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President: Mr. HENRÍQUEZ UREÑA (Dominican Republic).

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

In the absence of the President, Mr. Ryckmans (Belgium), Vice-President, took the Chair.

The Ewe question (*continued*)

REPORT OF THE ADMINISTERING AUTHORITY ON THE RESULTS OF THE INVESTIGATIONS CARRIED OUT IN TOGOLAND UNDER FRENCH ADMINISTRATION (T/846) (*continued*)

At the invitation of the President, Mr. Baptiste, Procureur général, took his place at the Council table.

1. Mr. BAPTISTE, in charge of investigations on behalf of the French Government, continued his statement (330th meeting) on the electoral methods used in Togoland under French administration. The supporters of the *Comité de l'Unité togolaise* had alleged that the Administration had exerted a form of pressure by placing lorries at the disposal of the electors (*grands électeurs*). The inquiry had disclosed that the electors had been hampered in the discharge of their civic duties by the lack of roads and by the great distances involved. All parties could have used the lorries, had they so wished. Thus, in the subdivision of Lomé, where almost all the electors were supporters of the *Comité de l'Unité togolaise*, the lorries available had not been used. The allegation that the Administration had exercised pressure by making lorries available to the electors was therefore unfounded.

2. Turning to the complaints concerning the electoral system, he reminded the Council that the Togoland Representative Assembly had requested the French Government to consult it in advance; but when the Anglo-French Standing Consultative Commission for Togoland had first been set up following Trusteeship

Council resolution 14 (II), it had not been consulted. Hence, there had been no reason to consult that Assembly with regard to the establishment of an Enlarged Anglo-French Standing Consultative Commission. Furthermore, the Togoland Assembly was, from a legal point of view, a body established under French constitutional law, whereas the Enlarged Consultative Commission was an international body. Hence, there seemed to be no reason why the Togoland Representative Assembly, a local French body, should be consulted about the composition of an international body. The decree specifically delimiting the powers of the Togoland Assembly did not accord it the right to be consulted with regard to elections of an international character.

3. The complaint had been made that the French local authorities had not safeguarded the absolute freedom of political assembly. In their petition T/Pet.7/160-T/Pet.6/194/Add.5 the supporters of the *Comité de l'Unité togolaise* had based their complaint on a letter from the *Commissaire de la République* in Togoland dated 31 August 1950, reminding all the political parties without exception that in French law freedom of assembly was subject to legal provisions which were applicable to Togoland under French administration just as to the metropolitan country. True, some disturbances had occurred, but it could hardly be said that freedom of assembly had been so far infringed that the expression of the will of the people had been in any way distorted.

4. Another complaint had been that the political parties had not been allowed sufficient time to conduct their electoral campaigns. It must be noted that Trusteeship Council resolution 250 (VII), following which final plans for the elections had been made, had been adopted on 14 July 1950 and had been made known in Togoland almost immediately after its adoption. Furthermore, the *Commissaire de la République* had, in his letter of 31 August 1950, drawn the political parties' attention to the legal provisions governing electoral meetings, in order to prevent a repetition of the disturbances which

had recently occurred. The conclusion could be drawn that electioneering had already begun at that date and that the political parties had had about two months to devote to their campaigns.

5. The supporters of the *Comité de l'Unité togolaise* had also complained about the way in which the elections had been held in the Lomé commune. That was important. In the city of Lomé the elections had been held in a single stage, there had been a single ballot. The petitioner also asserted that the local French authorities had required that the voters should show their tax receipts for 1949 and 1950, whereas the local administration stated that it had required only the tax receipts for 1950. The use of such a system was in any case to be regretted; taxation matters ought not to be brought up in connexion with elections. All the people of Togoland, whether they had paid their taxes or not, had a right to express their views.

6. The inquiry showed, however, that there had been valid reasons for employing that system. In the first place, the inhabitants of Lomé were fairly advanced, so that the two-stage system used in tribal areas could not be employed in the city of Lomé. In the second place, it must be remembered that Lomé was a port and hence had a constantly changing population. Proof must be adduced of the residence and identity of each elector in order to prevent voting abuses. The Togoland Representative Assembly had opposed the introduction of a system of identity cards for each inhabitant of Togoland. The local administration had therefore thought it proper to require the tax receipts for 1950 in order to establish the identity of the voters.

