substituting the following subsection:

"(7) The Resident Commissioner or member presiding over any sitting of the Island Assembly shall not have a deliberative vote or a casting vote."

9. Clerk of the Island Assembly - The principal Act is hereby further amended by repealing section 36, and substituting the following section:



"36. There shall be an officer of the Niue Public Service to be called the Clerk of the Island Assembly, who shall keep the records of the Assembly and perform with respect to the Assembly such secretarial and other functions as may be required."

10. Assent to Bills by Resident Commissioner - (1) The principal Act is hereby further amended by repealing section 41, and substituting the following section:

"41. (1) No Ordinance shall become law until it has been passed by the Island Assembly in the form of a Bill and has been assented to by the Resident Commissioner.

(2) Whenever a Bill which has been passed by the Island Assembly is presented to the Resident Commissioner for his assent, he shall, acting on the recommendation of the Leader of Government, declare that he assents to the Bill or that he refuses his assent to the Bill."

(2) Sections 45 and 46 of the principal Act are hereby repealed.

11. Seal of the High Court, the Land Court, and the Land Appellate Court - (1) Section 64 of the principal Act is hereby amended by omitting the word "Minister", and substituting the words "Executive Committee".

(2) Section 42 of the Niue Amendment Act (No. 2) 1968 is hereby amended by omitting from subsection (2) the word "Minister", and substituting the words "Executive Committee".

(3) Section 72 of the Niue Amendment Act (No. 2) 1968 is hereby amended by omitting from subsection (2) the word "Minister", and substituting the words "Executive Committee".

12. Functions, powers and duties of State Services Commission - The principal Act is hereby further amended by repealing section 664, and substituting the following section:

"664. (1) The Commission shall be responsible to the Executive Committee for the administration of this Part of this Act:

Provided that, in matters relating to decisions on individual employees (whether matters relating to the appointment, promotion, demotion, transfer, disciplining, or the cessation of employment of any employee or other matters), the Commission shall not be responsible to the Executive Committee but shall act independently.

(2) The Commission may from time to time issue instructions for carrying into effect the provisions of this Part of this Act and of any regulations made pursuant to section 665 of this Act.

(3) In the exercise of its powers and duties in relation to the Niue Public Service, the Commission may conduct such inquiries and investigations as it thinks necessary. For the purposes of conducting any such inquiry or investigation, the Commission shall have the same powers and authority to

summon witnesses and receive evidence as are conferred on a Commission of Inquiry by any enactment; and all the provisions of that enactment shall apply to witnesses so summoned, and evidence so received and given, as completely and effectually as if the witnesses had been summoned and the evidence had been received or given by virtue or under the authority of that enactment.

(4) The Commission shall as soon as practicable after the 31st day of March in each year furnish to the Executive Committee a report on the state of the efficiency and economy of the Niue Public Service. A copy of that report shall be laid before the Island Assembly."

13. Oath of Allegiance and Judicial Oath - (1) Section 728 of the principal Act is hereby amended by omitting from subsection (5) the words "as soon as may be after his acceptance of office", and substituting the words "before performing the functions of his office".

(2) Section 728 of the principal Act is hereby further amended by inserting in subsection (5), after paragraph (a), the following paragraphs:

"(aa) Every person appointed under Part XXXI of this Act to be the Deputy of the Resident Commissioner;

(ab) Every person directed under section 660 of this Act to exercise and perform the powers and duties of the Resident Commissioner;".

(3) Section 728 of the principal Act is hereby further amended by omitting from subsection (6) the words "may be taken either in Niue or in New Zealand and".

(4) Section 728 of the principal Act is hereby further amended by repealing paragraph (a) of subsection (6), and substituting the following paragraph:

"(a) In the case of the Resident Commissioner, and of a person appointed under Part XXXI of this Act to be the Deputy of the Resident Commissioner, and of a person directed under section 660 of this Act to exercise and perform the powers and duties of the Resident Commissioner, before the Chief Judge or any other Judge or any Commissioner of the High Court or before the Leader of Government;".

(5) Section 728 of the principal Act is hereby further amended by omitting from paragraph (b) of subsection (6), and also from paragraphs (c) and (d), the words "any other person specified by the Minister in any particular case", and substituting in each case the words "the Leader of Government".

## Appendix VI

### RULES FOR THE CONDUCT OF EXECUTIVE COMMITTEE BUSINESS

#### Membership

1. In terms of clause 3, section 8 (1) of part I of the Niue Amendment Act, 1971, the Executive Committee of Niue shall consist of the Resident Commissioner, the Leader of Government and three other members of the Island Assembly.

#### Functions

2. In terms of clause 3, section 8 (2) of part I of the Niue Amendment Act, 1971, the Executive Committee shall have the general direction and control of the executive Government of Niue. It shall also have such other functions and powers as are conferred upon it by the Niue Amendment Act, 1971, or any other enactment or law in force in Niue.

#### Responsibilities

3. In terms of clause 3, section 8 (3) of part I of the Niue Amendment Act, 1971, the members of the Executive Committee, other than the Resident Commissioner, shall be collectively responsible to the Island Assembly.

#### Meeting

4. The Committee will meet regularly in the Office of the Leader of Government at 9 a.m. on each Tuesday.

5. Additional meetings will be held as the Leader of Government or the Resident Commissioner may require and may also be summoned upon the written request of two or more members of the Committee.

#### Attendances at meetings

6. As far as is practicable all members should attend all meetings of the Committee but the Resident Commissioner, after consultation with the Leader of Government, may absent himself from meetings in the interests of encouraging the exercise of responsibility by the appointed members of the Committee.

#### Presiding member

7. The Leader of Government will normally preside at every meeting of the Committee that he attends but he may ask the Resident Commissioner to preside if he considers this appropriate.

8. In the absence of the Leader of Government, the Resident Commissioner would normally preside.

9. In the absence of both the Leader of Government and the Resident Commissioner the Committee shall elect one of its members to preside.

#### Leave of absence

10. The Leader of Government may grant leave of absence from his duties to any appointed member of the Executive Committee.

#### Quorum

11. No business except that of adjournment shall be transacted at any meeting of the Committee if fewer than three members are present.

#### Procedure

12. The Committee shall resolve the issues which come before it by a consensus.

13. Members are expected to support and remain loyal to all committee decisions when those decisions are discussed outside the Committee, whether they were individually in favour of the decisions or otherwise.

#### Pecuniary interests

14. A member shall not take part in any discussion on any matter before the Committee in which he has, directly or indirectly, any pecuniary interest apart from any interest in common with the public.

#### Agenda

15. The Clerk of the Executive Committee will compile and circulate to all members an agenda for each meeting on the basis of submissions received by him by noon on the preceding Friday before each regular meeting.

16. All papers intended for the Committee should be in the hands of the Clerk in sufficient time to enable drafting to be completed for distribution to members prior to the meeting.

17. Papers submitted to the Clerk no later than noon on the preceding Monday may be included in a supplementary agenda. These papers must be restricted to questions on which a decision is required urgently on the following Tuesday.

18. Questions not listed on the agenda for the meetings will not be discussed by the Committee, but with the approval of the Committee, exceptions may be:

(a) Matters which are so urgent that the time factor precludes prior notice and the preparation of a paper; or

(b) Information matters which are relatively minor and do not warrant the preparation of a paper.

#### Executive Committee papers

19. Proposals for consideration in the Committee will be supported by papers containing the essential facts and supporting arguments and should be framed in such a way as to assist members in their deliberations.

20. The drafting of each memorandum will be the responsibility of the appropriate department. If a number of departments are affected the responsibility will rest on the department having the primary interest in the particular question. In relevant cases the memoranda should state that other departments have an interest and indicate their concurrence or otherwise with the submission.

21. The draft submission must be agreed upon by both the departmental head and the member responsible for the department for subject matter before its presentation to the Committee.

22. The final text of the paper is the responsibility of the member. When approved by him the paper is forwarded by him to the Clerk for indexing in the Committee series and circulation to members.

23. All action papers must bear the name and designation of the member concerned.

24. Papers are normally divided into two classes, action papers and information papers. Information papers are to be as the name suggests and should be clearly prefixed "For information only".

#### Action papers

25. Action papers are to be prepared where a definite decision is required, with administrative action by both the member and the Department to follow.

26. These papers should generally conform to the following criteria:

(a) Brevity: Papers should be short and as free from technical detail as possible. Extensive background or similar information, if required, may be better included in an appendix.

(b) Clarity: Papers should state principles and considerations concisely and clearly.

(c) Paragraphs: These should be numbered.

(d) Financial provision: If expenditure of government funds is involved the paper should state whether provision exists in the estimates and indicate the vote item to which the expenditure will be charged.

(e) Treasury report: If a report is required the paper must state that Treasury concurs in the recommendation, or otherwise state Treasury's alternative.

(f) Recommendation: Papers should conclude with a precise statement of the decision sought from the Committee.

(g) Publicity: Where publicity of the Committee's decision is recommended, a draft of the communication or announcement which would follow the decision of the Committee should be attached to the paper.

(h) References: If the subject matter has been before the Committee on a previous occasion the Executive Committee reference should be quoted.

#### Treasury reports

27. A paper affecting revenue or expenditure cannot be included on the agenda until a Treasury report has been obtained.

28. The Clerk is responsible for sending a copy of the paper to the Treasurer immediately approval has been given by the member.

#### Dispatch of papers

29. The Clerk will forward all papers to members to reach them no later than the Monday morning preceding the day of the regular meeting.

30. Papers containing lengthy and contentious matters should, if possible, be forwarded to members much earlier to enable them to study them in depth before the meeting.

#### Record of meetings

31. Immediately following each meeting the Clerk will record the conclusions reached. Where necessary he will add as a note as many of the salient points of the discussion on each item as may be necessary for the complete understanding of the decision reached.

32. The Clerk will distribute the decisions with an appropriate circular number for action and/or information by the appropriate members and departmental heads. Such decisions should be signed by the Clerk and counter-signed by the Resident Commissioner in terms of clause 3, section 14 C (1) of part I of the Niue Amendment Act, 1971. These minutes shall constitute the sole record of the decisions of the Committee.

33. The copy sent to the departmental head will normally constitute his authority to take action in accordance with the decisions of the Committee. It will normally rest with the member concerned to give any particular direction to the departmental head as the manner in which the Committee would wish effect to be given to its decision.

#### Disagreement between member and departmental head

34. If on any question relating to the administration of any department the officer who is for the time being the head of that department disagrees with the member who is charged with the responsibility for that department:

(a) That officer may submit to that member a statement in writing of his reasons for disagreeing with the member and his own recommendations on the question at issue.

(b) The member shall send to the Leader of Government and the Resident Commissioner a copy of that statement together with any written statement that he himself may wish to make on the question at issue.

(c) The question shall be disposed of as the Leader of Government directs, after consultation with the Resident Commissioner.

#### Secret and confidential documents and proceedings

35. The agenda of each meeting should in all cases be classified as "secret" and papers, and records of decisions should be classified as "confidential" unless any particular subject merits a higher security rating. The classification of security rating shall be determined by the Clerk in consultation, where necessary, with the Resident Commissioner.

36. It is important that memoranda circulated for discussion in the Executive Committee be treated in accordance with the security rating endorsed on the covering memoranda.

37. Discussions within the Committee are "committed to the members' secrecy" and are not to be divulged outside the Committee, except that at the close of each meeting, agenda items may be classified as confidential or free, and the latter may be disclosed as to the supporting papers and relevant matters, but not as to the discussions in Committee.

38. Documents which are "confidential" may be disclosed within the normal channels of the public service and not otherwise unless by authority of the Resident Commissioner or of the member concerned, who will either himself issue a press statement or give instructions as to what publicity is to be given to the matter.

39. While in many cases the nature of the information is such that it does not warrant a security classification, steps must be taken to ensure that no unauthorized person gains prior knowledge of matters set down for discussion by the Committee or of the trend of the discussions in meetings of the Committee.

#### Committees

40. The Executive Committee may appoint standing or ad hoc committees as it may see fit.

Adopted by the Executive Committee of Niue this 2nd day of May 1972.

(S. D. Wilson)  
Resident Commissioner

(T. M. Chapman)  
Clerk of the Executive Committee

Appendix VII

ALPHABETICAL TABLE OF NEW ZEALAND ACTS

This table comprises a list of all New Zealand acts in force in Niue on 31 March 1972. The principal Act only has been shown. Particulars of any subsequent amending acts or regulations, rules and orders in council made under the provisions of these Acts will be found in the annotated copies of the New Zealand Acts and Butterworth's Annotation of New Zealand Statutes.

The abbreviation "RE" indicates that the Act is a reserved enactment. Explanatory notes relating to an enactment are shown as foot-notes in this table.

Short title of Act	How applied	Note
Acts Interpretation, 1924	s679, Niue Act 1966	RE
Administration, 1969	s680, Niue Act 1966	RE <sup>a/</sup>
Adoption, 1955		<sup>b/</sup>
Arbitration, 1908	s681, Niue Act 1966	RE <sup>c/</sup>
Atomic Energy, 1945	s3 of that Act	RE <sup>d/</sup>
Bills of Exchange, 1908	s682, Niue Act 1966	RE <sup>e/</sup>
British Nationality and New Zealand Citizenship, 1948	s33 of that Act	RE <sup>f/</sup>
Carriage by Air, 1967	s3 of that Act	RE
Carriers, 1948	s683, Niue Act 1966	RE <sup>g/</sup>
Charitable Trusts, 1957	s683A, Niue Act 1966	RE
Chattels Transfer, 1924	s684, Niue Act 1966	RE
Cheques, 1960		<sup>h/</sup>
Civil Aviation, 1964	s28 of that Act	RE
Consular Privileges and Immunities, 1971	s12 of that Act	RE
Continental Shelf, 1964	s9 of that Act	
Contributory Negligence, 1947		<sup>i/</sup>
Control of Prices, 1947	s685, Niue Act 1966	RE <sup>j/</sup>
Copyright, 1962	s686, Niue Act 1966	RE
Criminal Justice, 1954		<sup>k/</sup>
Crown Proceedings, 1950	s321, Niue Act 1966	RE <sup>l/</sup>



Short title of Act	How applied	Note
Customs, 1966	s654, Niue Act 1966	RE
Deaths by Accident Compensation, 1952	s687, Niue Act 1966	RE <sup>m/</sup>
Decimal Currency, 1964	s3 of that Act	RE
Declaratory Judgments, 1908	s107, Niue Act 1966	RE
Demise of the Crown, 1908	s688, Niue Act 1966	RE
Designs, 1953	s689, Niue Act 1966	RE
Diplomatic Immunities and Privileges, 1968	s25 of that Act	RE
Enemy Property, 1951	s10 of that Act	RE
English Laws, 1908		<u>n/</u>
Evidence Amendment, 1952		<u>o/</u>
Extradition, 1965	s18 of that Act	RE
Finance, 1958	s4 of that Act	<u>p/</u>
Finance, 1961	s9 of that Act	<u>q/</u>
Frustrated Contracts, 1944		<u>r/</u>
General Agreement on Tariffs and Trade, 1948		<u>s/</u>
Geneva Conventions, 1958	s10 of that Act	RE
Immigration, 1964		<u>t/</u>
Incorporated Societies, 1908	s690, Niue Act 1966	RE
Industrial and Provident Societies, 1908	s691, Niue Act 1966	RE
Infants, 1908	s692, Niue Act 1966	RE <sup>u/</sup>
International Air Services Licensing, 1947	s3 of that Act	
International Finance Agreements, 1961	s8 of that Act	RE
Judicature, 1908		<u>v/</u>
Land and Income Tax, 1954	s5 of that Act	RE <sup>w/</sup>
Lesotho Act, 1968	s3 of that Act	RE
Limitation, 1950	s706, Niue Act 1966	RE
Malaysia, 1963	s3 of that Act	RE
Maori Affairs, 1953		<u>x/</u>
Maori and Island Affairs Department, 1968	s9 of that Act	RE
Marine Insurance, 1908	s693, Niue Act 1966	RE
Marriage, 1955		<u>y/</u>

Short title of Act	How applied	Note
Matrimonial Proceedings, 1963		<u>z/</u>
Mental Health, 1969		<u>aa/</u>
Mercantile Law, 1908	s694, Niue Act 1966	RE
Merchandise Marks, 1954	s695, Niue Act 1966	RE
Narcotics, 1965	s24 of that Act	RE
New Zealand Foundation for the Blind, 1963	s2 of that Act	
New Zealand Government Property Corporation, 1953		<u>bb/</u>
New Zealand National Airways, 1945	s3 of that Act	
Niue, 1966	s3 of that Act	RE <u>cc/</u>
Occupiers Liability, 1962	s696, Niue Act 1966	RE
Official Secrets, 1951	s17 of that Act	RE
Partnership, 1908	s697, Niue Act 1966	RE
Patents, 1953	s698, Niue Act 1966	RE
Post Office, 1959	s699, Niue Act 1966	RE <u>dd/</u>
Property Law, 1952	s700, Niue Act 1966	
Reciprocal Enforcement of Judgments, 1934	s3 of that Act	
Republic of Botswana, 1967	s3 of that Act	RE
Republic of Cyprus, 1961	s5 of that Act	RE
Republic of The Gambia, 1970	s3 of that Act	RE
Republic of Ghana, 1960	s3 of that Act	RE
Republic of Guyana	s3 of that Act	RE
Republic of India, 1950	s3 of that Act	RE
Republic of Ireland, 1950	s4 of that Act	RE
Republic of Kenya, 1965	s3 of that Act	RE
Republic of Malawi, 1966	s3 of that Act	RE
Republic of Nauru, 1969	s3 of that Act	RE
Republic of Nigeria, 1963	s3 of that Act	RE
Republic of Pakistan, 1956	s3 of that Act	RE
Republic of Sierra Leone, 1971	s3 of that Act	RE
Republic of Singapore, 1966	s3 of that Act	RE
Republic of Tanzania, 1966	s5 of that Act	RE

Short title of Act	How applied	Note
Republic of Zambia, 1965	s3 of that Act	RE
Sale of Goods, 1908	s701, Niue Act 1966	RE
Sea Carriage of Goods, 1940		<u>ee/</u>
Simultaneous Deaths, 1958	s4 of that Act	
State Insurance 1963		<u>ff/</u>
State Services, 1962		<u>gg/</u>
Superannuation, 1956	s2 of that Act	<u>hh/</u>
Swaziland, 1968	s3 of that Act	RE
Tonga Act 1970	s3 of that Act	RE
Trade Marks, 1953	s702 Niue Act 1966	RE
Treaties of Peace (Italy, Romania, Bulgaria, Hungary and Finland), 1947	s3 of that Act	<u>ii/</u>
Treaty of Peace (Japan), 1951	s3 of that Act	
Trustee, 1956	s703, Niue Act 1966	RE
Uganda, 1964	s3 of that Act	RE
Undesirable Immigrants Exclusion, 1919	s14 of that Act	
United Nations, 1946	s4 of that Act	<u>jj/</u>
Visiting Forces, 1939	s7 of that Act	RE

#### Explanatory notes

a/ See also section 4 of the Simultaneous Deaths Act 1958 and Trustees' Commission Rules 1961/81.

b/ This Act is not in force in Niue. See section 99 of the Niue Amendment Act (No.2), 1968 relating to the effect of an Adoption Order made in Niue under part VIII of this Act. See also section 3 of the Adoption Amendment Act, 1962, relating to witnessing of consent in Niue.

c/ The Arbitration Clauses (Protocol) and Arbitration (Foreign Awards) Act, 1966, is also in force. See section 1 (2) of this Act.

d/ Section 5A of this Act does not apply to Niue. The International Atomic Energy Agency Name and Emblem Notice, 1961/3, does not apply as it was not given under this Act but pursuant to the Police Offences Act, 1927, which is not in force in Niue.

e/ The Cheques Act, 1960, is also in force. See section 1 (1) of this Act.

f/ Section 2 of this Act defines that "New Zealand includes the Cook Islands, Niue, and the Tokelau Islands. For Renunciation of Citizenship and Oath of Allegiance in Niue see regulations 13 and 21 of the British Nationality and New Zealand Citizenship Regulations, 1960/64.

g/ This Act to be read subject to other enactments affecting carriers. See foot-note to section 8 of this Act, New Zealand Statutes (Reprint), 1908/1957. volume 1, page 760.

h/ See Bills of Exchange Act, 1908, which is the principal Act.

i/ See Carriage by Air Act, 1967, and Deaths by Accidents Compensation Act, 1952.

j/ Sections 23, 25 and 26 only of this Act are in force.

k/ This Act is referred to in section 244 of the Niue Act, 1966, relating to the release of Niuean prisoners transferred to New Zealand.

l/ See regulation 2 of the Supreme Court Amendment Rules, 1961/174, made pursuant to the Judicature Act, 1908, and the Crown Proceeding Act, 1950.

m/ See Carriage by Air Act, 1967 and section 3 (4) of the Contributory Negligence Act, 1947.

n/ See section 2 of this Act and section 672 of the Niue Act, 1966.

o/ Section 6 of this Act was substituted for the repealed section 119 of the Property Law Act, 1908. The Property Law Act (1908), 1952 is in force in Niue by virtue of section 700 of the Niue Act, 1966. See also section 4 of the Evidence Amendment Act, 1962.

p/ See section 172A of the Land and Income Tax Act 1954.

q/ Section 9 of this Act refers to persons employed in the New Zealand Government Service, Niue (Cook Islands) Public Service and Western Samoa Public Service.

r/ See section 711 of the Niue Act 1966 in respect of "contracts governed by the law of New Zealand" and section 3 of the Frustrated Contracts Act, 1944.

s/ Section 1 of this Act provides "that this Act shall be read together with and deemed part of the Customs Act (1913), 1966.

t/ This Act has been substituted for the Immigration Restriction Amendment Acts, 1920 and 1961 (repealed).

u/ Parts I and II only of this Act in force in Niue. See also section 1 of Guardianship of Infants Act, 1926 which provides "that this Act shall be read together with and deemed part of part I of the Infants Act, 1908".

v/ Sections 47 to 49 of this Act referred to in section 128 of the Niue Act 1966 provide for the appointment of commissioners of the Supreme Court in Niue. In the application of section 51 (Code of Civil Procedure) of this Act to Niue the following provisions apply:

(a) Injunction, certiorari, mandamus, prohibition; rule 461 et seq. (Sim's Practice of the Supreme Court and Court of Appeal, Ninth Edition, part VII, chapter II), see section 67 of the Niue Act, 1966;

(b) Evidence by affidavit sworn out of Niue, rules 187 et seq. (Sim, ibid., part II, chapter II); see section 76 of the Niue Act, 1966;

(c) Affidavits in Niue; rules 185 et seq. (Sim, ibid., part II, chapter II); see section 78 of the Niue Act, 1966.

w/ Section 5 of this Act provides that "ordinary" income tax provisions (which include section 86 and 172 of this Act) are applied to Niue. Income tax is now imposed by the Niue Island Income Tax Ordinance, 1961. See also section 4 of the Finance Act, 1958 and sections 5 and 7 of the Land and Income Tax Amendment (No.2) Act, 1963.

x/ Part IV of this Act relating to appointment of Judges of the Maori Land Court to the Land Court of Niue referred to in section 33 of the Niue Amendment Act (No.2), 1968.

y/ See section 515 of the Niue Act, 1966.

z/ This Act is referred to in section 546 of the Niue Act, 1966.

aa/ This Act is referred to in sections 611 and 612 of the Niue Act, 1966.

bb/ This Act relates to property outside New Zealand which is vested in Her Majesty in right of New Zealand.

cc/ See also the Niue Amendment Act, 1968; the Niue Amendment Act (No.2), 1968; the Niue Amendment Act, 1970; and the Niue Amendment Act, 1971.