7. In order to determine whether the results of the voting had been falsified by the use of that procedure, the technical workings of the French taxation system in Togoland must be understood. There was first a numerical roll, giving the number of persons liable to taxation, the tax rate per person, and the total of the tax obtained, the latter figure being the multiple of the first two figures. No names, however, appeared on that roll and every person taxed under it was issued a receipt when he paid the tax. There was also a nominal roll, which carried the names of the persons liable to taxation, in particular to the tax on landed property. In addition, there was the so-called roll of licensees, which carried the names of the persons to whom a licence had been issued. Thus, only the persons liable to taxation in accordance with the numerical roll had had to produce a tax receipt, while all other persons had been authorized to vote simply by virtue of being registered on the nominal rolls or on the roll of licensees.

8. If the figure for the persons registered on the various rolls was compared with that of the persons who had voted, it would be found that a large number had abstained. Those figures were included in his report (T/846). The explanation seemed to be that in Togoland, as in other parts of the African continent, electors were loth to go to the polls and vote. It was to be hoped that that habit would disappear and that people would take part in voting. It should be emphasized that the system based on the presentation of tax receipts applied to all political parties and that the *Comité de l'Unité togolaise* was very successful wherever that system was

applied. As the city of Lomé had only one seat on the Consultative Commission, it was obvious that even if the 30,000 inhabitants of Lomé had voted for *Comité de l'Unité togolaise*, that party could not have obtained more than one seat.

9. He then referred to the alleged non-observance of customs. As he had stated in his report, customs were very varied as there were in Togoland so many different tribes, whose members clung to their own customs. It should be remembered that the French Constitution attached great importance to respect for customs in overseas territories. The Administration had decided that villages should appoint their electors (*grands électeurs*) at meetings of chiefs assembled in council. As a result of a request made to the *Commissaire de la République* by certain petitioners, and of an agreement between the political parties and the local administration, a new system had been introduced whereby the inhabitants of each village appointed a certain number of electors by arrangement with the village chiefs and without any interference on the part of the administration.

10. That new system had been brought to the notice of the inhabitants by 5,000 posters. He agreed that certain *commandants de cercle* had not informed the village chiefs of the change made in the system, especially in the subdivisions of Tsévié and Lomé. However, leaders of the *Comité de l'Unité togolaise* had themselves brought the new system to the notice of all the inhabitants. It therefore seemed from the double publicity given to the system of appointing electors that it had been generally known.

11. It did not appear that the mistake made by the *commandants de cercle* at Tsévié and Lomé had adversely affected the election results since at Lomé the petitioners' party had obtained 100 votes out of the 105 electors listed, while at Tsévié it had obtained 166 votes out of 215. Generally speaking it seemed that wherever the *Comité de l'Unité togolaise* had a wide electoral field it met with great success. Had it taken part in the second ballot, it would have had a great success at Lomé, Klouto, Tsévié and in the Lomé subdivision.

12. He then went on to discuss the special situation prevailing in Atakpamé, a province in the centre of Togoland. That province had no less than fifteen different ethnic groups, each having its own customs. He cited as an example the Kotokoulis tribe, including 90,000 members, 65,000 of which were in Togoland under French administration. The chief of that tribe was elected in accordance with a custom which was not necessarily inconsistent with normal democratic rules. For example, when a chief died, his successor had to be chosen from fifty given families, and seven villages only had the right to take part in the election and to nominate the chief, while an eighth village had the special privilege of appointing that chief. That custom had the general assent of the local population, was not contrary to public order or morals, and in fact might be called democratic since no family or village chief voted for a paramount chief unless he had consulted all the members of the community.

13. Mr. Baptiste pointed out, moreover, that in the northern districts and even in Atakpamé and in the

south, the inhabitants had strong gregarious tendencies and, when the family chief gave his opinion, he was definitely expressing the opinion held by his family. At Atakpamé and in the northern districts, the elector was provisionally nominated by the family chiefs after consultation with all the members of the family. The inhabitants of the village, meeting in the village square, were then asked to express their opinion on the choice made and, if they confirmed the elector's appointment, he was considered to be the village representative. The authority of the paramount chiefs in question was not limited to geographical zones. For example, the chief of the Kotokoulis, named Issifou, was regarded by the Kotokoulis of the Gold Coast as their paramount chief.

14. It had been claimed that village chiefs were paid officials of the Administration and instructed to defend the latter's interests. During the inquiry he had made, he had heard 92 persons, 80 of whom were village chiefs, *chefs de canton* or *chefs de quartier*. He had thus been able to ascertain that all village chiefs were hereditary chiefs, which meant that a chief's successor could only be chosen from the family of the dead chief. Tribal customs did not lay down any rule of succession, consequently quarrels sometimes arose over the position of chief, which showed that custom was not so different from democracy.

15. As to the complaints on electoral procedure, the official *communiqué* of 16 September 1950 required that complaints concerning the list of electors had to be submitted to the courts of first instance; the latter were given two days in which to reach a decision, against which there was no appeal. It should be explained that disputes would not be brought before a French court or before a court specially set up to deal with them. The matter was decided by the customary village court, which was presided over by the Administrator.

16. The fact that there was no appeal against the findings of the village court had been criticized, but that was the usual custom in electoral matters for, as a rule, there were only six to eight days between first-stage and second-stage elections and therefore there was no time to lodge appeals. Of the eleven subdivisions of Togoland under French administration, only in three had electoral complaints been lodged.

17. The procedure followed was simple. When a complaint was lodged, the court decided to what extent customs had been followed and supported the list which had been drawn up in accordance with local customs. He had examined in detail each of the judgments mentioned in his report, and had thus ascertained that the great majority of them had been pronounced in the presence of the assembled population. In view of the large number of electors chosen by the first ballot — one for each 500 inhabitants — the number of electoral complaints was, comparatively speaking, really not very high.

18. As regards the important question of arrests and prosecutions, he recalled that his report contained an exhaustive statement on the administration of justice in Togoland. He had got into touch with all the persons arrested and their lawyers, and had even inquired into cases to which his attention had not been drawn by the petitioners. He had carried his inquiries into the subdivisional offices, and into the court of Lomé itself, and

had made inquiries of justices of the peace with wide jurisdiction.

19. In addition, he had asked that all the dossiers of the cases pending in the Dakar Court of Appeal should be sent to him, but there he had not obtained satisfaction, for the Court was on the point of issuing its findings. In that connexion, he added that whenever an appeal was made, the decision of the judge of first instance was first examined by the *procureur* of Lomé, who ascertained whether the charge was well founded and whether its legal classification was exact.

20. He then drew the attention of the Trusteeship Council to the fact that under the French Constitution the judiciary was absolutely independent of the executive and the legislature. In France and in the French Union, the Bench was subordinate to a *Conseil supérieur de la magistrature* presided over by the President of the Republic, and the keystone of the Bench's independence was the irremovability of magistrates. Moreover, the latter were jealous of their powers and prerogatives and opposed any interference in their professional sphere and in their own jurisdiction. Thus it was that he had been able to obtain very detailed information showing that the number of arrests was relatively small when compared with the number of those taking part in the vote, which was little short of one million. He could not, however, express any opinion with regard to the sentences which had been pronounced. All that he could say was that, from the documents he had consulted, it would seem that arrests had been made only when public order had been threatened or disturbed.

21. Turning to the accusations made by the Togoland Progress Party (*Parti togolais du progrès*), he recalled that according to that party the *Comité de l'Unité togolaise* had been guilty of unfair practices, had disseminated false or alarming reports (particularly that of a forthcoming war and the mobilization of the voters) and had even gone so far as to station cyclists at the roadsides in order to send the electors home again. As he had pointed out to Mr. Pedro Olympio, head of the Togoland Progress Party, he felt that such incidents were part of a normal election campaign and that the Togoland Progress Party should have taken the steps which political parties generally take to circumvent the unfair practices of their opponents. That was why he had refused to proceed to an inquiry into the allegations made by that party.