Part XXX (Customs) of the Niue Act, 1966 came into force on 1 January 1970 (S. R. 1969/232). The Niue Amendment Act (No. 2), 1968 came into force on 1 November 1969 (S. R. 1969/205). Part I (Constitutional Provisions) of the Niue Amendment Act, 1971 came into force on 4 March 1972 (S. R. 1972/20).

The Land and Income Tax Act, 1954; sections 534, 700 and 712, and parts XVI, XXIII and XXVII of the Niue Act, 1966; the definition of "Church Purposes" in section 2, section 47; and parts IV and VII of the Niue Amendment Act (No. 2), 1968, are not reserved subjects. See First Schedule of Niue Act, 1966 and Statutory Regulations 1969/127, 1969/206 and 1970/161.

dd/ Parts XIII to XVI of this Act are not in force in Niue.

ee/ Parts I and II and parts of part III of this Act are in force in Niue pursuant to the Sea Carriage of Goods Order, S. R. 1946/194.

ff/ See section 12 (2) of this Act.

gg/ This Act is not applicable to Niue except as provided in Part XXXI of the Niue Act, 1966.

hh/ See also Part XXXI of the Niue Act, 1966. Section 25 of the Superannuation Amendment Act, 1962 relates to contributory service by a member of the New Zealand Police and Prisons Service in Niue.

ii/ Regulations made under this Act are not in force in Niue except so far as otherwise expressly provided.

jj/ Regulations made under this Act are not in force in Niue except so far as otherwise expressly provided.

Appendix VIII

EXCHANGE OF CABLES DATED 26 JUNE 1972 BETWEEN THE CHAIRMAN  
OF THE VISITING MISSION AND OFFICIALS OF THE TERRITORY

From the Chairman to the Resident Commissioner, Mr. S. D. Wilson

On behalf of the members of the Mission wish to express deep appreciation for manner which Mission received in Niue during historic five days and for gracious hospitality you and Mrs. Wilson have personally accorded us. Highest consideration.

From the Resident Commissioner to the Chairman

Thank you for your kind message. We in Niue were honoured to receive you and your stimulating visit will long be remembered here. We send you and your Mission our best wishes for an enjoyable stay in New Zealand and a safe return to New York. Kindest regards from us all.

From the Chairman to the Leader of Government, Mr. R. R. Rex

On behalf of members of Mission wish to express to you and Mrs. Rex our profound gratitude for warm welcome and overwhelming hospitality accorded the Mission on memorable occasion of our visit. Please express to your colleagues in the Executive Committee and to people our best wishes for their future.

From the Leader of Government to the Chairman

Mrs. Rex and I and my colleagues highly appreciative your kind message on behalf members your Mission. There can be no doubt that visit was a tremendous success and leaders and people of Niue thoroughly enjoyed your presence here. If the cordiality and humility displayed by Mission are indicative of the genuine goodwill of the international community towards the welfare of all men, then the future of Niue is assured. Our very warmest greetings and good wishes to you and members of your Mission and we pray for your safe travels back to New York where you may continue to work successfully for all mankind. Nonuina.

ANNEX II\*

WORKING PAPER PREPARED BY THE SECRETARIAT

CONTENTS

	<u>Paragraphs</u>
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\* Previously issued under the symbol A/AC.109/L.809.

A. ACTION TAKEN BY THE SPECIAL COMMITTEE AND  
THE GENERAL ASSEMBLY

1. The Territories of Niue and the Tokelau Islands have been considered by the Special Committee and the General Assembly since 1964. The Special Committee's conclusions and recommendations concerning the Territories are set out in the reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/

2. The text of the relevant conclusions and recommendations concerning the Territories, adopted by the Special Committee in 1971 and approved subsequently by the General Assembly at its twenty-sixth session, and the text of General Assembly resolution 2868 (XXVI) of 20 December 1971 which concerned the Territories of Niue and the Tokelau Islands have been made available to the Committee.

B. INFORMATION ON THE TERRITORIES<sup>b/</sup>

3. Basic information on Niue and the Tokelau Islands is contained in the Special Committee's report to the General Assembly at its twenty-fifth and twenty-sixth sessions. c/ Supplementary information is set out below.

1. NIUE

4. Information relating to conditions in Niue for the period under review is included in the report of the United Nations Visiting Mission to Niue, 1972. d/

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a/ For the most recent, see Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XV, para. 17.

b/ The information contained in this section has been derived from published reports and from information transmitted to the Secretary-General by the Government of New Zealand under Article 73 e of the Charter of the United Nations on 24 September 1971 for the year ending 31 March 1971.

c/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III.B; *ibid.*, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XV, annex I.

d/ See annex I to the present chapter.



## 2. TOKELAU ISLANDS

### General

5. At 26 September 1971, the population of the three Tokelau Islands totalled 1,687.

### Political and constitutional developments

6. The Tokelau Islands Administration Regulations, 1971, which came into force on 1 January 1972, provide for the New Zealand Secretary of Maori and Island Affairs to be the Administrator of the Tokelau Islands. A joint Fono (Council) held in October 1971 and attended by the three Faipule (chiefs) and many elders of the Tokelau Islands supported the change from the former arrangement, under which the High Commissioner for New Zealand in Western Samoa had acted as the Administrator. The Administrator is charged with all administrative and executive functions in the Tokelau Islands and is responsible to the Minister of Island Affairs in Wellington, New Zealand. He is assisted by a district officer and staff based at Apia, who are responsible to him.

7. During the period under review, the Tokelau Islands Amendment Act, 1970, was enacted whereby the High Court of Niue was given civil and criminal jurisdiction in the Territory as if it had been established as a separate court of justice for the Tokelau Islands. It also gave the Supreme Court of New Zealand an original and appellate jurisdiction and provided for the appointment of a commissioner for each of the three islands in the group with power to exercise limited civil and criminal jurisdiction. All courts having jurisdiction in the Tokelau Islands are required to administer common law and equity concurrently.

8. Subsequently the Tokelau Islands Amendment Act, 1971, was enacted. It provides that the commissioners, one of whom is appointed for each of the three islands, in the group, must be Tokelauans. They are appointed by the Governor-General on the recommendation of the Minister of Island Affairs after consultation with the elders of the island concerned.

### Economic conditions

9. It is reported that the Minister of Island Affairs has stated that scientists were studying ways of increasing copra production and that in July 1971 fisheries experts would begin an investigation of the possibility of pearl cultivation and turtle farming. A commercial basis for cottage industries such as weaving and making artifacts is also to be studied.

10. The Rhinoceros Beetle Regulations, 1964, require the occupiers of land in the Tokelau Islands to take steps to eradicate the coconut beetle and specify the measures that must be taken for this purpose. They also provide for the appointment of inspectors and confer powers on them for the purpose of eradicating the beetle in the atolls. Searches are made regularly. Thus far, the beetle has been found only at Nukunonu and all the islets in its atoll. With the co-operation of the joint United Nations Development Programme (UNDP) - South Pacific Commission Rhinoceros Beetle Research Programme, with headquarters in Western Samoa, work has continued on control measures for the rhinoceros beetle.

11. Ecological studies recently concluded showed rat damage to coconuts amounting to 30 to 40 per cent in some areas. The rat control programme is continuing.

12. Total revenue for the year 1970/71 was \$NZ 54,068. e/ Expenditure, which totalled \$NZ 259,504, is mainly devoted to health, education, capital works development, public works, agriculture and the cost of administration.

### Social conditions

#### Resettlement scheme

13. The Tokelau Resettlement Scheme, by which inhabitants of the Tokelau Islands can, of their own choice, be resettled in New Zealand over a number of years, was continued. At 31 March 1972, 455 people had been resettled and it was expected that 50 or more would come to New Zealand during 1973.

#### Community development

14. With the aim of improving community facilities, a works programme was begun in 1966 to provide, over a period of four years, new schools, hospitals, post offices, radio stations and other public amenities as well as accommodation for teachers, doctors and nurses. The programme has since been extended and housing for teachers has been constructed. In Fakaofo, a further 13 fales, complete with water catchments and tanks and water sealed latrines, were completed for the Fenua fala resettlement project. In Nukunonu, construction of a six class-room school building and office block was completed.

15. A new post office and radio station were completed in Fakaofo and electricity was installed in the school. A start was made on installing underground water tanks with a total capacity of 45,000 gallons. In Nukunonu, a concrete ramp was built from the cargo reception shed to the water's edge. A site was cleared in preparation for the construction of a new hospital. Construction of an eight class-room school was completed in Atafu, along with a separate administration and library building. A two-room house was built for use by building overseers and visiting administration officials and a second house was also built to accommodate the radio operator and his family.

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e/ At the present rate of exchange, \$NZ 1.22 equals \$US 1.

### Educational conditions

16. The Tokelau Administration awards scholarships to enable children and public servants to receive secondary education, teacher training and in-service training in Western Samoa. Twelve recipients were receiving assistance under the scheme at 31 March 1971. Under the New Zealand Government Training Scheme, 41 Tokelauans were training in New Zealand, Western Samoa and Fiji. In addition, the Tokelau Islands Administration is sponsoring two students at the Fiji School of Medicine and one at a secondary school in New Zealand.

17. Educational expenditure under the New Zealand Training Scheme in 1971/72 was \$NZ 30,937. Total expenditure on education in 1971/72 was \$NZ 104,882.

## CHAPTER XVII

### GILBERT AND ELLICE ISLANDS, PITCAIRN AND THE SOLOMON ISLANDS

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of the Working Group (A/AC.109/L.763), decided, inter alia, to refer the Gilbert and Ellice Islands, Pitcairn and the Solomon Islands to Sub-Committee II for consideration and report.
2. The Special Committee considered the item at its 875th and 876th meetings, on 31 July and 1 August.
3. In its consideration of the item the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolution 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account General Assembly resolution 2869 (XXVI) of 20 December 1971 concerning 17 Territories, including the Gilbert and Ellice Islands, Pitcairn and the Solomon Islands, by paragraph 8 of which the General Assembly requested the Special Committee "to continue to give full consideration to this question, including in particular the dispatch of visiting missions to those Territories...".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action previously taken by the Special Committee as well as by the General Assembly, and on the latest developments concerning the Territories.
5. The administering Power did not participate in the work of the Special Committee during its consideration of the item.
6. At the 875th meeting, on 31 July, the Chairman of Sub-Committee II, in a statement to the Special Committee (A/AC.109/PV.875), introduced the report of that Sub-Committee (A/AC.109/L.807) containing an account of its consideration of the Gilbert and Ellice Islands, Pitcairn and the Solomon Islands (A/AC.109/SC.3/SR.151-153, 155).
7. At its 876th meeting, on 1 August, following statements by the representatives of Sweden, India, the Union of Soviet Socialist Republics and Mali (A/AC.109/PV.876), the Special Committee adopted without objection the report of

Sub-Committee II and endorsed the conclusions and recommendations contained therein (see paragraph 9 below) it being understood that the reservation expressed by the representative of Sweden would be reflected in the record of the meeting.

8. / On 2 August, the text of the conclusions and recommendations was transmitted to the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations for the attention of his Government.

#### B. DECISION OF THE SPECIAL COMMITTEE

9. The text of the conclusions and recommendations adopted by the Special Committee at its 876th meeting, on 1 August, to which reference is made in paragraph 7 above, is reproduced below:

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms the inalienable right of the peoples of the Gilbert and Ellice Islands, Pitcairn and the Solomon Islands to self-determination in conformity with the Declaration contained in General Assembly resolution 1514 (XV) of 14 December 1960.

(2) Fully aware of the special circumstances of geographical location and economic conditions that exist in regard to these Territories, the Special Committee reiterates its view that the question of size, isolation and limited resources should in no way delay the full implementation of the Declaration in these Territories.

(3) The Special Committee expresses its profound regret that, in disregard of the repeated requests addressed to the administering Powers in a number of resolutions adopted by the General Assembly and the Special Committee, the Government of the United Kingdom of Great Britain and Northern Ireland has refused to co-operate with the Committee in its work, in particular by not participating in the Committee's examination of the situation in these Territories. The Special Committee deeply regrets that, as a consequence, it was deprived of a source of information on these Territories, which would otherwise have assisted it in the formulation of recommendations for the full and speedy implementation of the Declaration with respect to the Territories. The Special Committee accordingly urges the administering Power to comply forthwith with the above-mentioned requests.

(4) The Special Committee notes with deep concern that no significant progress has been made in the constitutional and political development of the Territories. In the Gilbert and Ellice Islands, the new Constitution of 11 November 1970, as amended on 20 November 1971, envisages no transfer of effective power to the people of the Territories; the newly constituted Legislative Council, for example, possesses no legislative power, as any decision taken by the Council is subject to approval by the Governor. Indeed, in the three Territories under consideration the executive heads, as the representatives of the administering Power, continue to retain extensive executive as well as legislative authority over all matters affecting the interests of the peoples concerned. The Committee considers it imperative that, as a step towards the full enjoyment by these peoples of their right to self-determination, the power exercised at present by the executive heads should be transferred as soon as possible to freely elected political institutions, so as to enable the peoples of the Territories to achieve without any further delay the objectives set forth in the Declaration.

(5) In the same context, the Special Committee expresses its regret that no concrete action has been taken by the administering Power with respect to the motion adopted in 1970 by the Governing Council of the Solomon Islands which had, inter alia, called for the establishment of a time-table for the constitutional and economic development of the Territory leading to its full independence. In this connexion, the Committee urges the administering Power to take fully into account the desire expressed by the Council's members in working out the full transfer of all power to the people of the Territory in accordance with the provisions of the Declaration.

(6) The Special Committee notes that in varying degrees some emphasis is being given to the development and deployment of manpower with a view to achieving localization. In the Gilbert and Ellice Islands, in response to the concern expressed by the House of Representatives in December 1970, a Select Committee was reported to have been appointed to study a localization plan submitted to the Legislative Council on 26 July 1971. In the Solomon Islands, a newly introduced development plan also reportedly gives priority to the localization of manpower. The Committee regrets that it is not in a position to evaluate fully the effectiveness of these plans owing primarily to the absence of detailed information on this question. It accordingly requests the administering Power to provide the Committee with such information at an early date.

(7) The Special Committee is seriously concerned that the economy of the Gilbert and Ellice Islands continues to be based mainly on phosphate mining on Ocean Island and that, despite the expected total depletion of the deposits by 1978, the administering Power has not taken adequate measures to develop other sectors of the Territory's economy. The Committee calls upon the administering Power to prepare without delay concrete programmes of assistance, on the one hand, and a co-ordinated economic development plan, on the other, with a view to forestalling the possibly disastrous impact of termination of the mining activities on the economic life of the people.

(8) In the same context, the Special Committee hopes that the coconut subsidies schemes introduced in 1970 in the Gilbert and Ellice Islands, covering improvement and planting projects, will be further expanded to promote a greater production of copra. At the same time, the Committee is of the view that for the purpose of meeting competition elsewhere and in order that greater benefit should accrue to the islands' growers, steps should be taken to reduce the cost of collecting copra from the outer islands. In that connexion, the Committee considers it necessary that a review should be made of the present arrangement for the operation of vessels linking the various islands of the Territory.

(9) The Special Committee notes the general improvement in all sectors of the economy of the Solomon Islands. It notes with satisfaction the introduction of the Sixth Development Plan covering the period 1971-1973, under which nearly 300 development projects are envisaged, entailing a total public expenditure of about \$A 17.5 million. <sup>a/</sup> In particular, projects in the field of agriculture are said to be making significant progress. The Committee urges the administering Power to make the necessary arrangements for the continued provision of adequate funds to ensure the successful implementation of the Development Plan.

(10) The Special Committee notes with concern that a growing number of arrangements are being made in various sectors of the economy of the Territories which might involve foreign economic interests and other activities detrimental to the interests of the peoples of the Territories. Bearing in mind the relevant provisions of General Assembly resolution 2873 (XXVI) of 20 December 1971, the Committee requests the administering Power to take effective measures to protect and safeguard the rights and interests of the population in the natural resources of these Territories.

(11) As regards educational conditions in these Territories, the Special Committee urges the administering Power to consider instituting at an early date free and compulsory education, at least through the primary level. It should also consider measures for expanding public school facilities more rapidly to meet the requirements adequately and to replace non-secular schools as soon as possible. In the field of vocational training, encouragement should be given to organizing programmes such as those instituted at the Kamaosi Rural Training Centre in the Solomon Islands. These programmes should be organized on a larger scale at public schools throughout the Territories.

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<sup>a/</sup> One Australian dollar (\$A 1) equals \$US 1.20.

(12) The Special Committee deeply regrets that the administering Power has not seen fit to receive a visiting mission to the Territories, which would enable the Committee to acquire adequate first-hand information on the situation prevailing in the Territories and to ascertain the views and wishes of the peoples concerning the future of their country. The Special Committee strongly urges the administering Power to reconsider its position and to permit the access of such visiting missions to these Territories. The Special Committee would particularly welcome an opportunity to observe the elections to the Governing Council of the Solomon Islands, scheduled to take place in mid-1973.

(13) The Special Committee strongly condemns the blatant disregard of world public opinion by the Government of France in resuming nuclear atmospheric testing in the vicinity of Mururoa Atoll, some 500 miles north-west of Pitcairn. The Special Committee calls upon that Government to desist forthwith from engaging in such activities which endanger the life and the environment of the peoples of the region.



# ANNEX\*

## WORKING PAPER PREPARED BY THE SECRETARIAT

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## A. ACTION TAKEN BY THE SPECIAL COMMITTEE AND THE GENERAL ASSEMBLY

1. The Gilbert and Ellice Islands, Pitcairn and the Solomon Islands have been considered by the Special Committee and the General Assembly since 1964. The Special Committee's conclusions and recommendations concerning the Territories are set out in the reports to the General Assembly at its nineteenth and twenty first to twenty-sixth sessions. a/
2. The text of the relevant conclusions and recommendations adopted by the Special Committee in 1971 in regard to the Territories and subsequently approved by the General Assembly at its twenty-sixth session, and the text of General Assembly resolution 2869 (XXVI) of 20 December 1971 which concerned 17 Territories, including the Gilbert and Ellice Islands, Pitcairn and the Solomon Islands, have been made available to the Committee.

## B. INFORMATION ON THE TERRITORIES

### 1. GILBERT AND ELLICE ISLANDS b/

3. Basic information on the Gilbert and Ellice Islands is contained in the report of the Special Committee to the General Assembly at its twenty-fifth and twenty-sixth sessions. c/ Supplementary information is set out below.

#### General

4. The Territory of the Gilbert and Ellice Islands, including Ocean Island and the Phoenix and Northern Line Islands, is situated in the south-west Pacific around the point at which the international date-line cuts the Equator.
5. As from 1 January 1972, the five Central and Southern Line Islands became part of the Territory. These islands are remote and uninhabited and until 1 January 1972 had not been attached to any particular territory although they

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a/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. XV, para. 10; ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, para. 27 (a) and (b); ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVI, para. 8.

b/ This section is based on published reports and on the information transmitted to the Secretary-General by the Government of the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter of the United Nations on 28 September 1971 for the year ending 31 December 1970.

c/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVI, annex I.

were geographically closest to the Gilbert and Ellice Islands. The Gilbert and Ellice Islands (Boundaries) Order, 1971, published on 27 October 1971, fixed the new boundaries to include Caroline Island, Flint Island, Malden Island, Starbuck Island and Vostock Island.

6. It is estimated that the 42 atolls of the Territory have a population of more than 55,000.

### Political and constitutional developments

#### New Constitution

7. A new constitution, contained in the Gilbert and Ellice Order-in-Council of 11 November 1970, as amended on 27 October 1971, replaced the previous Constitution of 1967. In essence, it provides for the replacement of the House of Representatives by a Legislative Council of 33 members with an elected majority of 28. An advisory Executive Council replaces the Governing Council.

8. The office of Chief Elected Member has been replaced by that of Leader of Government Business, chosen by the elected members of the Legislative Council. Individual members of the Executive Council may be assigned departmental interests as a first step towards a ministerial system. The amendment of 27 October 1971 provided for the official separation of the Territory from the Western Pacific High Commission from 1 January 1972. The Territory has, however, retained its judicial link with other members of the Western Pacific High Commission, notably the New Hebrides and the Solomon Islands, but administratively it now deals directly with London. The pressure for separation from the High Commission stemmed from a motion on the subject submitted in November 1970 to the House of Representatives by the Chief Elected Member, Mr. Reuben K. Uatiosa and adopted unanimously by the House.

#### (a) Governor

9. In place of the former Resident Commissioner, the Territory now has a Governor with the constitutional powers hitherto possessed by the High Commissioner for the Western Pacific. Under the new Constitution, before making laws the Governor will normally be required to obtain the advice and consent of the Legislative Council. A bill passed by the Council does not become a law until the Governor has assented to it and signed it, or until the Queen has given her assent through a Secretary of State.

#### (b) Executive Council

10. The Executive Council consists of the ex officio and public service members of the Legislative Council, the Leader of Government Business and four others appointed by the Governor from among the elected members of the Legislative Council. Any member of the Executive Council may be entrusted with responsibility for any subject or subjects relating to the business of government with which that member is to be associated in the formulation and presentation of policy.

### (c) Legislative Council

11. The Legislative Council consists of 33 members with the Governor as President. Twenty-eight of the members are elected; the remaining 5 include 3 ex officio members (the deputy Governor, the Attorney-General and the Financial Secretary) and 2 members appointed by the Governor from the public service. Provision is made for the elected members to elect one of their number to be Leader of Government Business, who becomes the principal spokesman of the Government in the Council. Except on the recommendation of the Governor, the Council may not proceed with legislation affecting the finances of the Territory or the salary, allowances, pensions or other conditions of service of any public officer or members of his family.

### 1971 election

12. The general election for the new Legislative Council was held on 19 March 1971. There were no political parties and no candidate had any particular platform. One hundred and ten candidates stood for the 28 seats. The greatest number of candidates in any constituency was nine; in several others there were six. Three seats were uncontested. Fourteen former members of the House of Representatives stood, of whom five were elected. Among the candidates were two women, one of whom was elected (Mrs. Tokerei Russell) and 10 public servants, of whom seven were elected. Mr. Uatiao, the former Chief Elected Member, was elected by his peers in the Legislative Council as the Leader of Government Business.

13. Elected members of the Assembly reportedly met at Tarawa on 24 January 1972 to elect Mr. Naboua Ratieta as Acting Leader of Government Business, in accordance with provisions of the 1970 Gilbert and Ellice Order. He is to substitute for Mr. Uatiao should the latter be absent through illness. Mr. Ratieta, who represents Marakei, was first elected to the House of Representatives in a by-election in 1968 and was returned unopposed in 1971.