22. With regard to the result of the elections, a complete table could be found in the petition addressed to the Trusteeship Council on 12 December 1950 (T/Pet.6/217-T/Pet.7/177): it appeared that, in the north of Togoland, the *Parti de l'union de chefs traditionnels* had won 14 seats, while the Togoland Progress Party had carried the 5 seats at Aného and the 3 seats at Atakpamé. In the absence of a satisfactory majority, the six remaining seats had not been filled, and, since the *Comité de l'Unité togolaise* had persisted in abstaining, the Togoland Progress Party had taken them over. In order to understand the results and to realize the reasons behind the abstention of the *Comité de l'Unité togolaise*, it was important to remember that the whole election campaign had been based upon two themes: the theme of unification, which was the doctrine of the

Comité de l'Unité togolaise; and the theme of the *status quo*, which was favoured by the Togoland Progress Party and the *Parti de l'union des chefs traditionnels*. It was noteworthy that the success of the *Comité de l'Unité togolaise* decreased progressively towards the north. In his view, which was a purely personal interpretation, the peoples of the north had voted in favour of the *status quo* because the doctrine of unification advocated by the *Comité de l'Unité togolaise* envisaged the unification of the Ewe peoples only. So much was clear both from the statement which Mr. Sylvanus Olympio had made on 5 July 1950 before the seventh session of the Trusteeship Council (20th meeting) and the statements which he had made to Mr. Baptiste personally. But, as might be seen by a glance at the map of the area, such unification would have had the effect of depriving the peoples of the north of an outlet to the sea, thus condemning them to virtual economic strangulation. It was to be noted also that the various groups of the population had different ideas of unification: although some regarded it as affecting only the Ewe people, for others it affected all Togoland and even part of Dahomey and the Gold Coast.

23. He came next to the question of Aného, which was, he emphasized, the most sensitive part of all Togoland. The atmosphere there was one of bitter political dissension and it was unfortunately unlikely that it would grow calmer as time went on. It was essential to note, in that connexion, that the population was divided less by political questions than by the age-long feud between two great families, the Lawsons and the Adjigos. The two were fiercely opposed to each other and at present the Lawson faction, which supported the Togoland Progress Party, was more powerful than the Adjigo faction, which supported the *Comité de l'Unité togolaise*. That was why the Togoland Progress Party had won in Aného. If the two families could be reconciled, order would probably be re-established in the area. However, it was unlikely that such a reconciliation could be brought about.

24. In conclusion, he emphasized that he had made every effort to be objective and impartial. At Lomé, he had asked to be given the *Maison des magistrats*, attaching to the President of the Criminal Court. In all his journeys, which had been publicly brought to the knowledge of all the political parties without exception, he had taken care to be accompanied by one or two magistrates and assisted not by the Administration interpreter, but by the court interpreter. He had asked the leaders of the political parties to give him a complete list of the witnesses whom they wished to be heard and the facts which they wished to have checked. He had heard all those witnesses, irrespective of their social position or authority.

25. As the result of an inquiry which had been carried out with the greatest care for impartiality and legal exactitude, he was in a position to put forward the following conclusions: at the tribal stage of development, which was still that of the great majority of the inhabitants of Togoland, a two-stage electoral system was the only one which, in view of the political maturity of the population, would enable them to express their point of view and see that their wishes were respected. Moreover, it could be claimed that as the elections had been conducted in accordance with the electoral system

he had described, they fully complied with the recommendation of the Trusteeship Council.

26. The PRESIDENT was sure that he was echoing the unanimous feeling of the Council in thanking Mr. Baptiste for the interesting and well-documented report he had submitted and the admirably clear account which he had just given to the members of the Council.

The meeting was suspended at 3.50 p.m. and was resumed at 4.15 p.m.

Examination of the annual report on the administration of the Trust Territory of Nauru for the year ending 30 June 1950 and of the report of the United Nations Visiting Mission to Trust Territories in the Pacific on Nauru (T/827 and T/790)

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

27. Mr. REEVE (Special representative for Nauru) thanked the Trusteeship Council for having invited him once more to assist in its work and said that the Administering Authority, the Nauruans and the immigrant population of Nauru had warmly welcomed the visit of the Visiting Mission in 1950.

28. In connexion with the annual report¹ on the administration of the Trust Territory of Nauru, he wished to give the Trusteeship Council some additional information. During the year 1949-1950, Nauru had experienced the worst drought in its history: the rainfall, which usually exceeded 80.5 inches, had reached only 12.29 inches; the dry spell had continued unbroken until January 1951, when a period of torrential rains had set in. During the drought, many wells had dried up and it had become necessary to bring fresh water from Australia to supplement the output of condensed water. The health and morals of the people had fortunately not been affected and the population increased by 163, including 58 births among the indigenous population.

29. An important event in the history of Nauru had been holding of the first South Pacific Conference at Suva from 25 April to 5 May 1950; on that occasion, a Nauruan delegation had for the first time represented the population at an international conference and had taken an active part in the deliberations of the Assembly and its Committees; the European official who had accompanied the delegation had acted in a purely advisory capacity.

30. With regard to the re-establishment of the phosphate industry, Mr. Reeve said that more than a million tons of phosphate had been shipped and the royalties payable to the Administration and Nauruans had increased from 53,800 Australian pounds in the previous year to almost 80,000 pounds, an increase of approximately 50 per cent. That had led to an increase in the number of deposits made by Nauruans in the savings bank; 91 new deposits had been recorded and the amount of net deposits by Nauruans had risen to 6,949

¹ See *Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1949 to 30th June, 1950*, Commonwealth of Australia, 1950.

pounds. At the end of June 1950, 964 Nauruans had deposited in the savings bank a total of 26,360 pounds.

31. Examining the question of wages, he pointed out that as from 1 January 1950 the wages of Nauruans employed by the Administration had been increased by 7 pounds per annum; and that as from 1 July 1950 they had been increased further by an additional 27 pounds, which brought them up to 100 pounds per annum, plus a dependant's allowance of seven shillings and sixpence a month per dependant. The wages of skilled workers and persons employed by the British Phosphate Commissioners had been similarly increased, and the suggestion of the Nauruan Council of Chiefs that a Nauruan with a wife and three dependant children should be paid 120 pounds per annum had, in practice, been adopted. The wages of Chinese labourers had been increased to 8 pounds a month and those of Chinese skilled workers to 16 pounds a month. In both cases, free housing, subsistence and medical care, including hospitalization, were provided in addition to wages. The conditions of travel for Chinese workers between Hong Kong and Nauru had been improved and each worker now received half pay during the return voyage in addition to a monetary grant to enable him to return to his home after his repatriation to Hong Kong.

32. Considerable progress had been made in regard to the housing programme. At the end of January, out of 222 houses which had been commenced 187 had been almost completed. As soon as a house was completed, it was made available to a Nauruan nominated by the Council of Chiefs through his district chief. The Administering Authority's view, that a Nauruan who had been provided with a dwelling at the purely nominal rent of six shillings a week should provide his own furniture, had been accepted by the population. The Nauruans had embarked on a co-operative copra production scheme, the proceeds of which were credited to a furniture fund. The progress of the copra scheme, however, had been adversely affected by the unusually, dry period and production had suffered from the subnormal rainfall.

33. In connexion with reparations for war damage resulting from the Japanese occupation, the Council of Chiefs and the Administering Authority had reached an agreement under which 15,000 Australian pounds would be made available by the Administering Authority for the furniture fund. The Nauru Co-operative Society, a commercial venture managed by the Nauruans themselves, had set up a carpenters' workshop where the furniture needed for the new house was made.

34. During the study of the annual report² at the seventh session, mention had been made of the temporary appointment of Head Chief Detudamo as Native Affairs Officer. That appointment had been confirmed, and the holder of the post was in complete charge of his department and received the full salary attached to the position.