14. There were indications in the election results of a general air of disillusionment with political affairs in the Territory. The people seemed to accuse the House of Representatives of not producing the results expected and of leaving too many requests unanswered. Despite the fact that the House was only an advisory body, the elected members were held to be responsible; some former members of the House received as little as 10 per cent of the votes cast in their electorates. With many ex-civil servants from both groups (Gilbertese and Ellice Islanders) in the Legislative Council, the Government is expected to be under increasing pressure to speed up its localization programme and make more effective use of existing personnel resources.

### District administration

15. The Territory is divided into four districts: Ocean Island, Gilbert Islands, Ellice Islands and Line Islands, each of which is headed by a district commissioner, with headquarters at Ocean Island, Tarawa, Funafuti, and Christmas Islands respectively. Although the population of the Territory is small, the islands cover more than 2 million square miles of the Pacific Ocean and this tends to make distance and isolation rather than population the major factor in administrative organization.

## Public service

16. During the period under review, employees of local government bodies totalled about 300, all Gilbertese and Ellice Islanders. In the central government administration, there were 827 Gilbertese and Ellice Islander permanent civil servants and about 900 unestablished employees. Expatriates in government or quasi-government employment numbered 135, most of whom were under contract.

17. A localization plan was submitted to the Legislative Council on 26 July 1971 and a select committee consisting of five members of the Council was appointed to study the plan, which was to be discussed at the November 1971 meeting of the Legislative Council.

## Economic conditions

### General

18. The Territory's economy is based on phosphate mining on Ocean Island and on copra production on other islands. Phosphate production and exports are controlled by the British Phosphate Commissioners (BPC) who are responsible to the Governments of the United Kingdom, Australia and New Zealand. The bulk of the copra is produced by indigenous cultivators and the remainder by the Line Islands plantations.

### Public finance

19. The Territory is reportedly not grant-aided, although some grants are made by the United Kingdom Government from Colonial Development and Welfare funds for specific development purposes. A two-year development plan scheduled to be completed in March 1972 d/ called for capital expenditure of \$A 2.4 million e/ on the assumption that capital aid, mostly from Commonwealth Development and Welfare funds, would continue at a rate of \$A 750,000 annually.

20. An important source of revenue is the copra export tax which amounts to 20 per cent ad valorem of the f.o.b. value. On most imported articles there is an ad valorem duty of 25 per cent. The British preferential rate is 12.5 per cent, but a limited volume of goods, including some food-stuffs, are admitted free if produced or manufactured in Commonwealth Territories.

21. Revenue is also obtained from the export of phosphate from Ocean Island. A revised agreement between the BPC and the territorial government regulates the amount paid to the Territory. At the end of 1970, the arrangement was that the BPC pay \$A 12.30 a ton (the rate is the same as that paid for Nauru phosphate), and that the Territory and the Banabans, former owners of Ocean Island, share the difference between actual cost of production and the \$A 12.30 per ton, at

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d/ Ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVI, annex I, paras. 33-37.

e/ The local currency is the Australian dollar (\$A). One Australian dollar equals \$US 1.21.

the ratio of 85:15. According to the administering Power, in 1970, 536,417 tons of phosphate of lime were exported at a value of \$A 12 per ton. The administering Power also reported that the territorial government would receive an estimated \$A 2.4 million in 1970, compared with \$A 2.8 million in 1969. A more detailed account of the phosphate industry is given below.

22. The revised estimate for ordinary revenue in 1970 amounted to \$A 4.3 million to which was added a capital revenue of \$A 912,082. The total revised estimated revenue was therefore \$A 5.3 million compared with an actual revenue of \$A 4.7 million in 1969.

23. The revised estimate for recurrent expenditure in 1970 was \$A 3.3 million while the revised estimate for capital expenditure was \$A 2.2 million, amounting to a revised estimate of total expenditure amounting to \$A 5.4 million compared with an actual total expenditure of \$A 4.9 million in 1969.

24. It will be recalled that the Chief Elected Member introduced a motion in the House of Representatives in December 1970 calling upon the United Kingdom Government to make a clear statement regarding future aid policy towards the Territory and to give an assurance that the standards of living of its people would not be allowed to decline after the exhaustion of the phosphate deposits on Ocean Island. The answer has only recently been released in a statement of Lord Lothian to the House of Lords in the United Kingdom Parliament. Lord Lothian is reported to have said that although the United Kingdom was not prepared to commit itself or its successors to any specific level of aid after the exhaustion of Ocean Island phosphates, the administering Power had promised to "continue to make substantial funds and other forms of assistance available to develop the economy 'in other directions'".

### Mining

25. The only mining carried on in the Territory is at Ocean Island, where phosphate of lime is extracted by the BPC. The land at Ocean Island is owned by the Banabans (Banaba is the local name for Ocean Island) who at the end of the Second World War moved en bloc to Rabi, an island of Fiji, which they bought with royalties received from the BPC. Nevertheless, they continue to maintain a close interest in Ocean Island as they receive rent and royalties from their lands. Forty-three Banabans were still reported to be on Ocean Island in 1970 when the island had a total population of 2,042. Seventeen Banabans were working for the BPC.

26. The deposits of phosphates at Ocean Island and at Nauru - which lies 165 miles to the westward and is now independent - although accounting for only 3 to 4 per cent of the world's supply, represent the largest source of the mineral within the British Commonwealth and is the major source of government revenue within the Territory. It is estimated that the deposits will be depleted by 1978.

27. Under a revised arrangement f/ between the United Kingdom, Australia and New Zealand on the level of taxation on phosphate exports from Ocean Island, which was concluded in September 1967, the BPC aims to reach a production level as close to 600,000 tons per annum as is practicable.

28. The BPC reported g/ that for the year ending 30 June 1970 the gross proceeds (i.e., selling price less costs of production) from Ocean Island amounted to \$A 3,101,036 and the net proceeds, as defined in the Wellington Agreed Minute of 1967 (the amount remaining for distribution after the payment to the Banabans of 20 cents per ton contractual royalty), were \$A 2,993,752. On the tonnage of 536,417, the net proceeds represent the equivalent of \$A 5.58 per ton. The resultant distribution of 1969/70 was \$A 2,632,144 to the Gilbert and Ellice Islands and \$A 468,345 (including the contractual royalty) to the Banabans, leaving a credit balance of \$A 546 to be carried forward to 1970/71.

29. Having tried other avenues in their attempts to obtain increased returns from the phosphates being excavated from their lands, the Banabans have decided to place their claims before the High Court in England. The Court has been asked:

(a) To find that all phosphate royalties received by the Crown since 1912 are held for the Banaban community and should be paid to the Rabi Island Fund.

(b) To find that the Crown should pay \$156,128 to the Banaban Council of Leaders from the Gilbert and Ellice Islands Revenue Equalisation Fund in respect of royalties for the period 1946/50.

(c) To determine the sum total of royalties received by the Crown but not paid to the Rabi Islands Fund or used for the benefit of the Banabans (i.e., paid to the Territory).

(d) To find that all funds received by the Crown as trustee of the Rabi Island Fund or for the Banabans should be accounted for and placed at the disposal of the Banabans.

30. In short, the Banabans are seeking the full financial benefit of the phosphate industry over the past 60 years. Further, they are asking that, under an agreement signed in 1913, the BPC should be compelled to replant worked out lands on Ocean Island.

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f/ How the phosphate company obtained its licence is treated in several books and articles, among which: R. Langdon, "The Ocean Islanders", in New Guinea and Australia, the Pacific and South-East Asia, (vol. I, No. 4) pp. 42-52, 1965/66; D. Scarr, Fragments of Empire, Australian National University Press, Canberra, 1967; M. G. Silverman, Disconcerting Issue, University of Chicago Press, Chicago and London, 1971, v. especially chap. 3 and appendix 5.

g/ Command Paper 4779, HMSO, London.



31. The latter claim is of particular interest because it is based on an agreement which pre-dates the formation of the BPC. This agreement recognized Banaban ownership of the phosphates on Ocean Island, in addition to the surface land rights which have never been in dispute.

### Agriculture

32. The soil of the Territory has a high alkalinity but is very deficient in other elements. Most of the soil is not well suited to agricultural production owing to its low organic matter content. At present, most agricultural production is centred on copra, the only crop which can be grown on a large scale.

33. Copra production during 1970 amounted to 7,098 tons, compared with 6,666 tons in 1969. Of this, 5,106 tons were produced by peasant landowners and 1,992 by the plantations. The Territory exported 5,738 tons during the year, a decrease of 2,087 tons over 1969. The value of copra exports in 1970 was \$A 963,493, compared with \$A 1.9 million in 1969.

34. The Copra Board buys all copra through its agents, the island consumer/marketing co-operative societies. The copra is sold generally to Europe at current market prices based on the price of Philippine copra, although 1,433 tons were sold in Australia in 1970. On 31 March 1970, the Copra Board's reserve fund and asset replacement fund totalled \$A 751,342 and the accounts for the year showed a surplus of \$A 18,477 over expenditure. The price paid to the producer for first-grade copra was maintained at 4 cents per pound throughout the year, but the second-grade price was raised from 3 cents to 3-1/2 cents per pound. The cost of the collection of copra from the outer islands is high, and the amount received by the producer is generally less than half the f.o.b. price at Tarawa. Pacific Islands copra producers have reportedly been the victims of a slow market in 1971 (see para. 108 below).

35. The coconut subsidy schemes covering improvement and planting came into operation in 1970, and by the end of the year, the Department of Agriculture was operating schemes in various parts of the Territory. The acreage covered by the improvement and planting schemes totalled 932 acres registered and 115 acres completed. The schemes allow for the payment of 20 cents per tree planted on blocks of land in excess of 20 acres, and 9 per cent per tree remaining on improvement land on similar acreages; in addition, 4 cents per tree is paid in both schemes for the following nine years, subject to satisfactory maintenance. These schemes are financed by United Kingdom Development Aid funds.

36. Apart from coconuts, the only crops which grow to any appreciable extent are breadfruit, pandanus and babai (in the Gilbert Islands) and pulaka (in the Ellice Islands). Livestock is limited to pigs and poultry. The actual number of pigs in the Territory is not accurately estimated, but probably fluctuates between 10,000 and 12,000; the poultry generally live by scavenging in villages. There is no organized commercial enterprise, although a market for pork, eggs and poultry exists at the main centres throughout the Territory.

37. Forestry plays no part in the economy of the Territory at present, although various local tree species are used for house building and canoe construction

by the local people. Following a survey made by the Deputy Conservator of Forests from the Solomon Islands during the year, a programme of forest investigation was being drawn up for implementation in 1971 and subsequent years.

### Fisheries

38. A fisheries officer was appointed in late January 1970 and a grant of \$A 24,207 from the United Kingdom Aid funds was made to conduct fishery research programmes. The training of fisheries assistants and fishermen has begun and a local vessel was used to survey the resources of skipjack and bait fish. In addition, in mid-1970, funds were approved for the construction of a survey fishing vessel. In conjunction with the Government, a large commercial tuna processing company - Van Camp Sea Food of California (United States) - surveyed skipjack resources in 1971. Two fisheries development officers have been recruited in the United Kingdom, one for the Christmas Island station and the other for Funafuti. A third will be recruited for fisheries headquarters at Betio. A bait survey vessel, similar to one delivered to Funafuti in 1970, was ordered in Fiji to operate from Christmas Island. In addition, a 300-ton mother ship and two catchers were due in the Territory in August to carry out the survey for the Van Camp Company.

### Wholesale Society

39. Basic information on the Wholesale Society was given in an earlier report of the Special Committee to the General Assembly. <sup>h/</sup> It will be recalled that the development plan for 1970-1972 proposed, inter alia, to establish the Wholesale Society as a development authority on 1 April 1971. It would thereby absorb a number of activities undertaken directly by various government departments.

40. The Wholesale Society superseded the Colony Wholesale Society in 1955. The latter was previously known as the Trade Scheme. A public corporation with headquarters at Tarawa, the Wholesale Society handles the Territory's wholesale trade by purchasing copra from the co-operative society on each island, picking it up in its own inter-island boats and storing it at Tarawa. Periodically, the bulk copra is shipped by overseas cargo vessels to the United Kingdom where, since the end of 1957, it has been disposed of on open world markets through a London agent.

41. The Wholesale Society also supplies the requirements of the co-operative societies (see paras. 47-49 below). It reportedly obtains most of its merchandise through Kerr Brothers, Pty., Ltd., Sydney (Australia). Its agent in Fiji is Morris Hedstrom, Ltd. According to the administering Power, it has been proposed that the Society's present merchandising operations be taken over by a wholesale co-operative.

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<sup>h/</sup> See Official Records of the General Assembly, Twenty-third Session, Annexes, agenda item 68, document A/7320/Add.1, appendix VI, paras. 48, 51, 94-96.

42. In 1971, the Wholesale Society was controlled by a Board of Directors, 13 government officials and representatives of retail co-operatives appointed by the Resident Commissioner, now the Governor (see above). With the exception of some private firms (including Schutz and Wilder, the Gilbert and Ellice Islands Enterprises, Ltd. and the Oten Trading Company) operating general goods stores on Betio, one of the islets comprising Tarawa Atoll; the British Phosphate Commissioners at Ocean Island; and the plantations in the Line Islands, virtually all commercial activity in the Territory is reported to be carried on by the Wholesale Society and the co-operative societies. In 1970, it had 17 expatriate and 476 local employees engaged in wholesale and retail trade, engineering and shipbuilding and repairing.

#### Transport and Communications

43. The main means of communication between the various islands of the Territory are provided by ships owned by the territorial government and the Wholesale Society. All of these vessels are managed by the Wholesale Society and are operated on a commercial basis.

44. The Society's vessel Moanaraoi (800 tons) is employed on regular two-monthly voyages to Fiji, the New Hebrides and Sydney, servicing the Territory en route. It makes similar voyages to Majuro in the Trust Territory of the Pacific Islands, also servicing the Territory en route. The Wholesale Society's smaller vessels include the Nivanga (238 tons), Temaui (70 tons), and the Ninikoria and the Tabakea (landing barges).

45. During 1970, a total of 70 overseas vessels called at ports in the Territory, compared with 105 in 1969 and 63 in 1968. Of this number, 44 were vessels owned and chartered by the BPC calling at Ocean Island.

46. On 15 February 1972, Air Nauru began a bi-weekly air service to Tarawa.

#### Social conditions

##### Co-operative societies

47. The co-operative movement continued to provide the basis for most of the economic activity in the Gilbert and Ellice Islands. The total membership of the co-operative societies remained steady during the year at approximately 19,000. At the end of 1970, there were 26 island consumer marketing societies, 13 village societies affiliated to two island wholesale societies, 3 independent consumer marketing societies, 4 consumer societies, 1 thrift and credit society and 1 building society. All registered trading societies are affiliated to the Gilbert and Ellice Islands Co-operative Federation.

48. The consumer marketing societies provide some 90 retail trading outlets throughout the Territory. All stores provide facilities for the purchase of copra for cash.

49. Revenue from sales of copra during the year totalled \$A 520,192, compared with \$A 385,526 in 1968/69. Retail sales by societies other than those established on South Tarawa were \$A 1.1 million. Members' deposits during 1969/70 totalled \$A 63,178, an increase of \$A 6,434 over the figure for 1968/69.

#### Labour

50. At the end of 1970, the BPC at Ocean Island had in their employ 49 Europeans, 28 Chinese, 514 Gilbertese and Ellice Islanders and 17 Banabans. A further 811 territorial workers were employed by the Nauru Phosphate Corporation, making a total of 1,325 Gilbertese and Ellice Islanders employed in the one industry.

51. The copra plantations, either government-owned or privately owned, gave employment to 296 workers. The employment provided by the Wholesale Society is given above. Co-operative societies employed a labour force of about 260.

52. In addition to those emigrant labourers recruited to work on Nauru, 67 were sent to the New Hebrides for employment on plantations producing copra.

53. A review of wages and conditions of service of Wholesale Society employees took place early in 1970 and resulted in wage increases averaging about 18 per cent. The work week was reduced to 40 hours.

#### Public health

54. In 1970, expenditure on public health was estimated at \$A 424,590 (including \$A 39,396 from aid expenditure), compared with the actual expenditure of \$A 305,106 (including \$A 24,604 from aid expenditure) in the previous year.

55. The number of beds in the three general hospitals, described in previous years, totalled 302.

#### Educational conditions

56. In 1970, government expenditure on education was estimated to total \$A 653,667 (including Colonial Development and Welfare funds), compared with an actual expenditure of \$A 438,091 (including Colonial Development and Welfare funds) in the previous year.

57. At the end of 1970, 159 primary schools were maintained by voluntary agencies, with an enrolment of at least 8,722 pupils (the full enrolment in this category was not known) and 35 by the government and island councils, with an enrolment of 3,442 pupils. Five secondary schools, one run by the Government and four by voluntary agencies, had 622 pupils enrolled. The Territory also had two teacher-training colleges with 113 trainees enrolled.

58. There are no facilities for secondary education above Form V level, or for tertiary education or formal technical education. Training in these sectors is provided by means of scholarships to institutions abroad. During 1970, there were 81 students overseas, of whom 12 were receiving secondary education, 11 tertiary education and 58 professional and technical training.

## 2. PITCAIRN i/

59. Basic information on the Territory is contained in the Special Committee's reports to the General Assembly at its twenty-fifth and twenty-sixth sessions.. j/ The following consists mainly of supplementary information.

### General

60. It is reported that the population numbers approximately 80.

### Political and constitutional developments

61. After the independence of Fiji, on 10 October 1970, responsibility for Pitcairn was transferred to the British High Commissioner in New Zealand who is now designated Governor of Pitcairn.

62. The Island Magistrate, three elected Councillors, one of whom is chairman of the Internal Committee, the Island Secretary, three nominated members (one appointed by the Governor and two by the elected members) and two advisory members (one appointed by the Governor and one by the Council) constitute the Island Council, which is charged with the management of internal affairs.

63. The Internal Committee comprises the elected Chairman and any other members the Island Council may appoint. Its principal function is to organize and implement the works programme.

64. Elections were reportedly held the first week of January 1972 to fill vacant seats on the Council and the Internal Committee. Every islander over 18 years of age must vote or pay a fine of \$NZ 1. k/ There are 61 registered voters on Pitcairn.

### Economic conditions

65. As previously reported, Pitcairn's revised estimated revenue and expenditure for the year 1970/71 were \$NZ 80,592 and \$NZ 60,263 respectively. Revenue

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i/ This section is based on published reports and on the information transmitted to the Secretary-General by the Government of the United Kingdom under Article 73 e of the Charter on 28 September 1971 for the year ending 31 December 1970.

j/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVI, annex I.

k/ The local currency is the New Zealand dollar (\$NZ). One New Zealand dollar equals \$US 1.21.

included \$NZ 61,020 from stamp sales, \$NZ 18,020 from interest and dividends and \$NZ 21,552 from miscellaneous.

### Educational conditions

66. In 1970, the school roll comprised seven boys and six girls. Expenditure on education was \$NZ 29,464, representing 15.7 per cent of total recurrent expenditure.

### 3. SOLOMON ISLANDS 1/

67. Basic information on the Territory is contained in the Special Committee's report to the General Assembly at its twenty-fifth and twenty-sixth sessions. m/ Supplementary information is set out below.

### General

68. According to the first census taken in the Territory in February 1970, the total population amounted to 160,998 of whom 149,667 were Melanesians, 6,399 Polynesians, 2,363 Micronesians, 1,280 Europeans, 577 Chinese and 713 from other ethnic groups. This total may be compared with the estimated figure of 124,000 obtained from the sample census of November 1959. The population density varied from a maximum of 633 persons per square mile in Luaniua, on Ontong Java, to a minimum of 2.72 per square mile on Vanikoro. The largest concentration of people was in Honiara (11,191).

### Maps

69. The Lands and Surveys Department is reportedly revising detailed maps of the Territory. Thirteen sheets of Guadalcanal have been completed and distributed. Maps of Isabel and Honiara are already in hand. This programme is expected to be of great assistance in the development of the Territory.

### Earthquakes

70. Honiara was shaken by an earthquake on 22 June 1971 originating from an epicentre about 40 miles to the north-west. The Geological Surveys Department measured it at between four and five on the Mercalli scale.

1/ This section is based on published reports and on the information transmitted to the Secretary-General by the Government of the United Kingdom under Article 73 e of the Charter on 24 June 1971 for the year ending 31 December 1970.

m/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVI, annex I.

71. Subsequently, two earthquakes, which caused extensive damage in Papua New Guinea n/ on 14 and 26 July 1971, were also felt in the Solomon Islands. The first of the quakes was so severe that it sent the smoked paper recording equipment of the Department right off the scale. The second quake was measured at 8.2 on the Richter scale, with its epicentre in the area of Rabaul. The volcanic island of Tinakula about 70 miles east of Honiara, the capital, erupted regularly in September 1971. About 160 islanders were reportedly evacuated.

#### Political and constitutional developments

72. On 10 April 1970, the Legislative and Executive Councils, which had functioned since 1960, were replaced by a Governing Council with executive committees (British Solomon Islands Order, 1970).

#### High Commissioner

73. The administration of the Territory continues to be the responsibility of the High Commissioner for the Western Pacific who resides at Honiara in the Solomon Islands. The High Commissioner is obliged to consult the Governing Council in the formulation of policy and in the exercise of all powers conferred upon him by the Constitution or by any other laws at present in force which are not specifically exercisable by the High Commissioner in his discretion, or any power relating to defence, external affairs, internal security, the police or appointment to the public service. In cases in which the High Commissioner is required to consult the Governing Council, he may act contrary to the Council's advice, if he considers it in the interests of public order, public faith or good government. In such cases, he is responsible to a United Kingdom Secretary of State. The High Commissioner also has certain financial and administrative powers.

#### Governing Council

74. The Governing Council, which replaced the Executive and Legislative Councils, combines the functions of both. It consists of 20 members: 5 committee chairmen, 12 elected members and 3 ex officio members (the Chief Secretary, the Attorney-General and the Financial Secretary to the Western Pacific High Commission).

75. When the Council sits as an executive body, its meetings, presided over by the High Commissioner, are normally held in private, but all legislative sessions, at which an outsider appointed by the High Commissioner presides, are held in public. A full description of the powers of the Governing Council has been set out in the previous report. o/

76. General elections for the Governing Council were held from 26 May to 25 June 1970 and 26,136 of the 51,904 registered voters participated. Two sessions

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n/ Ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XIX, annex I, paras. 42-43.

o/ Ibid., chap. XVI, annex I, paras. 82-83.

of the Council were held in that year, from 15 to 31 July and from 16 to 27 November. Three sessions were held in 1971, in May, August and November.

77. Besides the statutory Finance Committee (the Financial Secretary and the 5 committee chairmen), there are 5 committees of the Governing Council, each with an elected member as chairman, to deal with commerce and industry; national resources; communications and works; social services; and internal affairs. Each of the other 12 elected members sits on two committees. The average membership of the committees is 5.

78. The committees are responsible for the work done by the government departments and make plans and decisions. They also prepare the meetings of the Governing Council and are responsible for carrying out the work and policies decided upon by the Council to which they have to report afterwards through their chairmen.