35. In connexion with the question of the reconstitution of the Nauruan Council of Chiefs, Mr. Reeve said that the matter had been studied exhaustively by

the Administering Authority and the present Council of Chiefs; a draft bill had been prepared and submitted to the Council of Chiefs for comment. It was anticipated that the first election for the new Council would be held during the current year. As in the past, voting would be by secret ballot. Complete agreement had been reached on the general principles upon which the Council was to be constituted; the present Council of Chiefs had agreed that the new body should, at that stage, have purely advisory powers in the legislative field and on matters affecting Nauru as a whole. It would be given executive and supervisory powers in respect of public order and the raising and administration of monies used to finance the Council's work and domestic Nauruan matters. The fund set up for those purposes would be under the direct control of the Council, which would have to prepare estimates of annual revenues and expenditures. The main revenue of the fund would be provided by the Nauru Royalty Trust Fund, which derived its income from a royalty on phosphate levied for the express purpose of providing funds to be used for the benefit of the Nauruan community. The royalties on phosphate shipped amounted to three shillings and sevenpence per ton, the distribution being as follows: immediate payment to individual landowners, sixpence; invested for landowners, twopence; Nauru Royalty Trust Fund, threepence; Nauruan Community Long Term Investment Fund, fivepence; and to the Administration for financing the Nauruan housing scheme, sixpence; for rehabilitation expenses, ninepence; for general administrative purposes, one shilling.

36. In regard to health, a medical officer and a qualified nurse had been appointed in Nauru and had taken up their respective duties during the year. Existing medical services had been maintained and expanded, while instruction in maternity and child care was provided for all indigenous mothers with children of pre-school age. Improvements had been undertaken at the Nauru General Hospital and a start had been made on the erection of a six-bed ward at the tuberculosis sanatorium in the Ewa District.

37. In the field of education, the Administration had pursued its policy of sending particularly promising students to secondary schools in Australia. At present there were sixteen students attending classes in various educational institutions overseas: one girl was studying domestic science, two young men were in their final year at the Central Medical School in Fiji and, since June 1950, one Nauruan had completed three months' intensive training in Australia as an X-ray operator. The Director of Education at Nauru was planning to establish secondary schools within the Territory and had initiated a training course for Nauruan teachers. Classes for adults were held bi-weekly and apprentices had the opportunity to further their general knowledge at weekly classes. The building of a primary school in the Menen district had been completed and kindergarten schools had been erected in the districts of Boe, Nibok and Aiwo.

38. Although the main supply of building materials had been allocated to the Nauruan housing project, other works had also been undertaken: additional underground fresh-water cisterns had been completed, and living quarters had been built for Chinese workers

² See *Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1948 to 30th June, 1949*, Commonwealth of Australia, 1950.

employed by the Administration. In general, the Administering Authority was doing its best to protect the well-being of the indigenous inhabitants and all its efforts were directed towards the realization of the objectives enunciated in the Charter.

39. The PRESIDENT thanked the special representative for Nauru for his statement. He asked any members of the Council who wished to ask questions to do so orally.

40. Mr. KHALIDY (Iraq), referring to paragraph 18 of the Visiting Mission's report (T/790), asked how the relationship between the Administrator and the British Phosphate Commissioners worked in practice and, specifically, whether there was not a certain amount of friction.

41. Mr. REEVE (Special representative for Nauru) remarked that it had been necessary to establish the British Phosphate Commissioners at Nauru in order to maintain the current level of phosphate production. A superficial observer might gain the impression that the British Phosphate Commissioners exercised very considerable authority; their role, however, was a purely administrative one within the compass of their industrial activity and their status as employers of labour. While the views of the Commissioners, like those of the Council of Chiefs, were taken into consideration on any question concerning the Territory, it was the Administration which exercised the legislative function and which safeguarded the welfare and interests of the indigenous and immigrant communities. No agreements between the Commissioners and Nauruans or Chinese were valid without the confirmation and approval of the Administration. The British Phosphate Commissioners and the Administration co-operated smoothly in an atmosphere of mutual understanding.

42. Mr. SAYRE (United States of America) would like some additional details concerning the new Council of Chiefs mentioned in section 13 of the annual report. He particularly wanted to know what the powers of the new Council would be and whether its role would be purely advisory.

43. Mr. REEVE (Special representative for Nauru) recalled that the powers of the old Council had been purely advisory. After exhaustive discussions between the Administering Authority and the members of the Council of Chiefs, it had been agreed that it would be premature to invest the new Council with complete legislative and governing authority. Nevertheless, in order to give the Council experience of administration and government, it had been understood that in purely domestic matters such as, for example, the maintenance and development of roads, the Council would have authority to act on its own initiative and to have complete control of funds allocated for such purposes. The Council would prepare the budget estimates and, once they had been approved, it would have full control of the use of those funds. Accordingly, its authority in financial and budgetary matters would be much greater than that of the old Council. Those powers would not be subject to the veto of the Administrator; once approved, the budget was binding.

44. Mr. SAYRE (United States of America) asked whether the new Council would have power to issue

regulations concerning administration in the districts and to make recommendations to the Administrator.

45. Mr. REEVE (Special representative for Nauru) said that in legislative matters the role of the Council would be purely advisory. Nevertheless, the Council was perfectly free to submit suggestions and recommendations to the Administrator, a practice which would give the chiefs experience and help to educate them in administration.

46. Replying to another question by Mr. SAYRE (United States of America) concerning the position of surveyor and the general scarcity of qualified personnel, Mr. REEVE (Special representative for Nauru) stated that it had not yet been possible to obtain a surveyor. The Administering Authority was in touch with the New Zealand Government and hoped that that government would be able to put such an official at its disposal. Most of the administrative services were suffering from a shortage of qualified personnel. That was particularly true of the services dealing with land questions. However, it had been possible to save most of the pre-war land records and, with the assistance of the Native Affairs Officer, who was also the Head Chief, the essential work could be done without the aid of a fully qualified surveyor.

47. In reply to a further question by Mr. SAYRE (United States of America) Mr. HAY (Australia) stated that the Administering Authority had not so far turned to the United Nations technical assistance programme for help in the matter. However, that possibility remained open.

48. Mr. Shih-shun LIU (China) drew attention to paragraph 17 of the report of the Visiting Mission (T/790) which stated that "...the medical services for the European and Chinese communities (the great majority of whom are, of course, employed by the Commissioners) are provided and administered by the British Phosphate Commissioners, while the medical services for Natives (many of whom are employed by the Commissioners) are supplied by the Administration". There again was the problem of duality of administration, which might reach serious proportions. Evidently, the Administration and the British Phosphate Commissioners respectively might pursue different policies in supplying medical services to the various sections of the population. He would like more detailed information on the subject.

49. Mr. REEVE (Special representative for Nauru) observed that the British Phosphate Commissioners provided workers with the medical care and services mentioned in the report of the Visiting Mission in their role of employer and by virtue of labour contracts. A Chinese hospital had been established for practical reasons only. The Administration was responsible for seeing that the whole population was provided with medical services. In practice, the Administration had never encountered any difficulties when Nauruans employed by the British Phosphate Commissioners had had to be hospitalized. Very little of the sickness on the island was caused by occupational diseases or as a result of accidents at work, and the British Phosphate Commissioners naturally did not provide medical services for employees suffering from other than occupational diseases; that was the responsibility of the Administration. On the other hand, the hospitals of the

British Phosphate Commissioners were regularly inspected by the medical staff of the Administration and, in the latter's view, the quality of the services provided maintained a very high standard.

50. Mr. SHIH-shun LIU (China) drew the attention of the special representative to the suggestion, in paragraph 29 of the Visiting Mission's report, that employees of the Administration who showed promise in Nauru should receive scholarships to Australia or elsewhere with a view to acquiring qualifications for higher positions. He asked to what extent the Administration was prepared to follow that recommendation.