79. In case of disagreement, the whole Council votes to decide whether to accept a committee's decision or to change it. If the decisions are not challenged in the Council, they became government policy. Members of the committees are also required to tour the Territory, meeting people and discussing their problems and government policy.

80. In addition to the Finance Committee, the other five governing council committees are as follows:

(a) Natural Resources Committee

81. The chairman of the Committee is Mr. David Kausimae of South Central Malaita. Agriculture, co-operative development, geological surveys, forestry, handicrafts, resettlement, tourism and town planning are the responsibility of this Committee.

(b) Health and Internal Affairs Committee

82. The Committee is responsible for district administration, local government and its development, the Medical Department, broadcasting and other information services and the government printing office. Its chairman is Mr. Mariono Kelesi of North-East Malaita.

(c) Communications and Works Committee

83. Roads, bridges and airfields, public utilities, meteorology, merchant shipping and marine laws are the responsibility of the Committee, whose chairman is Mr. Peter Salaka, member for Honiara.

(d) Education and Social Welfare Committee

84. The chairman of the Committee is Mr. W. Betu, member for Isabel; it is responsible for prisons, education, labour and social welfare.

(e) Commerce and Industry Committee

85. The Committee was recently formed under the chairmanship of Mr. G. Siama, member for Vella-Lavella Kolombangara.



## Future of the Territory

86. The High Commissioner announced in 1971 that a Solomon Islander would understudy his position of Chairman of the Governing Council when in public session. Mr. Silas Sitai, aged 50, a district officer and magistrate, was nominated on 26 August 1971 to be the first Solomon Islander chairman. Proposals for further constitutional steps will be considered by a Select Committee of the present Council and submitted to the test of public opinion at the next election, which is scheduled to take place in mid-1973. Complete independence was not mentioned by the High Commissioner, however, although economic independence is aimed at in the 1980s, through the Sixth Development Plan. According to the High Commissioner, complete localization of all posts requiring university degrees or professional qualifications would not be possible until the late 1980s.

## Local government

87. The local government system of the Solomon Islands remains unchanged. Local councils with their own staff and some posted to them from the public service administer a wide range of local services. Briefly, the Territory is divided into four administrative districts (Western, Central, Malaita and Eastern), each under a district commissioner. All the islands except Tikopia and Onuta have local councils, whose members are elected by universal adult suffrage. With the reconstitution of the Honiara Town Council in 1969, a total of 22 councils have been established under the local government ordinance, which was enacted in 1963.

88. It was reported in June 1971 that all five councils in the Western District had agreed to join together as one large council, and the High Commissioner had been approached to make the necessary arrangements. The main reason for combining the five councils is that, individually, they find it difficult to carry out their work programmes. They are also concerned at what they claim are long delays in government approval of their estimates. Members consider that one large council, instead of five, would receive earlier attention from the central Government.

89. The majority of council revenues are mainly derived from an annual basic rate amounting to an estimated \$A 134,000 p/ in 1970 out of a total revenue of about \$A 300,000. There were about 20,000 rate payers and rates varied from \$A 1 in some remote islands to \$A 10 in a few richer areas. The average rate was about \$A 5 per year. Other revenue was obtained from local court fees and fines, licences, bank interest, fees for services, grants from the central Government and sundry minor accounts.

## Public service

90. According to the administering Power, the composition of the public service at January 1971, compared with the previous two years, was as follows:

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p/ The local currency is the Australian dollar (\$A). One Australian dollar equals \$US 1.21.

	<u>1969</u>		<u>1970</u>		<u>1971</u>	
	<u>Number</u>	<u>Per cent</u>	<u>Number</u>	<u>Per cent</u>	<u>Number</u>	<u>Per cent</u>
Posts held by Solomon Islanders	1,537	67.85	1,660	71.9	1,725	71.6
Posts held by expatriate officers designated under the Overseas Service Aid Scheme	292	12.90	279	12.0	319	13.2
Posts held by non-designated officers, including temporary -officers, from overseas	80	3.53	80	3.5	77	3.2
Vacant posts	<u>356</u>	<u>15.72</u>	<u>288</u>	<u>12.6</u>	<u>290</u>	<u>12.0</u>
	2,265		2,307		2,411	

91. A survey of the public service was published in May 1970, which examined in detail the composition of the service, its growth since 1965 and the planning of localization and training. It appeared that although over 70 per cent of the public service posts were occupied by Solomon Islanders, localization could be of some significance only in that area of the service in which it was traditional to employ expatriates. In 1965, only seven Solomon Islanders were in the "effective localization area". In 1970 there were 80. Steps have also been taken to appoint a number of Solomon Islanders to administrative officer posts. According to the administering Power, plans are under way to synchronize educational output with public service requirements, in order to make localization as effective as possible.

92. It was reported in July 1971 that members of the Solomon Islands Civil Servants Association had requested a revision of salaries and conditions of service and an interim allowance to be paid to local officers until the revision is effected. According to the Association, the present basic wage is out of date, the last upward revision of salaries, effected in 1968, having been offset by a subsequent rise in the cost of living. The Association claimed that \$A 49.97 should be the basic minimum wage for public servants, instead of just over \$A 34 as set in 1968, and submitted figures to support its claim.

### Economic conditions

#### General

93. There has been no major change in the basic pattern of the economy, although some new developments have taken place in respect to fishing, mining and cattle raising. The Territory's principal natural resources are its agricultural

land, coconut palms, fisheries, forests and minerals. It specializes in the production of a few agricultural commodities for export, mainly copra and timber, and depends heavily on imported goods to satisfy local requirements. The sea was an almost untapped resource until recently when a Japanese company, the Taiyo Fishing Company, signed an agreement with the Natural Resources Committee to make a 15-month survey for a potential fishing industry. In addition, the Territory is developing a light industry based on locally consumed products and tourism is being encouraged.

94. In 1970, the Territory's total external trade was \$A 16.5 million, an increase of \$A 1.5 million over the previous year. Exports were valued at \$A 6.9 million in 1970, compared with \$A 6.3 million in 1969. Re-exports for the corresponding years amounted to \$A 170,241 and \$A 168,572 respectively. Imports totalled \$A 10.0 million in 1970, compared with \$A 8.5 million in 1969.

95. As a result of a rice crop failure on Guadalcanal late in 1969, there was a substantial increase in rice imports. The value of imports of agricultural and forest machinery increased to \$A 857,998, compared with \$A 582,184 in the previous year. This increase reflects further expansion by the more recently established companies. Imports of cotton piece goods, clothing and footwear continued to increase.

96. There was a marked increase in exports of marine shell as a result of intensified efforts to increase output in the Western district. Timber exports also continued to increase, as did exports of locally manufactured goods, such as biscuits and tobacco.

#### Sixth Development Plan

97. Aware that economic development has been hampered by the inadequacy of the communications and transport systems, the Government is emphasizing the development of these sectors through the Sixth Development Plan.

98. In May 1971, the Financial Secretary, Mr. John Smith, introduced the Sixth Development Plan for the Territory, to cover the period 1971-1973. He explained that planning was largely concerned with deciding priorities which in turn were dominated by the unusually heavy dependence of the Territory on external aid.

99. The Sixth Development Plan sets the pace for a major transformation of the economy of the Territory. One of its priorities is the development of manpower so as to achieve localization. Over-all public expenditure is estimated at about \$A 17.5 million, of which \$A 10.8 million is in the development sector, with agriculture taking \$A 2.8 million. In addition, private investments in timber, mining and agriculture (especially coconut plantations) are anticipated.

100. The economic infrastructure subsector (of the development sector) has been allocated \$A 4.7 million and the administrative sector \$A 2.0 million. Half of this sum is to be devoted to roads. Social services have been allocated \$A 4.5 million and administration \$A 75 million. Capital funds for the plan will come mainly from the United Kingdom, where the Overseas Development Administration has already indicated endorsement of the general emphasis of the plan, and aid will be sought from the United Nations Development Programme (UNDP).

In addition, aid from the Asian Development Bank is expected as a result of the Territory's associate membership in the Economic Commission for Asia and the Far East (ECAFE). Association with the Australian South Pacific Aid Programme and the volunteer programmes of New Zealand and the United States of America will also continue.

101. Capital expenditure will result in new commitments and increased recurrent expenditure. The dependence of the country on budgetary aid is to be progressively reduced during the decade. All sectors of the community are expected to contribute towards the growth of territorial revenue. Thus, some increased taxation was introduced during November 1971, among others, on liquor and tobacco, as well as on sugar, imported meats, motorcars, photographic equipment, gramophones, tape recorders, watches and jewellery.

102. During the year under review, the Development Plan was reportedly going well, with 58 of the 286 projects already approved for aid and 32 more pending, most of them in agriculture. One oil palm project was under way with the first 100,000 acres due for planting by mid-1972; 250 islanders were working on it by the end of the year. Other projects include rice cultivation on Guadalcanal Plains, meat production, timber (expected to reach 9 million cubic feet for 1971) and the fishing industry survey by the Japanese company.

#### Land

103. The Territory has two formalized systems of land holding: registered land and land held under documentary title. According to the administering Power, an important interest in land, held by grant of the Commissioner of Lands, is known as "fixed-term estate". This is defined as the right to occupy, use and enjoy the land and its produce for a fixed period (often 49- or 99-year leases). This right is subject to the payment of any rent and the performance of any obligations for the time being incident to the estate and subject to such restrictions as may be imposed by or under the ordinance or any other written law. The owner of a fixed-term estate is able to dispose of it, either in whole or in part, during his lifetime or at his death by a valid will. The interest of a lessee, arising by virtue of a valid lease of public land held by grant of the Government under the previous enactments, is capable of conversion to a fixed-term estate.

104. The law specifically forbids dealings in customary land between Solomon Islanders and non-Solomon Islanders, except in the special circumstances involving an entitlement under marriage or an inheritance, both in accordance with customary usage.

105. No new areas for conversion of tenure and registration of customary land holdings were designated in 1970, although work continued on the completion of two previously designated settlement areas. The registration of 63 parcels of land totalling 688 hectares in extent was completed during the year under review. In April 1970, the High Commissioner appointed a committee to examine the extent and nature of the need for registration of land held at present under customary tenure. The committee had a full programme of meetings during 1970 and its report was expected in 1971.

106. For the year 1970, 246 parcels totalling 3,562 hectares were registered for the first time. The area of initial registration since 1 February 1963 totalled 115,492 hectares: 27,440 hectares in agriculture; 83,666 hectares in forestry; and 4,386 hectares for other uses.

### Agriculture

107. In his address to the Governing Council referred to above, the Financial Secretary stated that copra remained the most important crop and its export the main source of revenue of the Territory, along with the production of timber. The economic future of the Territory, he said, was based on the development of agriculture which proved to be the sector in which development could best ameliorate the standard of living of the rural population. However, deficiencies of communication and transport, as well as the small size of the population, continued to handicap progress in this development.

108. In 1970, over-all production of copra amounted to 24,224 tons, or about 495 tons less than the total output in 1969. This reflected a decline of 575 tons in the Solomon Islanders sector, which produced 13,488 tons, and a marginal increase in the plantation sector which produced 10,736 tons. The decline in production may have been due to the excessive rains at the harvesting and drying period. Total production for 1971 was reportedly expected to exceed 25,000 tons; however, the Solomon Islands Copra Board was maintaining lower prices of \$A 100 (first grade) \$A 96 (second grade) and \$A 86 (third grade) in the face of lower London prices at the end of 1971. In February and March of that year, the Board had been paying growers \$A 140 for first grade.

109. Cocoa remained an important minor export crop; production totalled 128.4 tons compared with 95.4 tons in 1969. Commercial rice production amounted to 1,500 tons (767 in 1969), although the acreage of dry land rice (2,775 in 1969) was reduced to 1,752 acres. Chilli production increased marginally from 5,200 to 6,020 pounds. To increase yields further, land is being prepared for irrigation. Research into coconuts, cocoa, oil palms, rice and other crops was continued, with special attention to the development of major cash crops.

110. According to agricultural economists, the combination of cattle grazing and coconut growing seems to be a sound investment in the Territory. The Government already assists with fencing, stockyard and pasture subsidies, as well as the provision of veterinary and agricultural extension services. In addition, the Agricultural and Industrial Loans Board furnishes assistance in the form of rural credits. In 1970, there were 11,000 head of cattle in the Territory, of which over 9,000 were owned by plantations. The importance of the industry is recognized in the Sixth Development Plan. Planned expenditure on livestock over the years 1971-1973 is expected to be \$A 145,500 and, in addition, there is a provision of \$A 184,000 in subsidies for fencing, pastures and cattle imports. The aim of the Government is to increase the cattle population to 21,000 head by the end of the decade.

111. The Agricultural and Industrial Loans Board was set up 15 years ago to help develop the Solomon Islands, by lending money to persons wishing to develop their business or their land, or to start a new enterprise. The loan is repaid out of the profits of the new concern. It was reported in 1971 that the Board had paid out a total of more than \$A 1 million and granted 213 loans.

112. Although fishing continues to be mainly on a subsistence basis, small-scale commercial operations are conducted at Auki and Gizo. The survey being undertaken by the Taiyo Fishing Company (see para. 93 above) was reported to have started around the Shortland Islands. It was also reported that the Coral Seas Fishing Company was to begin a prawn survey off Guadalcanal and Isabel in October 1971.

### Forestry

113. The interim programme for timber production adopted for the period 1969-1972 came under review during 1970 in the course of preparing the Sixth Development Plan. The key decisions relate to the speed of working the Territory's existing timber resources, and the type and scope of replanting. It was decided that the Government should generally give priority to negotiations for timber leases rather than purchases or long-term leases of land for the forest estate during the next several years. A decision was also taken to increase the scale of replanting of timber species to 5,000 acres annually.

114. In 1970, exports of log timber amounted to 8 million cubic feet, compared with 7.2 million cubic feet in 1969. The f.o.b. value of exports in 1970 was approximately \$A 2.7 million. Adding the value of sawn timber produced and used internally, the total value of timber production was over \$A 3 million, which ranked closely with copra. The areas planted during the year totalled 1,787 acres, less than in 1969 (2,375 acres), because some areas did not become available for regeneration as rapidly as had been anticipated.

### Mining

115. During the year under review, several prospecting companies showed a keen interest in the mineral potential of the Solomon Islands. Sixty-six Instructions to Survey were issued by the Chief Surveyor to departmental surveyors and 36 to privately registered surveyors. Owners of alienated land are required to have their land surveyed in order to list it on the land register. A scheme to subsidize the cost of the survey, which is now borne by the landowners, was being prepared for implementation in 1971.

116. A major bauxite deposit on Rennell Island was proven in 1971. It is believed to be in the order of 30 million tons, with enough proven to permit mining operations lasting for 10 to 12 years at an extraction rate of 1.5 million tons a year. Trial mining is shortly to be undertaken by a Japanese company. The Solomon Islands Government is hopeful that the Rennell bauxite will not only be dried on the island but will receive its first processing there to turn it into alumina. The Territory also has a bauxite deposit at Waghena in the Western district. If these deposits prove economic, it might make possible the establishment of a first-stage refinery on Rennell.

### Public finance

117. The local recurrent revenue of the Territory amounted to \$A 4.7 million in 1970 compared with \$A 3.9 million in 1969, and recurrent expenditure amounted to \$A 6.9 million compared with \$A 6.1 million in 1969. The United Kingdom grant-in-aid was \$A 2.3 million compared with \$A 2.3 million in 1969. Capital expenditure during the year was \$A 3.2 million (including United Kingdom development aid totalling \$A 2.9 million).

118. Preparation of the Sixth Development Plan was delayed because the Regional Development Planning Unit appointed by the Minister of Overseas Development to assist the Territories of the Western Pacific High Commission had prior commitments in the Gilbert and Ellice Islands and the New Hebrides. An interim programme of capital expenditure was therefore approved for the year 1 April 1970 to 31 March 1971. This programme consisted mainly of the continuation or completion of projects started under the Fifth Development Plan.

119. In November 1971, it was reported that the Financial Secretary had presented the appropriation bill for 1972 which amounted to \$A 13.4 million of which \$A 6.0 million was to be raised locally and the remainder was to come from United Kingdom grants.

### Social conditions

#### Housing

120. The Solomon Islands Housing Authority, which came into being on 1 October 1970, aims to provide houses for people to buy or rent at a reasonable cost. At June 1971, it was reported that the Authority had approved 40 loans to people wishing to buy a house, a total of about \$A 75,000. The Authority has been operating only in Honiara, but there are plans to extend it to cover the whole Territory.

121. In 1971, the Authority's major scheme was to construct 41 houses at Vura, 24 with two bedrooms and the remainder with four bedrooms.

#### Labour

122. The total labour force in 1970 was 13,690, compared with 13,077 in 1969. Of this number, the Government employed 3,525 persons. Agriculture - the copra industry in particular - and forestry provided employment for 3,159 persons. The acute shortage of skilled workers has brought about an increase in the employment of expatriates, of whom there were 1,120 in 1970, compared with 1,010 in 1969.

123. The Department of Labour is situated in Honiara, but labour inspectors make regular visits to the Malaita and Western districts and to other areas as required. During 1970, 87 formal inspections were made and 42 contravention letters issued. Three hundred disputes were investigated by the Department and, of these, 35 resulted in the recovery of sums due to workers amounting to \$A 531.50.

124. The Labour Advisory Committee met three times for the purpose of considering principles for new legislation and to examine current problems. A manpower survey by Mr. H. M. Murphy was published and contained proposals for gearing educational and training programmes to the needs of the economy. In addition, a detailed survey of the public service was published by the Establishment Branch of the Secretariat.



125. Under the pressure of the newly created Solomon Islands General Workers Union, it was reported that the Government had announced a cut in the work week for government workers from 45 to 40 hours, and a 4 per cent wage increase to offset cost-of-living increases, plus other benefits. There was swift reaction and strong protest from the commercial and industrial firms as well as from the Chamber of Commerce. Four of the largest building firms had also announced the adoption of the 4-hour week but would have been obliged to conform, as they handle most of the Government's building contracts.

#### Public health

126. The principal government medical institutions in 1970 comprised a central hospital with 171 beds, which was expanded during the year by the construction of a 12-bed ward for the accommodation of crippled people; six district hospitals with a total of 328 beds, and a leprosarium. Missions maintained three hospitals with 275 beds, and many church centres provided medical service ranging from first-aid treatment to in-patient hospital care by qualified nurses.

127. With the aid of the United Nations Children's Fund (UNICEF) and the advice of the World Health Organization (WHO), the Central Hospital School of Nursing continued to train local nursing staff, of whom six women and nine men passed the Territory's Nurses and Midwives Board final examination in 1970 and were registered by the Board. In addition, a new hostel on the grounds of Central Hospital was completed in 1970, with 32 beds for student nurses and a flat for the House Mother. A number of refresher courses for nursing staff were also held during the year and in-service training of junior laboratory technicians, junior health inspectors, junior dispensary attendants and other ancillary staff continued.

128. The Malaria Eradication Programme expanded its operations in 1970. By the end of the year, a total of 140,000 people were protected from fresh infection of malaria. A steady decline was observed in the level of malarial infection in the Western and Central districts for the period 1 November 1969 to 31 December 1970. An important decrease also occurred in the tuberculosis cases. There were 338 new cases in 1970, compared with 374 in 1969. Although sporadic cases of yaws continue to be discovered and continued vigilance is still necessary, this disease is no longer a serious public health problem. There were no serious epidemics during the year.

129. Estimated expenditure on public health by the Medical Department was \$A 1,047,620 in 1970, compared with an actual expenditure of \$A 809,993 in 1969.

#### Educational conditions

130. Educational policy for the years 1968 to 1972 was set out in a White Paper on Education, approved by the former Legislative Council at the end of 1967. The main provisions of the policy have been explained in earlier reports of the Special Committee.

131. Education remains largely in the hands of the churches. In general, direct government participation is mainly in the field of secondary education,



teacher-training and higher education overseas, as well as assistance to the churches and local councils in providing primary education. Education is not compulsory and fees are payable in the majority of schools. The number of registered schools at the end of 1970 was 418 compared with 402 in 1969. Of this number, five were government schools and 12 were local council schools. The number of students in the primary schools was 21,270, compared with 14,798 in 1969. In addition, six schools offered secondary education in 1970 (one government and five church) with a total enrolment of 1,042 pupils (791 boys and 251 girls), an increase of 145 over 1969. In 1970, 1,500 pupils completed senior primary schools (standard 7) but only 451 won places in secondary schools. There were also two teacher-training schools and one technical and vocational school. The latter had an enrolment of 200 (140 in 1969).

132. The Kamaosi Rural Training Centre operated by the Isabel Council has reportedly aroused great interest throughout the Territory, as the problems it seeks to solve are common in all the islands. The Centre offers courses in carpentry, mechanics and agriculture for 35 standard 7 boys each year. After one year of operation, the Council is confident that Karmaosi is a sound scheme, and that if necessary it can expand and improve the Centre, even from its own resources.

133. Kamaosi is considered a practical solution to the problems of standard 7 school leavers unable to continue to secondary school. The majority of these school leavers find that their years at primary school have given them little or nothing of direct use for living at home in their villages.

134. The British Solomons Training College, the only government institution where teachers are trained, reportedly had 126 students in 1971: 87 were training to be third grade teachers; 25 were taking the fourth grade six-month course and 16 were engaged in a 13-week in-service training course for teachers. There were 20 women at the college. The Roman Catholic Villa Maria Training College also provides teacher training. Twelve women qualified as third grade teachers in 1970. Three teachers also followed a one-year in-service course specializing in senior primary work.

135. During 1970, a substantial expansion of education at all levels took place. A total of 205 schools (153 junior primary and 52 senior primary) received aid in 1970 (an increase of 91 over the previous year). In addition, equipment grants were paid to six church secondary schools. The Government also provided capital aid in the form of grants to scheduled schools for low-cost buildings (24 classrooms, 7 dormitories and 5 other construction projects).

136. Scholarships continued to be awarded by the Government, missions, trusts, private enterprise and international agencies for a wide range of courses. Candidates are selected by the Scholarship Selection Committee, which also reviews the progress of existing scholarships holders. In 1970, 260 scholarships were awarded. In 1970, 22 students (24 in 1969) were taking trade training courses overseas (16 in Papua New Guinea, 5 in Fiji and 1 in New Zealand). Thirteen students were at the University of Papua New Guinea and 20 were at the University of the South Pacific.

137. The estimate for government recurrent expenditure on education in 1970 was \$A 1 million, compared with an actual expenditure of \$A 995,539 in 1969. The capital expenditure was \$A 496,830 (estimated) and \$A 500,934 (actual) respectively. Other educational expenditure continued to be provided by various private organizations.

## CHAPTER XVIII\*

### AMERICAN SAMOA AND GUAM

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of the Working Group (A/AC.109/L.763), decided, inter alia, to refer American Samoa and Guam to Sub-Committee II for consideration and report.

2. The Special Committee considered the item at its 878th, 880th and 882nd meetings, between 8 and 17 August.

3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account General Assembly resolution 2869 (XXVI) of 20 December 1971 concerning 17 Territories including American Samoa and Guam, by paragraph 8 of which the General Assembly requested the Special Committee "to continue to give full consideration to this question including in particular the dispatch of visiting missions to those Territories...".

4. During its consideration of the item, the Special Committee had before it, a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action previously taken by the Special Committee, as well as by the General Assembly, and on the latest developments concerning the Territories.

5. The representative of the United States of America as the administering power, participated in the work of the Special Committee during its consideration of the item.

6. At the 878th meeting, on 8 August, the Chairman of Sub-Committee II, in a statement to the Special Committee (A/AC.109/PV.878), introduced the report of that Sub-Committee (A/AC.109/L.812) containing an account of its consideration of American Samoa and Guam (A/AC.109/SC.3/SR.155-159).

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\* The following chapters also relate to the present chapter: chapters III and IV (A/8723 (part II)); and chapter VI (A/8723 (part IV)).

7. At the 880th meeting, on 11 August, following a statement by the Chairman (A/AC.109/PV.880) the Special Committee adopted without objection the report of Sub-Committee II and endorsed the conclusions and recommendations contained therein. (See paragraph 11 below.)

8. On 14 August, the text of the conclusions and recommendations was transmitted to the Permanent Representative of the United States of America to the United Nations for the attention of his Government.

9. At its 882nd meeting, on 17 August, the Special Committee had before it the 177th report of the Sub-Committee on Petitions (A/AC.109/L.825 relating, inter alia, to the latter's consideration of a communication dated 2 August 1972 from Mr. Antonio B. Won Pat concerning the Territory of Guam (A/AC.109/PET.1233).

101. At the same meeting, following statements by the representatives of Mali and the Syrian Arab Republic (A/AC.109/PV.882), the Special Committee decided without objection to approve the 177th report of the Sub-Committee on Petitions. In so doing, the Special Committee requested its Chairman, having regard to the suggestion contained in the Petition under reference, to send a United Nations visiting mission to the Territory of Guam, to hold consultations, within the context of the mandate entrusted to him in its resolution of 14 August 1972, 1/ with the representative of the administering Power and to report thereon to the Committee, as appropriate. The Special Committee also decided to accede to the request for a hearing contained in the aforementioned petition.

#### B. DECISION OF THE SPECIAL COMMITTEE

11. The text of the conclusions and recommendations adopted by the Special Committee at its 880th meeting, on 11 August, to which reference is made in paragraph 7 above, is reproduced below:

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1/ A/8723 (part II), chap. IV.

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms the inalienable right of the peoples of American Samoa and Guam to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960.

(2) Fully aware of the special circumstances of geographical location and economic conditions that exist in regard to these Territories, the Special Committee reiterates its view that the question of size, isolation and limited resources should in no way delay the speedy implementation of the Declaration in these Territories.

(3) Bearing in mind that the future status of the Territory of Guam remains the basic concern of the people of Guam, the Special Committee wishes to reiterate its view that all options leading to and including full independence should be left open to them, and urges the administering Power to take steps aimed at reducing the dependence of the Territory on the United States and to allow the indigenous inhabitants to participate fully and freely in an act of self-determination in conformity with the Declaration contained in resolution 1514 (XV). In this regard, the Special Committee fully supports the people of Guam in their requests for proper representation in the discussions between the United States as the Administering Authority and the Trust Territory of the Pacific Islands relating to the political future of the latter which might affect Guam. The Special Committee considers that in future, the Territory should be represented by Guamanians wherever their own future political status is concerned.

(4) The Special Committee, considering that the election of the Governor and Lieutenant Governor of Guam by the people of the Territory is a step in the right direction, expresses the hope that the administering Power will follow this with further measures aimed at the transfer of its powers. It notes in this connexion that the Organic Act of 1950 is still in force in the Territory and urges the administering Power to give sympathetic consideration to resolution 485, adopted early in 1972 by the Eleventh Guam Legislature, whereby it requested the United States Congress to amend the Organic Act to enable the Legislature to consent to the application of federal laws to the Territory.

(5) The Special Committee notes the statement of the administering Power that the United States Congress has enacted a law giving Guam a non-voting delegate who will be elected in November 1972, and will take a seat in the United States House of Representatives in January 1973. The Special Committee would welcome further information as to how such a non-voting delegate will be able to ensure "direct" or "effective" representation of the people of Guam in the United States House of Representatives and make known their aspirations.

(6) The Special Committee notes the statement of the administering Power that the rate of progress in the economic field has been steadily maintained in Guam. However, the Special Committee would welcome further information as to what extent this development is related to the existence of the military installations in the Territory. In the absence of such information, the Special Committee remains of the opinion that economic development still depends basically on the existence of military bases. Bearing in mind that the existence of military bases in Guam

impedes decolonization, the Special Committee reiterates its view that the dependence of the Territory on military installations and particularly the presence of military bases should be brought to an end as soon as possible. The Special Committee considers that positive economic development, unrelated to military activities, should be furthered by the administering Power working in concert with the people of Guam.

(7) Regarding American Samoa, on the basis of the information made available to it, the Special Committee regrets that there has been no significant political progress in that Territory during the period under review. In this connexion, it once again reiterates its support of the recommendation made by the Commission to study the Territory's political status, that the people of American Samoa should elect their own Governor and both houses of their Legislature. The Special Committee reiterates its view that all options leading to and including full independence should be left open to the people of the Territory; it urges the administering Power to take steps aimed at reducing the dependence of the Territory on the United States and to allow Samoans to participate fully and freely in an act of self-determination in conformity with the Declaration contained in resolution 1514 (XV).

(8) The Special Committee notes the statement of the representative of the administering Power that a territorial election was held in 1970 to fill the newly created post of Delegate-at-Large established by the Samoan Legislature to provide the people of the Territory with a representative in Washington, D.C. The Special Committee would welcome further information concerning this new post, its powers and its terms of reference.

(9) The Special Committee notes with continued concern the tendency of the administering Power to perpetuate its association with these Territories. The Special Committee urges the administering Power not to prejudge and prejudice the future of these Territories.

(10) The Special Committee notes that in Guam, in 1970, only 52,400 of the total population of 86,929 were Guamanians. In this connexion, the Committee wishes to stress its continued concern at the increasing presence and activities in American Samoa and Guam of citizens of the administering Power, who are able to affect the political and electoral process and future of these Territories. It would welcome more detailed information on this important question, especially in connexion with American Samoa.

(11) The Special Committee notes the statement of the representative of the administering Power that significant progress in the field of education took place in Guam during the period under review and that there has been a sharp increase in the number of students at the University of Guam. It notes, however, that the percentage of non-resident students from the United States attending the University was far greater than the percentage of United States citizens in the total population of Guam. The Special Committee also notes the statement of the representative of the administering Power that a unique system of education exists in American Samoa; it would welcome further information as to how that system meets the specific needs of the people of the Territory.

(12) The Special Committee again stresses the importance it attaches to the dispatch of visiting missions to the Territories. In view of the statement made by the representative of the administering Power to the effect that the indigenous inhabitants of the Territories are themselves determining the rate and direction of their political progress, and bearing in mind the provisions of the relevant General Assembly resolutions, the Special Committee once again urges the administering Power to reconsider its negative position on this question and allow a mission to visit these Territories.

# ANNEX\*

## WORKING PAPER PREPARED BY THE SECRETARIAT

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\* Previously issued under the symbol A/AC.109/L.798.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE  
AND THE GENERAL ASSEMBLY

1. The Territories of American Samoa and Guam have been considered by the Special Committee and the General Assembly since 1964. The Special Committee's conclusions and recommendations concerning the Territories are set out in the reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/

2. The text of the relevant conclusions and recommendations adopted by the Special Committee in 1971 in regard to the Territories and subsequently approved by the General Assembly at its twenty-sixth session, and the text of General Assembly resolution 2869 (XXVI) of 20 December 1971 which concerned 17 Territories, including American Samoa and Guam, have been made available to the Committee.

B. INFORMATION ON THE TERRITORIES

1. AMERICAN SAMOA b/

3. Basic information on American Samoa is contained in the report of the Special Committee to the General Assembly at its twenty-fifth and twenty-sixth sessions. c/ Supplementary information is set out below.

General

4. The Territory consists of seven islands covering 76 square miles of islands scattered over the South Pacific Ocean. The population, for the period under review, was approximately 28,000. Most of the population lives on the largest island, Tutuila (25,560 in 1970).

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a/ For the most recent, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), chap. XVIII, para. 11; *ibid.*, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, para. 27 (e); *ibid.*, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVII, para. 9.

b/ This section is based on published reports and on information transmitted to the Secretary-General by the Government of the United States of America under Article 73 e of the Charter of the United Nations on 26 May 1972 for the year ended 30 June 1971.

c/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, annex III.D; *ibid.*, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVII, annex I.



## Political and constitutional developments

### Executive

5. The Territory is administered by the United States Department of the Interior. The Governor and Lieutenant Governor are appointed by the Secretary of the Interior.
6. It is reported that a number of American Samoans testified before a committee of the United States Congress in March 1972 in favour of legislation which would enable the islanders to elect their own Governor with effect from November 1972. The Department of the Interior reportedly supported the principle of an elected Governor but was believed to have opposed the proposal on the grounds, subsequently explained by the Department's Assistant Secretary, Mr. Harrison Loesch, that careful preparation, financial and organizational changes should precede any election by the people themselves. The Governor of American Samoa, Mr. John Haydon, stated that he concurred in that opinion.
7. It is also reported that the Samoans' request found support in the United States Congress in the persons of Representative Philip Burton (California) and Representative Patsy Mink (Hawaii) who suggested that the Subcommittee on Territories and Insular Affairs of the Interior Committee of the House of Representatives should visit American Samoa to have a first-hand look at the situation. Mr. Burton, who is the Chairman of the Subcommittee, reportedly believes that the time has come for the people of American Samoa to elect their own Governor.
8. The first Samoan delegate to Washington, D.C., was elected in 1970 to serve as liaison between the Samoan legislature and various branches of the United States Government. The delegate elected for two years in 1970 is H.T.C. Mr. A. U. Fuimaono.
9. The islands are divided administratively into three political districts which are further subdivided into 14 counties. The chief executive officer in each district is a district governor.

### Legislature

10. The legislature of the Territory is composed of a House of Representatives and a Senate, with a membership of 20 and 18 respectively. Representatives are elected by adult suffrage for two years. An elected delegate from Swain's Island attends meetings but has no vote. Fourteen senators, each representing counties, serve for four years; the remaining four senators are selected by rotation from four counties in Western District to serve two years.
11. A full-time legislature was created in the period under review. The body meets twice a year and each legislator received \$US 6,000 a year. d/ With this innovation, public servants are now prohibited from serving in the legislature, as they have done in the past. The administering Power has instituted changes which

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d/ The local currency is the United States dollar (\$US).

now enable the legislature to conduct a preliminary review of the budget. According to the Governor, the year under review "saw the orderly functioning of a Joint Budget Review Committee, including members of the legislature, which works together in the preparation of the overall budget and which sends representatives to Washington for budget hearings".

### Judiciary

12. The judicial branch consists of a High Court with jurisdiction throughout the islands and a district court for each of the five judicial districts into which the Territory is divided. The High Court is composed of the Chief Justice, two associate justices and four associate Samoan judges. The Chief Justice has general supervision over the judicial branch and presides at all sessions of the High Court. He and the associate justices are appointed by the Secretary of the Interior. Since March 1970, the Territory has had a Traffic Court presided over by an associate Samoan judge. Testimony may now be conducted solely in Samoan if there are no United States litigants involved.

### Public service

13. In his report to the Secretary of the Interior, Governor Haydon stated that every effort had been made to find qualified American Samoans for vacant government positions in all departments. Some 90 key positions formerly held by contract workers were now filled by local people. A survey shows that the average Samoan salary in government service now is 100 per cent greater than it was five years ago.

14. An ad hoc committee, composed of representatives of the executive and legislature branches has been set up to make an over-all study of Samoan salaries and to make recommendations for an equitable pay structure. The report is expected to be completed in 1972.

15. The Government of American Samoa continued to be the largest employer in the Territory during 1971 with a total of 3,515 workers compared with 2,790 in 1970. Much of the increase was made possible by a financial grant provided under the Manpower Development and Training Act. Of the 3,515, 3,259 were local career service workers, 170 were contract workers from the United States, 15 were federal civil service employees and 71 were locally recruited employees from the United States. There were also 267 part-time students employed through federal grants.

### Economic conditions

#### General

16. In 1970, the Government of American Samoa initiated the Territory's first organized economic development and long-range planning programme with the establishment of the Office of Economic Development and Planning (OEDP). The office completed its first year of operation in 1971. Through the activities of the office it has been concluded that American Samoa has a large number of economic opportunities which may be exploited without serious sacrifices to culture,

traditions, physical environment or political advancement. Stress is placed on the requirement of Samoan participation in business development at all levels.

17. During the year under review, OEDP was nearing completion of negotiations with a firm in Hawaii to design and operate a commercial shopping centre in the Territory. The centre would be locally owned but operated by the Hawaiian firm until Samoan people were well enough trained to take over the operation themselves. The initial structure would be 65,000 square feet. The project would provide retail business opportunities for Samoans by reducing capital requirements and by providing land. The administering Power calculates that inefficiencies in the retail sector of the economy now cost American Samoan consumers \$US 4 million to 5 million per year.

18. OEDP was also actively negotiating with manufacturers of food products, steel wire, industrial gas, textiles, paint and petroleum products, among others, to establish some of these businesses in the Territory in 1972.

19. During 1971, the Development Bank of American Samoa guaranteed \$US 167,000 in loans to American Samoans and was negotiating with the Economic Development Administration of the United States Department of Commerce for financial assistance to the Samoan-owned Intercontinental Hotel as well as to other private ventures. In addition, OEDP prepared for the legislature a justification for a \$US 5 million development loan fund. The legislature adopted a resolution requesting the Government of American Samoa and the Department of the Interior to seek congressional authorization for the economic development loan fund to augment the diminishing loan resources of the Development Bank.

#### Public finance and foreign trade

20. The Government of American Samoa is financed by local revenues supplemented by appropriations and grants-in-aid from the United States Congress and by grants from other federal agencies. The Governor's Office and the High Court operate under direct federal appropriations. The over-all budget for the fiscal year 1972 totalled \$US 22 million, compared with \$US 13.1 million in 1969.

21. Local revenue is raised mainly from income taxes (80 per cent), first introduced in 1963, and excise duties (20 per cent). Special legislation in 1967 removed all import duties, excluding excise duties, to make American Samoa more attractive to tourists.

22. During the year under review, fire destroyed the ancient building which housed the legislature and \$US 490,000 had to be included in the 1972 budget to build a new structure.

23. The Territory's exports for 1971, nearly all products of the two local fish canneries, were valued at \$US 41.4 million, while the imports, from 28 different nations, totalled \$US 19.6 million. In 1970, the respective figures were \$US 36.7 million and \$US 15.7 million.

## Land

24. Samoans own the land and are responsible for practically all production. Some 70 per cent of the land is forest. Of the remaining 30 per cent suitable for agriculture, about 12,000 acres are under cultivation. The alienation of indigenous land is prohibited, but lands may be leased for a period not exceeding 30 years, with the approval of the Governor.

25. A very small amount of land is owned in fee simple by individuals but over 96 per cent is owned communally. The Government of American Samoa occupies 1,400 acres. As private land is difficult to obtain, the Government has made some of its land near the international airport available for light industrial and commercial purposes.

## Agriculture and livestock

26. The immediate goal of the Department of Agriculture is to make American Samoa self-sufficient in its basic staple foods. A demonstration farm conducts tests and provides planting materials to local farmers. It also operates the swine and poultry programmes which provide fresh meat and eggs to the consumers and raises breeding animals to improve stock. In 1971, the demonstration farm sold 134,833 taro tops, 1,380 coconut seedlings, 676 banana suckers, 480 ta' amu taros and 102 Chinese cabbages. New poultry units for layers and broilers were also completed.

27. The Fagatogo municipal market is the only central outlet where farmers may sell their produce directly to the consumer. During the year under consideration, the market handled 715,450 taros, 931,800 bananas, 297,890 breadfruits, 10,550 ta' amu taros, 1,730 yams, 703,590 assorted vegetables, 121,270 assorted fruits, 920 ears of corn, 16,790 green coconuts, 236,470 ripe coconuts and 5,210 baskets of luau (taro leaves).

28. The Extension Services Division of the Department of Agriculture made a total of 10,241 farm visits, held 92 meetings and conducted 70 demonstrations during the year.

## Fisheries

29. The Office of Marine Resources, established during the previous year, functioned as a separate entity to enable the Samoans to derive greater benefit from the sea around them. Its budget was modified so as to support basic programmes in research, development and conservation. During the last quarter of the year under review, a 28-foot demonstration-training vessel and a 50-foot research vessel were constructed.

30. Research programmes included surveys of skipjack tuna, baitfish, plankton and larval fish, and a statistical analysis of fisheries. In January 1971, the Office of Marine Resources inherited the cannery sampling programme previously conducted by the National Marine Fisheries Service. The project was subsequently expanded to include the subsistence and local commercial components of the Samoan fishery. Development programmes include local fishing, Pacific tuna, spool-fishing

development and projects of the South Pacific Commission and the South Pacific Islands Fisheries Development Agency, which include turtle farming, oyster cultivation and lobster harvesting.

31. It is reported that in March 1972 a trial was made of skipjack fishing in the Territory. A line bait boat from Hawaii, the 100-foot Anela, with a capacity of 90 tons, was used in the Hawaiian off-season both to test the prospects for skipjack fishing in Samoa and to ascertain whether the Hawaii fishing fleet could profitably operate in Samoa during the usual slack season.

32. It was also reported late in 1971 that a one-year crash programme costing \$US 76,000 has been organized by the United States Office of Economic Opportunity to improve the Territory's off-shore fishing industry. Under the scheme, a boat builder, a hydraulics mechanic, a fishing contractor and a co-ordinator were due in the Territory in September 1971 to supervise construction of five 22-foot fishing dories, each with a capacity of more than a ton of fish. Boat builders, fishermen and marketing officers would also be trained under the scheme.

### Industry

33. Pacific Time Corporation, a subsidiary of the Bulova Watch Corporation (United States), is erecting a plant in the Territory which will employ approximately 50 persons. Four Samoans have been sent to Bulova's school in New York for intensive training. Meanwhile, other prospective employees are being trained on the spot. A Samoan will manage the entire operation in the Territory.

34. An agreement has been reached with Beatrice Foods to produce milk, ice-cream and other milk products for local consumption and the plant is now in operation. It is anticipated that up to 40 per cent of this plant will be locally owned. In addition to providing ownership and employment opportunities to American Samoans, the price of milk has been considerably reduced. The expansion of canneries was begun during the period under review. The canneries benefit from tax exemption granted on corporate income resulting from increases in production over the annual average production of the past five years.

### Tourism

35. Nearly 30,000 tourists visited American Samoa during the fiscal year 1971, an increase of 100 per cent over the previous year. More than 20,000 transients passed through the Territory during the same period.

36. Plans to enlarge the size of the 100-room Pago Pago Intercontinental Hotel have been completed. A new hotel with 18 units was opened during the period under review.

37. American Airlines initiated an air service to American Samoa in August 1970, with one weekly flight between New York and Auckland. A second flight was added on 25 April 1971 to meet the increasing flow of traffic into the South Pacific area. Pan American Airways maintained its regular four southbound and four northbound flights each week.

## Public works

38. During the period under review, the Construction Division was engaged in work on 16 major projects and 277 job orders at a total cost of \$US 2.5 million. Of this amount, \$US 2 million was for continuing projects of prior years, \$US 227,109 for new projects started during the fiscal year, and \$US 261,250 for support work for other departments and federal agencies.

39. The Construction Division continued its extension of the water supply systems on the island of Tutuila. The Division also spent \$US 75,511 on roads and highway construction.

## Social conditions

### Labour

40. There are two fishing canneries in the Territory, the Van Camp Company and Star Kist Samoa Inc. During the year under review, Van Camp had a Samoan work force of about 600, with an average monthly payroll of \$US 80,000, while Star Kist employed 500 Samoans and maintained an average monthly payroll of \$US 85,795. The two companies, together with the American Company, another fishing enterprise, employ a total of 3,240 oriental fishermen. The latter do not contribute significantly to the Territory's economy as they spend most of their time at sea.

41. Federal and territorial statutes govern the wages in the Territory except those for domestic and agricultural workers. A federal minimum wage board convenes at two-year intervals and fixes the minimum wages. At 5 June 1971, minimum hourly wages ranged from \$US 0.60 in the shipping and transportation industries to \$US 1.30 in the petroleum marketing industry.

42. The Department of Manpower Resources is reviewing wages and salaries in an effort to bring all government employees under one salary schedule and to establish an employment agency which would provide services for both the local labour force and local businesses and industries.

43. According to the report of the administering Power, the basic employment policy of the Government is to give American Samoans the first choice of any and all positions in the Territory. Recruitment is carried on outside the Territory only to fill positions for which no qualified local inhabitant can be found. Employees are hired off-island on short-term contracts with the understanding that they are responsible for training Samoan successors.

44. It is reported that talks between the federal and territorial Governments on immigration problems have revealed that there are about 1,800 illegal aliens in American Samoa, mainly from Western Samoa. The territorial Attorney-General said that the United States Government has instructed his Government to reduce the number of aliens as many were holding positions which could otherwise be filled by American Samoans. He stressed, however, that there was no intention to reduce the number by mass deportation.

## Public health

45. There is a recognized need for improved health services. Infant mortality remains too high. According to the report of the administering Power, there are too many deaths from trauma, and deaths from heart attacks and strokes are occurring at much too early an age. The average age at death in 1970 was 38.4 years. During the year under view, a more detailed comprehensive health plan was drafted, approved by the Health Planning Council and submitted to the Regional Office of the United States Department of Health, Education and Welfare, which renewed a revised Partnership for Health grant.

46. During the fiscal year 1971, the Public Health Division of the Department of Medical Services was reorganized to include an experienced specialist in tropical medicine as public health officer. A health educator was appointed, as well as a new chief public health nurse and a maternal and child health officer. According to the report of the administering Power, the earlier policy of not sending Samoans to Fiji for medical training has begun to reap a bitter harvest as there are not enough Samoans in medical training to meet normal growth patterns and the difficult task of recruiting contract personnel must continue. In 1971, two young Samoans were sent to the Fiji School of Medicine at the University of the South Pacific; two medical officers were sent to New Zealand for study; a Samoan registered nurse was sent to Hawaii for additional training in mental health nursing; and another was sent to Hawaii for additional training as a social work technician. Ten Samoans employed in the Department of Medical Services were sent to the United States mainland for short courses and conferences. A Samoan nurse was appointed associate comprehensive health planner and a Samoan graduate of Yale University was elevated to departmental administration. Four contract physicians were engaged, two of whom are Samoan doctors returning to practice in the Territory. These additions brought the medical staff to 21: 7 qualified medical practitioners and 14 Samoan officers.

47. The Department benefited from funds totalling \$US 129,100 made available on a matching basis for the construction of the dispensaries. In addition, an Office of Economic Opportunity Family Planning Education grant of \$US 20,000 was approved. A similar grant from the Developmental Disabilities Program will enable the Department to start work on a survey of the magnitude of mental retardation, cerebral palsy and epilepsy in American Samoa.

48. The emphasis on early treatment encouraged by free services enabled the hospital to hold the number of in-patients to some 5,000 cases, while out-patient treatment totalled almost 100,000.

49. During the year under review, the main hospital at Pago Pago had 200 beds, including tuberculosis and leprosy units. There are branch dispensaries located at Leone and Ancouli on Tutuila and on Tau and Ofu in the Manua group.

## Educational conditions

50. The educational system is based on the United States pattern of eight years of elementary school and four years of high school, but with the major difference that television is used as the main source of instruction. There is a two-storey television broadcast centre located in Pago Pago, which beams a signal to the



226-foot transmitter constructed on Mt. Alava at the apex of Pago Pago harbour. From here, broadcast signals reach all over Tutuila and the Manua Islands.

51. In 1970, early childhood education for children from 3 to 5 years of age was carried on at 85 centres serving 2,200 children compared with 40 centres in 1969. In 1971, a total of 138 centres functioning with trained village men and women provided schooling to 2,700 children. In addition, a total of 546 televised programmes for children was presented during the period.

52. During the period under review, the elementary division expanded its curriculum to six levels with plans to expand to a full eight-year programme by 1973. Elementary enrolment in 30 government schools was 6,198 in 1970, compared with 5,815 in 1969. A shortage of classrooms has developed, however, as there has been no major construction during the past three years. In addition, a total of 1,375 pupils attended private primary schools at the same time.

53. During the same year 1,926 secondary school students attended four government high schools, while 415 attended private secondary schools.

54. The Community College of American Samoa in its efforts to meet the needs of the Territory offered a more comprehensive programme which included vocational and technical training and adult education. The full-time enrolment in the College in the autumn of 1970 was 550; in the spring semester of 1971 it was 820. Of this number, about 200 students were reportedly in the teacher-training division.

55. In government schools, the television teacher presents basic lessons and the classroom teacher conducts class work before and after the televised lessons. Private schools do not base their teaching on television; however, they have receiving sets and may tune in to special lessons. There has been some criticism of the extent to which television has been used in public schools, and during 1970 some changes were made and additional mainland (United States) teachers introduced to increase the emphasis on the teaching of English, especially in the higher grades.

56. The cost of education is largely supported by the United States Congress. The operating budget for 1969 was over \$US 4.7 million. Apart from actual administrative and educational costs, included was expenditure on youth development, a school lunch programme, television, scholarships, library services, adult education and the Office of Samoan Information.

## 2. GUAM e/

57. Basic information on Guam is contained in the report of the Special Committee to the General Assembly at its twenty-fifth and twenty-sixth sessions. f/ Supplementary information is set out below.

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e/ This section is based on published reports and on information transmitted to the Secretary-General by the Government of the United States of America under Article 73 e of the Charter of the United Nations on 26 May 1972 for the year ended 30 June 1971.

f/ See Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), chap. XIV, Annex II; ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVII.



## General

58. At 22 July 1970, the population of Guam was 86,929 of whom 52,400 were Guamanian; 19,037 were military and their dependants; 6,248 were from the United States mainland; 5,740 were Filipinos; and 3,504 were other nationalities. It was reported in December 1971 that the official population was 84,996, a slight revision downwards from an estimated figure released earlier in the year.

## Political and constitutional developments

### Constitution

59. The Territory is administered under the Organic Act of Guam, 1950, as amended, and is under the general supervision of the United States Department of the Interior. The Territory is administered by a Governor and a Lieutenant-Governor and has a unicameral legislature consisting of 21 representatives. All government officials are elected under a system of universal adult suffrage, applicable to persons 18 years and older. Although Guamanians are United States citizens, they are not eligible to vote in national elections.

60. At the end of March 1972, the United States Congress reportedly enacted a law giving Guam a non-voting delegate in the United States Congress. The Territory may now include a new post on the ballot for the general elections in November. The elected official will take his seat in the House of Representatives in January 1973. Mr. Anthonio B. Won Pat, the representative of Guam in Washington, D.C., has reportedly announced his candidacy for the new post.

61. It is further reported that the Eleventh Guam Legislature adopted a resolution (485) early in 1972 requesting the United States Congress to amend the Organic Act to enable the legislature to consent to the application of federal laws as they apply to the Territory. Resolution 485 stated that with the advent of a greater measure of home rule, Guam should have the right to determine which laws would be in its best interest, given its unique economic and political circumstances. It pointed out some laws detrimental to Guam's self-determination, including the Immigration and Naturalization Laws, the Jones Act, the General Maritime Law and the recent enacted amendments to the Income Tax Law.

### Public service

62. During the year ending 30 June 1971, a total of 5,404 government employees received salary increments and pay adjustments. There were 309 promotions and 34 retirements. In addition, 411 regular employees resigned or terminated their contract with the Government.

63. During the same period, the Personnel Services Division reviewed 54 requests for the creation of new positions in various departments of the executive branch, of which 11 were approved and the remainder were left pending for the Governor's concurrence or for approval by the Civil Service Commission. In addition, the Division conducted 280 classification and evaluation studies, wrote and revised

289 class specifications, made 291 wage and salary studies and administered 737 job examinations during the year.

64. According to the report of the administering Power, the Civil Service Commission revived and implemented the Kamalu Report, which had established personnel rules governing overtime and holiday compensation and approved the recruitment of professionals such as attorneys, engineers, doctors and dentists above the minimum step of the fixed pay range. It also revised the salary schedules for the 12-month professional administrative-supervisory personnel in the Department of Education and approved for adoption personnel rules and regulations for professional employees at the University of Guam and at the Guam Power Authority (GPA).

65. In October 1971, Governor Camacho reportedly approved a bill (No. 532) which included a salary increase of \$US 313 g/ for all Government of Guam employees in the classified service. Budget officials said that a total of \$US 1,913,269 would be needed to meet the increase.

66. It was also reported that officials in Washington, D.C., were considering Mr. Won Pat's request for a cost-of-living differential for federal employees on Guam. Mr. Won Pat said that treatment for Guam was "patently unjust", because mainlanders from the United States recruited for federal jobs on Guam received 25 per cent more than their Guamanian counterparts, while federal workers in other areas - Hawaii, Puerto Rico, Alaska and the United States Virgin Islands - were entitled to cost-of-living differentials. He said that all federal employees on Guam should be treated alike and entitled to pay adequate to offset the higher cost of living.

#### Future status

67. In his second State of the Territory address, the Governor of Guam, speaking as the Chief Executive, told the Eleventh Guam Legislature that the Territory would continue its quest for the greatest measure of home-rule, including the eventual attainment of statehood either alone or with the Trust Territory of the Pacific Islands. Economically, he added, the Territory was on the road to self-sufficiency through the development of a broad-based economy.

68. At the third annual Pacific Conference of legislators, held in May 1971, Mr. Quentin Burdick, a United States Senator, reportedly stated that he held little hope of statehood for Guam. Such a possibility would depend on the future economic development of the Territory. Other congressmen, however, namely Messrs. Quillen and Delaney of the United States House of Representatives viewed the introduction of a non-voting delegate to the Congress as a preliminary step to statehood.

69. Prior to the fourth round of talks between representatives of the United States and of the Trust Territory of the Pacific Islands, which took place in Palau between 3 and 14 April 1972, the following editorial appeared in Guam's principal newspaper: h/

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g/ The local currency is the United States dollar (\$US).

h/ Pacific Daily News, 22 March 1972.

"...

"We have said before, and repeat in the strongest possible words, that Guam should be represented at those talks. This idea has been rejected by American authorities, who say that Guam is a part of the United States, and thus is represented by Ambassador Williams. This is true, but only in a very limited way. Ambassador Williams knows little about Guam, and its people. He knows little about our relationship with the other islands, or our political aspirations.

"If the question of the reunification of the Mariana Islands comes up, for example, as it has in the past, can Ambassador Williams speak for Guam then?

"We categorically reject the idea that Guam is all alone in this vast Pacific Ocean. We are an island, much the same as the other islands around us. What affects the other islands, politically, or economically, affects us as well... We are vitally concerned with the political future of our neighbours in Micronesia, and feel completely justified in our insistence to be represented at the Status Talks... Guam is a part of a chain of islands, and for us to be treated like some third rate second cousin, when discussions are taking place about the future of the islands, bothers us... What those Micronesian and U.S. leaders decide in Palau will affect the lives of the people of Guam, as they will affect the lives of the people of the other islands.

"...

"It would seem that the State Department... would be able to see that Guam, too, is interested in a future. Right now it appears that the majority of the people of Guam desire statehood... When we can afford it. Can't the State Department see that if Guam wants to eventually become a state of the Union, then perhaps some of the other islands of the Marianas would want to join us in that movement?

"Say, for instance, that the current talks would center about the expressed desire for the Marianas to go it alone, and perhaps form some sort of Commonwealth agreement with the United States. Can't the State Department see that Guam could be a part of such a Commonwealth, with a view of perhaps changing this arrangement within 20 years, into a Statehood plan?

"...

"We appeal to our Micronesian friends too, who can't fail to see our point. The people of Guam refuse to accept the idea that secret negotiations (are) going on concerning our future, and yet we have no voice, or ear in them. Certainly our island friends should see the logic in this, and ask (for) some representation of Guam...."

## Economic conditions

### General

70. Although the natural resources of Guam are limited, its economy, according to the report of the administering Power, continues to grow, thus steadily expanding the revenue of the Government. The military is still the Territory's most important industry, injecting an estimated total of \$US 120 million into the economy each year through its expenditures, including outlays on construction. The military and their dependants make up one fifth to one fourth of the island's residents. The United States Navy, which governed Guam until 1950, still supplies various public services, such as electric power. There is a growing tourist industry and some agricultural effort is being directed towards home consumption. Light industries provide the Territory with items for local consumption. The manufacture of watch components for export to the United States was begun.

71. During the year under review, the Administration intensified its efforts to attract further outside investment to Guam. A contingent of government experts and leading businessmen, headed by Governor Camacho, journeyed to Honolulu, Hawaii, in August 1970 i/ to conduct a one-day investment promotional conference which was attended by more than 200 United States investors, developers and industrialists. The conference offered information on the opportunities for new investments in Guam, whose economic growth rate during the fiscal year 1971 was estimated at 25 per cent.

72. Among the new recipients of the qualifying certificate issued by the Guam Economic Development Authority (GEDA) were the San Miguel Brewery, the Dai-Ichi Hotel, the Guam Hilton Hotel, the Cliff Hotel and the Okura Hotel. Other new businesses reported in 1972 included the Chase Manhattan Bank (the Territory's fifth bank), the Southeast Cement Corporation and the Bally Guam Corporation. The latter is registered as a domestic corporation founded "to engage... in operating coin-activated amusement devices".

73. During the period under review, GEDA, which was established in 1965, has reportedly been subject to some criticism from legislators and businessmen. In November 1971, at a series of public hearings, charges were brought against GEDA, including the allegation that it was competing unfairly against private landowners and real estate brokers and that it was creating unfair competition for existing business firms, discriminating against taxpayers, receiving subsidies and governmental assistance and had, in fact, been unconstitutionally established. Criticism had apparently stemmed from the fear that off-island businesses brought into the Territory by GEDA would eventually band together to the detriment of local businesses.

74. GEDA officials replied to what they termed unjust criticism, pointing out that government subsidies and assistance were not new to the Territory and were, indeed, a world-wide practice. GEDA, together with a private investor, was reportedly the defendant in 1972 in a suit brought by shareholders of the Marianas

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i/ See Official Records of the General Assembly, Twenty-Sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVII, para. 66.

Cable System (MCS), the territorial cable television company to regain full control of MCS stock and to claim damages of \$US 15 million, on the grounds that GEDA had sold and transferred 21,000 of a total of 30,000 shares of MCS stock "thereby acting in bad faith". GEDA had obtained control of the shares in May 1971 when it assumed responsibility for some \$US 250,000 worth of MCS debts. Senator Allen Sekt of the Guam Legislature accused GEDA of becoming involved in non-profitable business ventures.

75. The membership of the Guam Chamber of Commerce increased from 108 to 207 in 1971. The Chamber was active in voicing its opinion to the legislature and has participated in the work of committees established by that body on matters of interest to the community. The reported policy of the Board of Directors of the Chamber is one of non-partisan politics with no fiscal ties to either the Administration or the legislature.

76. In 1971, a co-operative organized to sell food at "reasonable" prices was formed as a joint venture by the American Federal Government Employees Union (AFGE) and the Guam Federation of Teachers (GFT) to combat rising consumer prices brought about partly by the longshoremen's strike on the west coast of the United States. The AFGE, with a membership of 2,100, was to use 42 acres of land for the project, which was scheduled to open by the end of 1971.

77. The Territory was not included in President Nixon's 90-day economic stabilization plan of August 1971. American Samoa, Guam, the Trust Territory of the Pacific Islands and the United States Virgin Islands are considered to be outside the United States customs zone and therefore exempt from the wage and price freezes.

78. It was reported that the Government of Guam had opened a public relations and government recruitment office in San Francisco. A three-member staff selected by the Administration co-ordinates the efforts of all sectors of the Guam community. The office also advises Guam businesses and other interests. According to the Governor, this office helps to limit the number of contract employees, hired from outside Guam and transported there, who then decide that they are not satisfied with the area and leave.

79. Several speakers at the third Annual Economic Conference, held in May 1972, reportedly expressed serious concern about the Territory's economy. Dr. Donald Jones, a former resident, called it an explosive, "boom-bust" economy. He felt that an island-wide plan of economic development was needed, containing both short-range and long-range goals. He gave several reasons for the high cost of living in the Territory - among them the "monopoly and oligarchy" of business ownership; the "commissary-buying" population which would pay inflated prices for luxury items outside the military stores; the youthfulness of the population which tended to spend more regardless of price; and the general economic awakening of the Pacific region. Similarly, Senator Paul Bordallo, a Guamanian, called for a master-plan "to reshape our image so people think of Guam as more than a military base". Governor Camacho spoke of the "unwholesome and undesirable economic conditions which threaten to jeopardize that measure of economic progress we have enjoyed". The President of the University of Guam stated that strong personal leadership on the part of the Government of Guam was needed if the Territory was to avoid economic disaster.

80. Governor Camacho declared 14 to 20 May 1972 as Small Business Week. In observance of the occasion, it was reported that he called on everyone to recognize the "contributions of small business to our goal for a better and more productive life for all our people".

#### Public finance and foreign trade

81. General revenue and expenditure in 1970/71 totalled \$US 88.5 million and \$US 63.7 million respectively, compared with \$US 60.3 million and \$US 58.7 million for 1969/70. Imports amounted to \$US 103.9 million which represents an increase of \$US 43.9 million over the previous year. It included \$US 60.6 million from the United States, \$US 14.4 million from Japan and \$US 3 million from the Trust Territory of the Pacific Islands. Exports for the same period amounted to \$US 1.7 million.

82. During the period under review, the Administration's Fiscal Management Division turned over the following revenues to the General Fund from the sources indicated: income taxes, \$US 29.7 million; business privilege taxes, \$US 14 million; real estate taxes, \$US 1.4 million; use tax, \$US 123,937; admission and excise tax, \$US 122,867; hotel occupancy tax, imposed for the first time, \$US 187,710. These figures show that income tax, which is the Government's largest single source of income, increased by \$US 2.8 million, as did the use tax by \$US 78,911 and the admission and excise tax by \$US 72,511. The total of federal grant-in-aid received was \$US 20.6 million.

83. During the fiscal year, the Department of Revenue and Taxation collected a total of \$US 3.4 million from delinquent accounts exceeding the previous year's amount by \$US 38,014.

84. It is reported that the Governor of Guam, in order to make the Government operate in a "fiscally responsible manner", has enumerated measures which include a freeze on hiring new government employees, an increase in the tariff rates at Commercial Port, an increase in charges at Guam Memorial Hospital, higher public utility rates, a tightening of the operating expenditures of Commercial Port, public utilities and government housing and a continuing campaign to sell the telephone system even though there would be a \$US 7.3 million deficit in the General Fund by the end of June 1972. Part of this deficit has been created by a new income tax reduction act which reduces projected revenue by \$US 1.5 million for the fiscal year 1971, and \$US 3 million for the fiscal year 1972.

85. It was recently reported that the Eleventh Guam Legislature had adopted, and the Governor had signed, an appropriation totalling \$US 62.5 million for the various branches of the Government for the fiscal year 1972.

86. In August 1971, it was reported that President Nixon had approved and signed the 1972 rehabilitation budget for Guam. The Territory's total request for \$US 9.6 million was thus assured and rehabilitation projects which were under way at the time, as well as those that were in the planning stage were proceeding on schedule. Educational facilities were apportioned the largest share of the budget: \$US 6.6 million. Other public works projects to be covered included additions to the air terminal, \$US 637,000; additions to the Northern Water System, \$US 676,900; the proposed Agatha sewage treatment plant, \$US 675,000; and the Barrigada sewer system, \$US 900,000.

87. During the period under review, the Chairman of the United States Senate's Subcommittee on Territories and Insular Affairs, introduced a bill authorizing an increase in the Guam rehabilitation programme ceiling from \$US 75 million to \$US 120 million. The bill had been introduced at the request of Governor Camacho and Mr. Won Pat, Guam's representative in Washington, D.C. The original act, adopted in 1963 in the wake of typhoon "Karen", had already been amended once to increase the funds available from \$US 45 million to \$US 75 million.

88. For the fiscal year 1973, the Governor of Guam has reportedly submitted a budget of more than \$US 99 million to the legislature. This represents an increase of \$US 26 million over the previous year's budget. The priorities are education and health, socio-economic planning, land resources and the development of labour.

#### Agriculture and livestock

89. During the fiscal year 1971, the Department of Agriculture received a total of \$US 575,191 from the General Fund of the Government of Guam and \$US 178,529 from a Federal grant-in-aid.

90. Fruits and vegetables produced during the year under review totalled 1,819,924 pounds of which 1,537,000 pounds, valued at \$US 300,000, were channelled to various markets. Egg production totalled 2,150,000 dozen. There were 107,150 chickens (layers), 4,450 head of cattle and 6,699 head of hogs. Agricultural plant nursery operations continued to serve the needs of the farmers and home gardeners. A total of 168,360 vegetable seedlings and 3,000 fruit tree seedlings were sold.

91. According to the report of the administering Power, a milestone in cattle breeding on Guam was achieved in 1971 with the birth of two healthy calves through the process of artificial insemination. The project was initiated by the Department of Agriculture in August 1970 in an effort to improve local animal stock. In addition, various poultry and livestock research projects were begun. A stud service was extended to 161 swine and 72 cattle farmers for a total of 472 sows and 82 cows serviced. A breakthrough in egg promotion was reported in 1971 when a local farm entered into a series of contracts for the marketing of 388,000 dozen eggs a year.

#### Fisheries

92. A greater impetus was given to the development of a tuna industry during the year under review, with the organization of the Pacific Islands Development Commission. Composed of the chief executives of Hawaii, Guam, American Samoa and the Trust Territory of the Pacific Islands, the Commission would initially undertake a project aimed at developing the purse seining technique of harvesting the vast skipjack tuna resources of the Central and Western Pacific. In addition to \$US 100,000 from each of the four members, United States tuna firms have pledged \$US 212,000 to assist the \$US 4 million skipjack tuna development programme. The federal Government, through the United States Department of Commerce reportedly will provide \$US 3 million in aid for three years. The grant will be used to charter United States west coast fishing boats for use in the area. The main object in Guam, according to the head of the Fish and Wildlife Division of the Guam Department of Agriculture, is to build a cannery processing industry.



93. The Governor has reportedly approved a measure authorizing the appropriation of \$US 350,000 for the Farmers' Small Loan Revolving Fund and of an equal amount for the Cooperative Association Revolving Fund. The purpose of the funds is to enable farmers and fishermen to obtain a maximum loan of \$US 10,000 at an interest rate of 2 per cent.

#### Land utilization

94. It is reported that the Governor of Guam and the Commander of the Naval Forces, Marianas, have signed a Land Exchange Agreement thereby concluding protracted negotiations and enabling the Government of Guam to obtain a controlling interest in approximately 3,000 acres of federal property, including land for a new power plant, air terminal expansion, new schools and municipal facilities. An area of more than 1,100 acres for conservation and recreational use is included in the agreement.

95. The Land Exchange Agreement establishes June 1975 as the target date on which the Government of Guam will assume full control and operation of the island-wide power system. Other major points of the agreement outlined by the Governor include the United States Government commitment to review periodically its land holdings on Guam and to declare "in excess" lands no longer required; the acquisition by the federal Government of 266 acres of Sella Bay on which the Department of Defense will relocate an ammunition pier from Apra Harbor; the return to the Government of Guam of the safety casemates around Sella Bay if the ammunition wharf is not built; the provision of additional land for future expansion of the International Airport, giving Guam the long-term joint use of the runways and other navigational facilities at the United States Naval Air Station; and the acquisition of land on Cabras Island needed to expand power facilities under the control of the Government of Guam.

96. According to press reports, there has been some controversy over the Sella Bay agreement. Hearings continued to be held by the Select Committee of the Guam Legislature, although, as required by law, the Land Transfer Board reportedly approved the agreement on 16 May 1972.

#### Tourism

97. The Guam Tourist Commission was renamed the Guam Visitors Bureau and recognized as a quasi-public agency, thus enabling the Government and private enterprise to participate in a joint effort to promote tourism in the Territory. A five-member commission oversees its operation and a Government appropriation as well as private contributions are its main sources of revenue. The Bureau's target during the year under review was to attract more tourists from Japan through a wide promotional campaign.

98. According to the report of the administering Power, the Guam Visitors Bureau is now investigating the possibilities of attracting tourists from other countries besides Japan. In this connexion, plans were prepared to launch an intensive promotional campaign in the United States to make Guam a part of the itinerary of American tourists travelling in the Pacific and Asia. In addition, a five-year plan for the development of recreational facilities by the Government was also completed. It embraces 44 different projects, calling for the development and restoration of historical sites as well as scenic points of interest.



99. During the year ending 30 June 1971, 60 per cent of the 75,000 tourists who visited Guam were Japanese, thus making Japan the main source of the Territory's tourist industry; 24 per cent came from the United States; 3 per cent from the Philippines; 8 per cent from the Trust Territory of the Pacific Islands; and 5 per cent from other countries. A projected total of 275,000 visitors is expected by 1975, of which approximately 90 per cent would be tourists. About 4,200 hotel rooms would be needed to accommodate this number of visitors.

100. According to statistics compiled by the Economic Research Center of the United States Department of Commerce, 90,000 tourists visited Guam during 1971 and spent \$US 27 million.

#### Transport and communications

101. In April 1971, there were 70 flights a week in and out of Guam operated by four airline companies. The increase in air travel to Guam is reflected in the number of aircraft inspected by the custom services (9,420 during the year under review). In addition, private air taxi services and chartered flights began operating recently and are increasing their capacities under the supervision of Air Pacific, Inc., especially between Guam and the Trust Territory of the Pacific Islands.

102. The volume of import cargo reported during the year at Commercial Port was almost double the previous year's figure. There were 988 million pounds of surface cargo unloaded from 608 vessels of which 69 were from the United States and 81 were from Japan. Other shipping included 219 military vessels, 128 inter-island services and 111 from other countries.

103. The Governor of Guam has reportedly announced a new tariff rate for Commercial Port, effective 15 May 1972, the first increase in seven years. The average rate increase for containerized cargo was from \$US 2.36 to \$US 4.72 per ton and for break bulk cargo from \$US 8.95 to \$US 20.00 per ton. Stevedoring charges in break bulk cargo rose from \$US 2.12 to \$US 7.43 per ton and handling charges from \$US 2.80 to \$US 4.58 per ton. Also included in the over-all tariff is a new wharfage charge of \$US 1.24 per ton. Proceeds from this charge are to be reserved for use in future port expansion.

104. According to its Director, Commercial Port has been losing money since 1965 and was still losing at the rate of about \$US 2 million a year before the increase. The Government had been reluctant to raise the tariff because of possible price increases by merchants, thus obliging the consumers to pay the difference. In January 1969, the entire port operation was moved to new facilities at Cabras Island. Container operations began at the new port in June 1969. The new port, which covers 33 hectares of land, has 132,000 square feet of warehouse space and 2,650 feet of docking facilities.

105. The need for an improved and expanded highway system was an overriding concern for the Administration during the period under review. A Highway Division, created within the Department of Public Works with the help of a consultant from the Federal Highway Administration, is responsible for planning and rights-of-way, construction and maintenance and engineering design. The Guam Highway Commission has been set up to supervise the operation of the Division. Four members have reportedly been named to the Commission by the Governor. By law, the Chairman of

the Commission is the Director of Public Works. The liquid fuel tax will provide the main source of revenue for the Highway Fund which is specified by law for the maintenance and construction of the Territory's highway network. During the year under review, a major road construction programme -- the Maimai-Conga Road between Mangilao and Chalan Pago -- was partially completed at an initial cost of \$US 90,000.

### Social conditions

#### Housing

106. During the period under review, the Guam Housing and Urban Renewal Authority (GHURA) built a 250-unit low-rent housing project to accommodate the low-income families being displaced by urban renewal in Sinajana. Ranging from one-bedroom to six-bedroom units, the project consists of six sites built at an estimated cost of \$US 5.1 million in federal funds. In 1971, it was 96 per cent occupied. The Authority was also working on 100 units to serve residents displaced by urban renewal in Yona. The Toto low-rent housing area, containing 118 units, was completed in mid-1971.

107. The first Veterans Administration loan for housing was awarded in September 1971. The rate of interest on this type of loan is lower than that on Federal Housing Authority (FHA) loans. If the applicant already owns his land, the land serves as a down payment and all construction costs are covered. To obtain the loan, the applicant must be certified eligible by the Veterans Affairs Office of the Government of Guam. Applications are submitted through the local branch of the Bank of Hawaii.

108. As a result of a survey made by Senator George Bamba, it is estimated that 60 per cent of all housing on Guam is substandard and in need of replacement. Senator Bamba's statistics indicate further that the situation is aggravated by the fact that over 50 per cent of the homes are occupied by more than one family. His study concludes that the shortage of housing will worsen as long as the cost of land development continues to rise. The Senator has prepared a housing bill designed to combat the critical and ever-increasing housing shortage in the Territory.

#### Labour

109. As a result of the chronic shortage of skilled labour, coupled with the increasing demands of a growing economy, the Department of Labor has concentrated on training programmes during the period under review, undertaking nine different projects involving 172 trainees under the Manpower Development and Training Act (MDTA), with strong emphasis on developing occupational skill. Several other projects have been undertaken by various agencies to alleviate the labour shortage. These included the Apprentice Training Program, sponsored by the Apprenticeship and Training Committee of the Guam Contractors Association; four MDTA projects administered by the Job Development and Training Division of the Guam Department of Labor; programmes of the Neighborhood Youth Corps, including Operation Mainstream; and the Work Incentive Program, also administered by the Guam Department of Labor.

110. A new Public Service Career Program was to begin in September 1971. The Guam Employment Service reported that job openings totalled 15,596, showing an increase of 4,196 over the previous year. Of this total, 5,864 were filed by employers for the importation or extension of stay of alien contract workers.

111. Under Executive Order 71-81, the Governor of Guam has designated the State Manpower Planning Council (SMPC) to co-ordinate all federally and locally financed manpower programmes and to develop and implement an annual comprehensive manpower plan. The SMPC consists of 14 members appointed by the Governor for a period of three years. Members represent the economic and social sectors of the community as well as the general public. All agencies involved in manpower development activities are to submit their proposed programmes to the Council for approval and inclusion in the comprehensive manpower plan.

112. It is further reported that the Governor has issued an executive order establishing a Commission on Alien Labor to review the impact of alien labour on Guam and to make recommendations on existing policies relating to alien problems. The Commission, which has six members, will also maintain surveillance on the importation of alien labour based on the claim that no local people are available to fill the positions. The Commission is scheduled to report on its findings by 30 December 1972.

113. The Governor has reportedly informed the third Annual Economic Conference that henceforth resident labourers would be given preference in employment. He stated that an unhealthy situation had arisen in which the shortage of workers on Guam had been exploited as an excuse to bring in alien labour originating from low-income countries. He said that he would no longer stand by and passively witness "the cream of our youth" discouraged and lost to competitive opportunities on the United States mainland because of local conditions. The Administration would put an end to the importation of unskilled labour.

114. It was recently reported that there were 7,847 alien workers on Guam, of whom 4,141 were contract construction workers, 1,044 were employed by the federal Government and 906 worked in wholesale and retail trade. The United States Department of Labor has designated the Governor as the Administering Authority for labour activities which involve the United States Department of Defense. Under this agreement, the Governor would administer alien worker requirements until 31 December 1974. At that time, all aliens employed by the military would be phased out. Further, the Governor has established guidelines by which he intends to protect the local economy. On 1 June 1972, companies employing alien workers regardless of nationality were required to pay "prevailing wage" to them. With this provision, employers might find it less attractive to hire alien workers. Businesses employing aliens must prove that they have made exhaustive recruiting efforts in Guam and the United States labour markets before requesting additional aliens. At least 10 per cent of a company's employees must be United States citizens.

115. The Guam Department of Labor investigated and issued instructions for compliance to 69 firms, in order to enforce the Territory's Minimum Wage and Hour Act. In this connexion, a total of 256 employees were also subject to investigation. During the period under review, 31 wage claims involving 256 employees and the sum of \$US 217,159 were filed with the Guam Department of Labor. Twenty of these cases were settled and the 11 pending cases were referred to the Attorney General's office for legal action.

116. The allegations of mistreatment of labourers, domestic and foreign, were reportedly initiated in part by the Philippine Consul General who cited seven domestic and foreign companies on Guam for illegal practices, including the non-payment of minimum wages or overtime required by law.

117. The Workmen's Compensation Commission paid a total of \$US 192,305.67 during the year under review for disabilities or deaths of government employees. Of this amount, \$US 114,864.80 was compensation for permanent partial disability; \$US 45,199.19 for temporary total disability; \$US 575 for head or facial disfigurement; and \$US 31,666.68 for death benefits.

#### Public health

118. During 1971, the Governor of Guam signed a \$US 500,000 appropriation measure for the development of a new health care complex. This amount included \$US 200,000 for programming, development of a master plan and schematic drawings for the proposed hospital complex, and \$US 300,000 for purchase of the site. In this connexion, a study was being made concerning a complete, prepaid comprehensive health plan for the people of Guam. Meanwhile, the Board of Trustees of the hospital adopted a revised abatement policy for the benefit of those residents who would be unable to afford to pay a higher cost of health and medical care.

119. A Mental Health Division has been established at the Guam Memorial Hospital. A full-time psychiatrist, a psychologist and a public health specialist in mental health administration have been recruited to staff the new division.

120. During the year under review, 7,300 patients were admitted to Guam Memorial Hospital, an increase of 686, or 10.37 per cent, over the previous year. This total included 2,433 obstetric patients, 1,754 surgical, 1,466 paediatric, 845 medical-surgical, 512 medical, 112 mental, 103 tuberculosis, 65 physical medical and rehabilitation, 8 extended care and 2 paediatric newborn patients. The hospital reported 142 deaths during the year, a drop of 42 from the previous year. In addition, 30 newborn infants died, bringing total fatalities for the year to 172.

121. Guam Memorial Hospital has 242 beds and 33 bassinets and there is no additional room for expansion. Plans are underway for the construction of a new hospital to be built at an estimated cost of \$US 20 million. Chalan Pago has been recommended as the site for the new hospital.

#### Educational conditions

122. School attendance is compulsory for all children between the ages of 6 and 16. A kindergarten programme was implemented in September 1970 as an integral part of the public school system under Public Law 1-38. Attendance is mandatory for children 4 and 5 years of age. The initial enrolment totalled 2,175.

123. During the period under review, enrolment in the primary and secondary levels reached a total of 24,757, including 16,002 in the elementary and kindergarten levels; 4,672 in junior high schools and 4,083 at the senior high school level. There was also a post-secondary programme.

124. The Division of Vocational Rehabilitation successfully rehabilitated 135 persons during the year and placed another 66 in workshops. The aim of the Division is to help develop the abilities of the physically, mentally and socially handicapped and thus enable them to obtain meaningful and gainful employment.

125. The Adult Evening Program had an enrolment of 1,136 for the autumn semester and 1,163 for the spring semester.

126. At the University of Guam, a total of 2,349 students were enrolled for the autumn semester of 1970 and 2,302 for the spring semester of 1971. These figures indicate an increase of 1,264 students over the academic year 1969/70. During the year, the University awarded 63 master degrees, 97 bachelor degrees and 15 associates in arts.

127. The University is also undertaking major developments such as the strengthening and the expansion of the institution's capacity to meet the Territory's manpower needs; raising the qualification requirements for teaching faculty members; implementing new graduate programmes; and encouraging students to enter the teaching profession.

128. During the year under review, the major problems faced by the Department of Education were lack of space to accommodate the growing number of students, and the shortage of teachers. In 1971, the classrooms were overcrowded in violation of the union contract agreement with teachers in the islands which require no more than 28 pupils in one classroom. As an example, the ratio of students in J. F. Kennedy High School, was approximately 35:1.

129. During the current academic year, the Guam Department of Education has reportedly consolidated federal funds for educationally and economically disadvantaged children in an effort to improve the quality of written and spoken English in elementary schools. This project was developed, in conjunction with the Guam Department of Education, by the Northwest Regional Educational Laboratory, whose home office in Portland, Oregon, has assisted the Department in developmental programmes for the past several years.

130. A total of \$US 443,966 was reportedly awarded to 137 applicants for government scholarships and loans for higher studies during the 1971/72 academic year. The amount included \$US 346,829 in scholarship awards to 101 students, seven of whom were in graduate studies. The balance was for loans to 36 recipients including four pursuing graduate studies. Of the 101 scholarship students, 82 were attending United States institutions and 19 were enrolled at the University of Guam. All 36 loan recipients were studying in the United States.

131. On-campus enrolment at the University for the academic year 1971/72 was reported to be 2,744. In addition, there were 253 other students at the Andersen Air Force Base and about 120 others off campus.

132. Expenditure by the Department of Education for public schools during the fiscal year 1970/71 amounted to \$US 27.1 million compared with \$US 19.7 million in 1969/70.

## CHAPTER XIX\*

### TRUST TERRITORY OF THE PACIFIC ISLANDS

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of the Working Group (A/AC.109/L.763), decided, inter alia, to refer the Trust Territory of the Pacific Islands to Sub-Committee II for consideration and report.
2. The Special Committee considered the item at its 878th and 880th meetings, on 4 and 11 August.
3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action previously taken by the Special Committee as well as by the Trusteeship Council at its thirty-ninth session, 1/ and on the latest developments concerning the Trust Territory.
5. The Administering Authority did not participate in the work of the Special Committee during its consideration of the item.
6. At the 878th meeting, on 4 August, the Chairman of Sub-Committee II, in a statement to the Special Committee (A/AC.109/PV.878), introduced the report of the Sub-Committee (A/AC.109/L.813) containing an account of its consideration of the Trust Territory (A/AC.109/SC.3/SR.158, 159, 161).
7. At the 880th meeting, on 11 August, following a statement by the representative of the Union of Soviet Socialist Republics (A/AC.109/PV.880), the Special Committee adopted without objection the report of Sub-Committee II

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\* The following chapters also relate to the present chapter: chapters III and IV (A/8723 (Part II)); and chapter IV (A/8723 (Part IV)).

1/ See Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 4 (A/8704).

and endorsed the conclusions and recommendations contained therein (see paragraph 9 below), it being understood that the reservations expressed by the above-mentioned delegation would be reflected in the record of the meeting.

8. On 14 August, the text of the conclusions and recommendations was transmitted to the Permanent Representative of the United States of America to the United Nations for the attention of his Government.

#### B. DECISION OF THE SPECIAL COMMITTEE

9. The text of the conclusions and recommendations adopted by the Special Committee at its 880th meeting, on 11 August, to which reference is made in paragraph 7 above, is reproduced below:

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms the inalienable right of the peoples of the Trust Territory of the Pacific Islands to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960.

(2) Fully aware of the special circumstances of geographical location and economic conditions that exist in regard to the Territory, the Special Committee reiterates its view that the question of size, isolation and limited resources should in no way delay the speedy implementation of the Declaration in this Territory.

(3) The Special Committee once again reiterates its serious concern at the absence of a representative of the Administering Authority during its consideration of the Territory. In this regard, the Special Committee urges the Government of the United States of America to comply with the repeated requests of the Committee that a representative be present to co-operate with it in providing vital information which would thereby assist the Committee in the formulation of conclusions and recommendations concerning the future of the Territory.

(4) The Special Committee regrets that no substantial progress has been made in the constitutional and political development of the Territory. It notes with concern that Secretarial Order No. 2918, although amended in the past, continues to limit the power of the Congress of Micronesia. In this connexion, the Special Committee fully supports the resolution recently adopted by the Congress and urges the Administering Authority to amend the above-mentioned secretarial order to require that the Congress of Micronesia be included in the process of selecting the High Commissioner, the Chief Justice and associate justices of the Trust Territory. The Committee considers participation in that selection process as essential to the development of self-government.

(5) The Special Committee urges the Administering Authority not to pursue any policy which would have the effect of maintaining the Territory permanently dependent upon the United States. In this connexion, it again recommends that the Administering Authority should not in any way prejudice the future political status of the Trust Territory or impose any particular solution on the Micronesian people and that it should co-operate with the Joint Political Status Committee of the Congress of Micronesia in an effort to produce an agreed time-table for self-determination in accordance with resolution 1514 (XV).



(6) Bearing in mind the importance of political education, the Special Committee stresses the need of the Trust Territory for a comprehensive programme of political education so as to engender amongst the people concerned a sense of political consciousness with regard to their present and future political status. In this connexion, the Special Committee requests the Administering Authority to pay special attention to the necessity of upgrading and increasing the political educational programme, particularly in view of the fact that the Congress of Micronesia has been invited to set up a joint committee with the executive branch to develop a new programme for the Territory.

(7) The Special Committee shares the concern expressed by members of the Congress of Micronesia that localization of the public service is not proceeding rapidly enough. It hopes that the Administering Authority will accelerate the process of localization and will provide the Committee with additional detailed information on this subject.

(8) Regarding the economic development of the Territory, the Special Committee notes from the information made available to it that the value of commodities exported during the period under review decreased whereas the value of imports continued to rise. Furthermore, the Special Committee considers that the increasing dependence of the economy of the Territory on grants from the Congress of the United States is detrimental to its future development.

(9) Mindful that education is essential at the current stage of political advancement of the Territory, the Special Committee notes certain positive steps in the field of primary and secondary education. It nevertheless regrets that no information has been given concerning the availability of higher and vocational education.

(10) Bearing in mind the invitation which was extended to it in 1971 by the Senate of Micronesia to visit the Trust Territory, the Special Committee notes with regret the persistent refusal of the Administering Authority to agree to such a visit. It again stresses the importance it attaches to the utility of such missions, aware that only through direct contact can the true attitude, aspirations and wishes of the people be ascertained.



ANNEX\*

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\* Previously issued under the symbol A/AC.109/L.802.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE AND BY THE  
TRUSTEESHIP COUNCIL AT ITS THIRTY-NINTH SESSION

1. The Trust Territory of the Pacific Islands has been considered by the Special Committee since 1964. The Special Committee's conclusions and recommendations concerning the Trust Territory are set out in the reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/
2. The text of the conclusions and recommendations concerning the Trust Territory of the Pacific Islands which were adopted by the Special Committee in 1971 have been made available to the Committee.
3. The Trusteeship Council, at its thirty-ninth session in May and June 1972, completed its examination of the annual report of the Administering Authority for the period 1 July 1970 to 30 June 1971. b/
4. In a letter dated 28 June 1972, c/ the President of the Trusteeship Council informed the Chairman of the Special Committee that the Council had adopted a report on the Trust Territory of the Pacific Islands for submission to the Security Council. d/ The report contains, in addition to the Trusteeship Council's conclusions and recommendations and the observations of individual members, detailed information on political, economic, social and educational conditions.

B. INFORMATION ON THE TERRITORY

5. Information on recent developments concerning the Territory which was placed before the Trusteeship Council at its thirty-ninth session, together with the supplementary information furnished by the Administering Authority to the Council at the same session, is contained in the report of the Trusteeship Council to the Security Council (19 June 1971 to 16 June 1972). e/

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a/ For the most recent, see Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XVIII, para. 16.

b/ T/1735.

c/ A/AC.109/410.

d/ Official Records of the Security Council, Twenty-seventh Year, Special Supplement No. 1 (S/10753).

e/ Ibid.

## CHAPTER XX\*

### COCOS (KEELING) ISLANDS AND PAPUA NEW GUINEA

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by approving the sixty-fifth report of the Working Group (A/AC.109/L.763), decided inter alia to refer the Cocos (Keeling) Islands and Papua New Guinea to Sub-Committee II for consideration and report.
2. The Special Committee considered the item at its 878th to 880th meetings, between 4 and 11 August.
3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account General Assembly resolution 2865 (XXVI) of 20 December 1971 on the question of Papua New Guinea, by paragraph 13 of which the General Assembly requested, inter alia, the Special Committee to continue to examine the question. Further, the Special Committee was guided by General Assembly resolution 2869 (XXVI) of 20 December 1971 concerning 17 Territories, including the Cocos (Keeling) Islands, by paragraph 8 of which the General Assembly requested the Special Committee "to continue to give full consideration to this question, including in particular the dispatch of visiting missions to those Territories...".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on action previously taken by the Special Committee, by the General Assembly and by the Trusteeship Council at its thirty-ninth session, 1/ and on the latest developments concerning the Territories. The Special

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\*The following chapters also relate to the present chapter: chapters III and IV (A/8723 (Part II)); chapter V (A/8723 (Part III)); and chapter VI (A/8723 (Part IV)).

1/ See Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 4 (A/8704).

Committee also had before it the report of the United Nations Visiting Mission to observe the elections to the Papua New Guinea House of Assembly in 1972, 2/ transmitted to it in a letter dated 22 May 1972 (A/AC.109/407) from the President of the Trusteeship Council in conformity with paragraph 8 of resolution 2865 (XXVI). Further, the Committee took into account the relevant sections of the report of the Chairman on the question of sending missions to Territories. 3/

5. In addition, the Committee had before it a written petition dated 30 November 1971 from Mr. Agabu Boodor, Nemea Landowners' Association concerning Papua New Guinea (A/AC.109/PET.1198).

6. The representative of Australia, as the administering Power, participated in the work of the Special Committee during its consideration of the item.

7. At the 878th meeting, on 4 August, the Chairman of Sub-Committee II, in a statement to the Special Committee (A/AC.109/PV.878), introduced the report of that Sub-Committee (A/AC.109/L.814) containing an account of its consideration of the Cocos (Keeling) Islands and Papua New Guinea (A/AC.109/SC.3/SR.156, 157, 159 and 160).

8. At the 879th meeting, on 8 August, statements were made by the representatives of Czechoslovakia and Australia (A/AC.109/PV.879).

9. At the 880th meeting, on 11 August, following statements by the representatives of Australia, Yugoslavia, the Union of Soviet Socialist Republics, the Ivory Coast, India and Czechoslovakia, as well as by the Chairman (A/AC.109/PV.880), the Special Committee adopted without objection the report of Sub-Committee II and to endorse the conclusions and recommendations contained therein (see paragraph 11 below), it being understood that the reservations expressed by members would be reflected in the records of the relevant meetings.

10. On 14 August, the text of the conclusions and recommendations was transmitted to the Permanent Representative of Australia to the United Nations for the attention of his Government.

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2/ See Official Records of the Trusteeship Council, Thirty-ninth Session, Supplement No. 2 (T/1739).

3/ A/8723 (Part IV), chap. V, annex.

## B. DECISION OF THE SPECIAL COMMITTEE

11. The text of the conclusions and recommendations adopted by the Special Committee at its 880th meeting, on 11 August, to which reference is made in paragraph 9 above, is reproduced below.

(1) The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms the inalienable right of the people of the Cocos (Keeling) Islands and Papua New Guinea to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960.

(2) Fully aware of the special circumstances of geographical location and economic conditions that exist in regard to the Cocos (Keeling) Islands, the Special Committee reiterates its view that the question of size, isolation and limited resources should in no way delay the speedy implementation of the Declaration in this Territory.

(3) The Special Committee expresses its appreciation for the continued co-operation of the administering Power in connexion with its consideration of the Territory of Papua New Guinea.

(4) The Special Committee notes with satisfaction the statement of the administering Power, the report of the visiting Mission, as well as the statements of the members of the Committee who participated in the Mission, that the elections to the Third House of Assembly enabled the Territory to take a further step towards achievement of self-government and self-determination. The Special Committee also notes that, following the establishment of the National Coalition Government, the Chief Minister, in a statement made in June 1972, said that self-government should be arranged as soon as possible after 1 December 1973; it also takes note of the statement of the representative of the administering Power that Australia is determined to help and encourage Papua New Guinea in that regard.

(5) Mindful that the period immediately preceding independence is of crucial importance, the Special Committee urges the administering Power to redouble its efforts in taking all effective measures to create an atmosphere conducive to the achievement of self-government in the Territory in peace and harmony. In this connexion, the Special Committee welcomes the recent announcement made by the Chief Minister to the effect that an intensified campaign would be undertaken to promote national unity through mass political education.

(6) The Special Committee is aware of the accelerating trend towards a greater degree of localization in the public sector of the Territory. However, it notes with regret the lack of progress in the localization of the private sector. In this connexion the Special Committee notes the statement of the administering Power to the effect that effective measures such as the restriction of certain

categories of employment to Papuans and New Guineans are being currently implemented and requests the administering Power to continue its efforts in this regard.

(7) The Special Committee expresses the hope that the new House of Assembly will give due consideration to the question of land tenure with a view to enacting appropriate legislation designed to solve certain problems that arise from existing arrangements.

(8) The Special Committee notes the statement of the representative of the administering Power that the economy of the Territory is undergoing major transformations and that the proposed second Five-Year Development Programme, covering the period from 1973/74 to 1977/78 would give practical expression to the aspirations of as wide a cross section as possible of the people of Papua New Guinea. Mindful of the predominance of agriculture in the economy of the Territory the Special Committee urges the administering Power to take the necessary measures to alleviate the extremely difficult problems being experienced at present in the agricultural sector.

(9) The Special Committee notes the statement of the representative of the administering Power that some progress has been achieved in the field of education, and expresses the hope that increasing attention will be given to the problems of school leavers.

(10) The Special Committee notes the statement of the representative of the administering Power to the effect that a certain number of development projects have been carried out with the help of the specialized agencies of the United Nations. It also welcomes his statement that a representative of the United Nations Development Programme (UNDP) has been residing in the Territory since the beginning of 1972. In this connexion, the Special Committee considers that the United Nations family of organizations should assist in the attainment of independence by the people of Papua New Guinea and should aim at accelerating progress in all sectors of the national economy, thereby helping the process of building up an independent economy in the shortest period of time.

(11) The Special Committee stresses the importance of ensuring the preservation of the cultural heritage of the people of Papua New Guinea as well as their national unity, and urges the administering Power to do all that it can in pursuit of this objective.

(12) The Special Committee notes with appreciation the contribution made by two of its members to the work of the 1972 Visiting Mission of the Trusteeship Council to Papua New Guinea and the close co-operation and assistance extended to the Mission by the administering Power. Aware that only through direct contact can the true attitude, aspirations and wishes of the peoples be ascertained, the Special Committee urges the administering Power to permit continued access to the Territory by United Nations visiting missions, in accordance with the provisions of the relevant General Assembly resolutions.

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\* Previously issued under the symbol A/AC.109/L.803.

A. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE, BY THE  
GENERAL ASSEMBLY AND BY THE TRUSTEESHIP COUNCIL AT ITS  
THIRTY-NINTH SESSION

1. The Territories of the Cocos (Keeling) Islands and of Papua New Guinea have been considered by the Special Committee and the General Assembly since 1964. The Special Committee's conclusions and recommendations concerning the Territories are set out in its reports to the General Assembly at its nineteenth and twenty-first to twenty-sixth sessions. a/
2. The text of the conclusions and recommendations concerning the Cocos (Keeling) Islands and Papua New Guinea which were adopted by the Special Committee in 1971 have been made available to the Committee.
3. The Trusteeship Council, at its thirty-ninth session in May and June 1972, completed its examination of the annual report of the Administering Authority concerning Papua New Guinea for the period 1 July 1970 to 30 June 1971. b/
4. On 22 May 1972 the President of the Trusteeship Council transmitted to the Chairman of the Special Committee the report of the Visiting Mission to observe the elections to the Papua New Guinea House of Assembly in 1972. c/
5. In a letter dated 28 June 1972, d/ the President of the Trusteeship Council informed the Chairman of the Special Committee that the Council had adopted a report on Papua New Guinea for submission to the General Assembly. e/ The report contains, in addition to the Trusteeship Council's conclusions and recommendations and the observations of individual members, detailed information on political, economic, social and educational conditions.

B. INFORMATION ON THE TERRITORIES

1. COCOS (KEELING) ISLANDS

6. Basic information on the Cocos (Keeling) Islands is contained in the report of the Special Committee to the General Assembly at its twenty-sixth session. f/ Supplementary information is set out below.

a/ For the most recent, see Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XIX, para. 11.

b/ T/1733 and Add.1.

c/ A/AC.109/407.

d/ A/AC.109/410.

e/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 4 (A/8704).

f/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1), chap. XIX.



7. The population of the Territory at 30 June 1971 was 625, compared with 611 in the previous year, made up as follows:

<u>Place</u>	<u>Race</u>	<u>Number</u>
West Island	Europeans	128
Home Island	Cocos Islanders (Malays)	493
	Europeans	4
		<hr/> 625

During 1970/71, there was one birth in the European community. In the Cocos Islanders community there were 12 births and 2 deaths.

#### Political and constitutional conditions

8. The basis of the Territory's legislative, administrative and judicial system is the Cocos (Keeling) Islands Act, 1955-1966, which is administered by the Australian Minister of State for External Territories.

9. An official representative, who is appointed by the Minister under the Official Representative Ordinance, 1955-1961, exercises such powers and performs such functions in relation to the Territory as are delegated to him by the Minister under section 8 of the Cocos (Keeling) Islands Act, 1955-1966, or otherwise conferred on him under the Act or under any other law of the Territory.

#### Judiciary

10. The courts which exercise jurisdiction in the Territory are: the Supreme Court of the Territory of Cocos (Keeling) Islands; the District Court; the Magistrate's Court; and the Coroner's Court. There were no cases for hearing by the courts in 1970/71.

#### Economic and social conditions

##### General

11. The economy of the Territory is based on the production and export of copra. The aviation and other facilities maintained by the Australian Government and commercial organizations provide additional sources of revenue. Exports of copra during 1970/71 were 331 tons, compared with 182 tons in 1969/70. Since the damage of trees during cyclone "Doreen", production continued to be less than the 1967/68 figure of 476 tons.

12. Imports are admitted free of customs duty. The Cocos (Keeling) Islands Act exempts from customs duty goods which are imported into Australia from the Territory provided the goods: (a) are the produce or manufacture of the Territory; (b) have been shipped in the Territory for export to Australia; and

(c) are not goods which, if manufactured or produced in Australia, would be subject to a duty or excise tax.

#### Public finance

13. Expenditure on administration and on capital works and services is financed from moneys appropriated for the commonwealth departments represented in the Territory. Some revenue is derived from missing charges, hospital and medical fees and from miscellaneous sources.

14. Total revenue amounted to \$A 12,745 g/ in 1970/71, compared with \$A 8,516 in 1969/70. Expenditures for 1970/71 totalled \$A 550,558 compared with \$A 507,224 in 1969/70.

#### Transport and communications

15. An international airport with full radio facilities is established on West Island under the control of the Commonwealth Department of Civil Aviation. Two Australian domestic airlines operate a three-weekly service. Monarch Airlines continues to use the airport occasionally for refuelling their freight and passenger planes operating on charter between the United Kingdom of Great Britain and Northern Ireland and Australia.

16. There is no wharf in the Territory where ships can berth. A shipping service operated to the Territory at intervals of about six months during the year. Six ocean-going vessels of different classes visited the Territory during the period under review. In addition, 13 cruising yachts called in for rest, water and other supplies.

#### Public health

17. A medical officer and two nursing sisters are attached to the office of the official Representative. There is a four-bed hospital on West Island, equipped to handle most surgical and medical emergencies; the hospital contains a small air-conditioned operating theatre, an X-ray unit and a clinical pathology laboratory.

18. A dentist accompanied by a dental nurse visited both West and Home Islands in August/September 1970 and February 1971 for six weeks and three weeks respectively. They were accompanied by a dental technician for three weeks during the August/September visit.

#### Educational conditions

19. At 30 June 1971, 23 primary school pupils were accommodated in the West Island School, 5 more than in the previous year. In addition, 5 pupils were attending secondary school courses in Australia in 1971 (the same number as in 1970).

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g/ The local currency is the Australian dollar (\$A).

20. Enrolments increased at the school established by the Clunies-Ross Estate on Home Island. Four class-rooms accommodated 88 children of primary school age, compared with 77 the previous year. In addition, 14 male students attended the Home Island adult education classes which are also conducted by the Clunies-Ross Estate.

## 2. PAPUA NEW GUINEA

21. The information on recent developments concerning the Territory of Papua New Guinea which was placed before the Trusteeship Council at its thirty-ninth session, together with the supplementary information furnished by the Administering Authority to the Council at the same session, is contained in the report of the Trusteeship Council (19 June 1971 to 16 June 1972). h/

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h/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 4 (A/8704).

## CHAPTER XXI

### BRUNEI

#### A. CONSIDERATION BY THE SPECIAL COMMITTEE

1. At its 841st meeting, on 16 March 1972, the Special Committee, by adopting the sixty-fifth report of the Working Group (A/AC.109/L.763 and Corr.1), decided, inter alia, to refer Brunei to Sub-Committee II for consideration and report.
2. The Special Committee considered the item at its 887th meeting, on 25 August.
3. In its consideration of the item, the Special Committee took into account the provisions of relevant General Assembly resolutions, including in particular resolution 2878 (XXVI) of 20 December 1971 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By paragraph 10 of that resolution, the General Assembly requested the Special Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolutions 1514 (XV) and 2621 (XXV) in all Territories which have not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and report thereon to the General Assembly at its twenty-seventh session". The Special Committee also took into account General Assembly resolution 2869 (XXVI) of 20 December 1971 concerning 17 Territories, including Brunei, by paragraph 8 of which the General Assembly requested the Special Committee "to continue to give full consideration to this question, including in particular the dispatch of visiting missions to those Territories...".
4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat (see annex to the present chapter) containing information on the latest developments concerning the Territory.
5. In addition, the Committee had before it a written petition dated 12 October 1971 concerning Brunei from Awang Zainal Abidin Bin Puteh, President, and Awang Abdul Latif Bin Hamid, Secretary-General, People's Independent Front of Brunei (A/AC.109/PET.1197).

#### B. DECISION OF THE SPECIAL COMMITTEE

6. At its 887th meeting, on 25 August, following statements by the representative of Trinidad and Tobago and by the Chairman (A/AC.109/PV.887), the Special Committee decided to transmit to the General Assembly the working paper referred to in paragraph 4 above in order to facilitate consideration of the item by the Fourth Committee and, subject to any directives which the General Assembly might give in that connexion, to consider the Territory at its next session.

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\* Previously issued under the symbol A/AC.109/L.823.

## INFORMATION ON THE TERRITORY a/

### 1. GENERAL

1. Basic and more detailed information on Brunei has appeared in past reports of the Special Committee to the General Assembly. b/ Supplementary information is set out below.

2. It was reported in 1971 that the training of 50 supervisors for the Territory's first census in 11 years was taking place in the capital, Bandar Seri Begawan. Early estimates showed that the population would be about 136,000. This was much lower than estimates published over the past two years which has put the Territory's population as high as 180,000. House numbering was completed in June 1971 and this showed that 136,000 people lived in 22,000 houses. The United Nations expert supervising the census said that the figure was unlikely to vary by more than 2,000 either way when the results of the census were assessed.

3. It was more recently reported that the number of deaths in Brunei was 801 in 1971 compared with 715 in 1970, or an increase of 10 per cent, while the number of births rose from 4,816 to 5,181 thus increasing by 12 per cent.

4. It was reported in July 1972, that the Sultan has invited the Prime Minister of Malaysia, Tun Abdul Razak, to hold talks in London on Brunei's claim to Limbang. c/ The Sultan suggested that the talks be held in 1972 or at the latest early in 1973.

### 2. POLITICAL AND CONSTITUTIONAL DEVELOPMENTS

5. It was reported that an agreement was signed in Brunei on 23 November 1971, amending the 1959 Agreement between Her Majesty the Queen and the Sultan of Brunei. It provided that the United Kingdom Government would continue to be responsible for Brunei's external affairs. The two Governments would consult together on measures to be taken in relation to external threats to Brunei.

6. It was further reported that the Anglo-Brunei Agreement would be released following the Queen's visit to the territory at the end of February 1972. It was believed that the date of the agreement was omitted in November. The Governments concerned, the report said, had every intention of making the Agreement public, but not until it had been finally prepared, including the date.

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a/ Information transmitted to the Secretary-General by the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter for the year ending 31 December 1971 has not yet been received. This working paper therefore is based solely on published reports.

b/ For the most recent, see Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 23, (A/8423/Rev.1), chap. XX.

c/ Ibid., annex, para. 3.

7. As a result of political opposition within Brunei, the "special relationship" existing between the United Kingdom and the Territory was criticized early in 1972. In an appeal addressed to the United Nations, d/ the People's Independent Front of Brunei (Partai Barisan Kemerdekaan Rakyat), known as BAKER, stated that its many requests and proposals to allow the people and their elected representatives to share the responsibilities in deciding the constitutional future of the Territory had been completely ignored by the United Kingdom Government. In the circumstances, the spokesmen for the party (its President and Secretary-General) were bringing that state of affairs to the notice of the United Nations. A memorandum on conditions in the Territory according to the People's Independent Front was attached to the petition. They emphasized that the Party would render every co-operation possible to facilitate the speedy implementation of a referendum to meet the wishes and aspirations of the people of Brunei.

8. Following the dispatch of this petition to the United Nations, it was reported that the Secretary-General of the party, Awang Abdul Latif bin Hamid, had resigned from his post because of the state of his health.

#### Public service

9. It was reported that the Sultan had appointed Mr. Pehin Dato Isa as his general adviser on all matters of administration within the Territory with effect from 8 October 1971. Mr. Pehin Isa, at the time of his appointment, was reportedly the Chairman of the Royal Commission on Education. A circular to all Government departments from the acting State Secretary said that the adviser would be able to call on all heads of departments and Government officers to obtain any information or clarification he required and to see all documents and correspondence connected with the administration. The adviser would be able to visit all Government department premises and development projects to obtain clarification on their operation and implementation.

10. It is reported that some expatriate officers have complained that salaries were falling below those offered elsewhere and therefore contributing to the difficulty the Territory is experiencing recruiting qualified staff. Overseas officers reportedly say that the wages which attracted them to Brunei have been eaten away by inflation, causing some basic commodities to double in price.

### 3. ECONOMIC CONDITIONS

#### General

11. It is reported that the people of Brunei bought 10 per cent less consumer goods in 1971 than in 1970. Rice cost \$BR 0.40 e/ a gantung in the Territory,

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d/ See document A/AC.109/PET.1197.

e/ The Brunei dollar, created in 1967, is exchangeable at the rate of \$US1 = \$BR2.81955, according to a published report of 1 July 1972.

placing it at its lowest price in about 10 years. It was believed that the prices would remain low for about a year until current rice stocks were exhausted and a new agreement signed with Thailand rice dealers. The Government could afford the reduced prices, it was understood, since in 1971 Brunei bought rice at \$4 a ton less.

12. It was further reported that Brunei had banned the import of table salt and granulated sugar and restricted the import of uncooked and parboiled rice, evidently to reduce official stocks. Rice is subject to quota restrictions. The State stores hold about 200 tons, or a year's supply of table salt which is sold to shopkeepers at \$BR 0.11 a pound. The stores were holding a year's supply of sugar at a controlled price of \$BR 0.34 a kati. In April 1972, however, it was reported that increases in world sugar prices had forced the Brunei Government to increase the official price to \$BR 0.46 a kati in Bandar Seri Begawan, Tutong and Muara and \$BR 0.47 in Kuala Belait and Seria and in the Temburong district.

13. Fishermen hauled in a record catch of prawns during the first three months of 1972. State fishmongers handled 591,750 pounds of prawns compared with 320,000 pounds for the same period in 1971. Brunei exports prawns to Singapore and Malaysia. The rest are either sold locally or used to make the "Kropok" prawn crackers for which the Territory is well known.

14. In connexion with the efforts made to develop the Territory's buffalo herd, 40 buffalo bulls were purchased in West Malaysia in 1971 and distributed to farmers having less than 15 buffaloes each. The farmer is not allowed to slaughter the bull without permission from the Department of Agriculture. It was estimated in 1971 that there were about 16,000 buffaloes in the Territory, and it was hoped that Brunei would soon become self-sufficient in buffalo meat.

15. It is reported that the Brunei Government was in conflict early in 1972 with the Wohing and Winley Consortium, which is under contract to build the Tutong water scheme. More than \$BR 2 million's worth of equipment lay idle and 300 men were unemployed following the suspension of work on the \$BR 26.8 million scheme. The scheme, begun in 1969, should have been completed in 1971, but would not be finished for perhaps another six months. The consortium was reportedly asking for a multi-million dollar increase in the contract price in order to overcome cost increases and money lost "through the faults of others". Water rationing is still a way of life in Brunei and a spokesman for the Government said that increasing the price was not a contract obligation. The Government was, however, concerned with getting the scheme working as soon as possible, without creating a precedent which would encourage the other contractors to ask for more money.

16. In this connexion, it has been recently reported that water is now scarce in the capital, in Tutong and in Bangar in Temburong. There has been no heavy rain in Brunei since January and the reservoirs are accordingly very low. Householders in Bandar Seri Begawan have had their supply limited to four hours of water a day. This reportedly reduces little the 3 million gallons daily consumption because the people store supplies.



### Land tenure

17. It was reported in July 1971 that although there is a shortage of land for building and development in the Territory, only 95 square miles, or just over 4 per cent of its land area of 2,226 square miles has been alienated to private ownership. The Brunei-Muara district has the biggest area of alienated land, with 23 per cent of the district privately owned. Tutong district has 3.8 per cent alienated, Temburong 3.3 per cent and Belait, the biggest district in the Territory, only 1 per cent despite the presence of the oilfield.

18. For some time the Council of Ministers has not approved new applications for land and there is no indication that any new approvals will soon be given. This situation has reportedly disturbed agricultural development and building construction. Many farmers can obtain land only on a temporary occupation licence, which is renewed yearly. If the land is required by the Government, the farmer has to move at the end of the year and is paid no compensation. There are plans to rezone land beginning with the Brunei-Muara district. Eventually the entire Territory would be covered in order to make land available for building. Thus far no action has been taken.

### Mining: oil

19. The first load of crude oil was shipped direct from Brunei late in 1971, when a relatively small tanker (18,000 tons), took eight hours to load and then left for the refinery in the Philippines. When fully operational the terminal at Seria will handle an average of 12 tankers of 60,000 tons capacity a month. The single buoy mooring has been established five miles off-shore to enable 150,000-ton tankers to load if necessary. An average of 12 60,000-ton tankers a month would mean that 8.6 million tons of crude oil would be shipped direct from Brunei. Prior to this, all Brunei oil has been sent by pipeline to Sarawak and loaded in tanks there.

20. The world's largest and most advanced drilling ship, the Sedco 445 has begun its first drill 25 miles off Seria. The \$BR 50 million, 13,900-ton ship can work in the deepest ocean. It is in Brunei both to search for oil and to test the ship's equipment. At the same time the Ashland Exploration Company is proceeding with its work in Brunei Bay. Plans are for putting down two wells south of Muara Island, but more could be drilled if necessary. Ashland is prepared to drill 9,000 feet in search for oil, although its rig is capable of going to 30,000 feet.

### Tourism

21. The Council of Ministers has given agreement in principle, subject to approval of the financing plan, for the proposed \$BR 15 million Brunei Beach Hotel at Jerudong, 10 miles south of Bandar Seri Begawan. The hotel is to have 224 rooms. There is a demand for such a hotel to service the new international airport, due to open soon. Local people own 65 per cent of the shares of the hotel company.

## Transport and communications

22. Brunei's \$BR 50 million international airport is expected to be operational by the end of 1972. The 12,000-foot runway should be completed by then. It was considered that the split of the Malaysia Singapore Airlines would benefit the Territory. The new Mercury Singapore Airline would introduce at least one direct flight to Brunei a day. Brunei's share of the Malaysia-Singapore Airlines would be returned and it would be open for the Territory to begin its own airline. Furthermore, British Overseas Airways Corporation was planning to start two flights a week between Brunei and London, perhaps in December 1972. Cathay Pacific Airways announced that it would connect Brunei with 15 other countries. It would fly two services to Hong Kong a week.

23. Concerning cargo space, it was reported that increased demand had not been satisfied. In 1970, the Malaysia-Singapore Airlines flew 1.4 million pounds of cargo into Brunei, compared with 780,000 pounds in 1969. The traffic was mostly one way as shown by the figures available: in 1970 only 269,000 pounds were flown out of Brunei, slightly more than the 250,000 pounds flown out in 1969. Most of the cargo arriving in Brunei consisted of heavy machinery and material for Brunei's new international airport and a liquified natural gas project at Lumet.

## 4. SOCIAL CONDITIONS

### Labour

24. In May 1972, the Commissioner of Labour asked commercial firms to employ more Brunei citizens. In a circular, he said firms should find work for those who had completed form three at Malay schools and should set an annual target which would increase every year. The Commissioner said this would help to overcome any unemployment problem that might arise.

25. As of 1 July 1972, Brunei employers no longer were required to renew annually their labour quotas. Under new arrangements announced by the Labour Department, the quota was replaced by an employment licence which would remain valid until cancelled or withdrawn. Managers, executives, professional, technical and related workers and clerical or sales staff were to remain under the quota system since they were not subject to the Labour Enactment. Employment contracts for staff no longer had to be countersigned by the Commissioner of Labour.

### Public health

26. The district hospital of Tutong which cost \$BR 1.3 million was reported to be nearing completion at the end of February 1972. It would contain some of the latest hospital equipment, more than 20 beds and a small operating theatre. Meanwhile it was reported that the new hospital of Kuala Belait had been completed and would open soon. Work was to begin on a new hospital in Bandar Seri Begawan.

27. Three times a week, a flying medical team visits the Territory's isolated jungle villages to examine and treat the sick. The Medical Department has provided the service since 1965. The people know where the team will be by listening to radio broadcasts. By the time the medical helicopter has landed a crowd of people has usually assembled for treatment. Urgent cases are flown immediately to hospital. Besides the medical care, the service also helps the Ibans, Dusuns, Punans and other communities to realize that, although they are more than a day's walk away from the nearest town, they nevertheless are in close contact with Government departments.

## 5. EDUCATIONAL CONDITIONS

28. According to reports from the Department of Education, the number of Brunei school children embraced approximately one third of the Territory's population, or 42,810 which were enrolled at government, mission and private schools in 1971. The increase in 1971 over 1970 was reported to be 6.7 per cent. Of this number 11,862 were enrolled in secondary schools.

29. The Education Department announced in April 1972 that it would introduce English as part of the syllabus into all Malay primary schools. The Director of Education said that this did not represent a change in policy as English had always been regarded as a second language in these schools. Malay is the medium of instruction in all government primary schools, but there are government secondary schools for both Malay and English streams.

30. It was reported that a new integrated science syllabus would be introduced in form one in all government English and Malay schools and mission schools at the beginning of 1972. Based on the Scottish syllabus, the new method would encourage students to learn by experiment. The Education Department also has tentative plans to introduce an integrated mathematics course in secondary schools in 1973 and hopes to hold courses for teachers at the end of 1972.

31. In August 1972, the Sufri Bolkiah English School was opened in Tutong thus reducing pressure on the two schools, one in Bandar Seri Begawan, the other in Seria, which took many students from the Tutong district. About 1,500 students are enrolled in the new school, including 300 boarders. The school was built at the cost of about \$BR 4 million. It has a staff of 70.

32. There are also Chinese schools in the Territory, the largest of which is the Chung Hwa School with an enrolment of 2,000 and a teaching staff of 72.

33. A close-circuit television was installed during the year at the Engineering Trade School at Kuala Belait to overcome the teacher shortage and to aid in giving the students practical experience. In September 1971, 60 students were taking a one year general course and they were to be joined by another 300 in January 1972.

34. The Sultan was to open the Brunei Teachers' College officially in January 1972. The new college consists of 13 lecture halls, two science laboratories, a language laboratory, an audio-visual room, a library, a geography room, two home science rooms, an arts and crafts room, a staff lounge and assembly and seminar foyers. There are also a 500-seat auditorium, a gymnasium, two hostels, a prayer hall, a running track, and a Malay primary school.



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