51. Mr. REEVE (Special representative for Nauru) emphasized that the view of the Administering Authority was that the solution of the fundamental problem in connexion with the advancement of Nauruans to more important posts in the Administration lay in the development of general education. An effort was being made to develop such education by sending students overseas and by laying the foundations for secondary education within the Territory itself. The Administration was willing to follow the recommendation of the Visiting Mission and was prepared to consider, on the merits of each case, the possibility of granting those Nauruans whose competence and general bearing were particularly satisfactory the opportunity of furthering their technical or professional education abroad. Steps had already been taken in that direction, and Mr. Reeve recalled in that connexion the information he had given earlier on the training which Nauruan male students and one female student were receiving in educational institutions overseas.

52. Sir Alan BURNS (United Kingdom) wished to say a few words as Chairman of the Visiting Mission, to whose report the representative of China had referred. What the Visiting Mission had wanted to emphasize in paragraph 17 of its report was that the British Phosphate Commissioners were the most important and in fact almost the only employers on the island. They employed more than half the population of the island and nearly the entire male adult population. It was therefore natural that they should maintain a hospital for the Europeans and Chinese employed by them. On the other hand, the Administering Authority was responsible for providing general medical care for the whole of the population. All the hospitals inspected by the Visiting Mission were kept in perfect order and were well run and the people were entirely satisfied with the existing state of affairs.

53. Mr. HOUARD (Belgium) asked the special representative whether the figures he had quoted on the phosphate royalties, which totalled three shillings and sevenpence per ton, applied to the period covered by the report or to the period after the drafting of the report.

54. Mr. REEVE (Special representative for Nauru) replied that the figures he had given were in the nature of supplementary information and described the existing situation.

55. Mr. HOUARD (Belgium) asked what was the amount and distribution of royalties during the period covered by the report.

56. Mr. REEVE (Special representative for Nauru) replied that on 30 June 1950 the total amount of royalties payable to the Administration and the Nau-

ruans had been two shillings and tenpence per ton. On 1 July 1950 that amount had been increased by ninepence, of which threepence was for rehabilitation and sixpence for general administrative purposes.

57. The PRESIDENT pointed out that the scale of royalties per ton payable by the British Phosphate Commissioners was to be found in paragraph 36 of the report of the Visiting Mission. Those were the figures that were applicable to the period covered by the annual report.

58. He suggested that in view of the fact that the Island of Nauru was so small, members of the Council, in addressing questions to the special representative, should deal with the report as a whole and not with separate chapters.

59. Mr. DE ANTUENO (Argentina) referring to the recommendation adopted by the Trusteeship Council at its seventh session³ that the Administering Authority should transform the Council of Chiefs into a real organ of government by giving it legislative powers in addition to the advisory functions which it was already exercising, asked the special representative how long it would be before the Administering Authority put that recommendation into effect.

60. Mr. REEVE (Special representative for Nauru) replied that it was difficult to say when the reconstituted Council of Chiefs would be in a position to exercise complete authority in the Territory. The members of the Council of Chiefs themselves had recognized that they were not yet ready to assume that responsibility; the speed with which they developed their ability in administration would determine the time at which the Administering Authority would be able to transfer authority to them.

61. The PRESIDENT referred to the special representative's statement that the functions of the Council of Chiefs in legislative matters should for the time being remain advisory in problems concerning the whole of the Trust Territory, and asked whether that meant that the Council of Chiefs already possessed wider powers in connexion with problems which did not concern the whole of the Territory.

62. Mr. REEVE (Special representative for Nauru) replied that the real intention was that for legislative questions affecting the immigrant communities the role of Council of Chiefs should remain an advisory one.

63. The PRESIDENT said that, if that were so, the Council of Chiefs had no real authority. He asked whether the Council of Chiefs possessed legislative powers in connexion with purely Nauruan matters.

64. Mr. REEVE (Special representative for Nauru) replied in the negative. However, the views of the Council of Chiefs would have full weight with the Administering Authority when they concerned purely domestic problems.

65. Mr. DE ANTUENO (Argentina) asked the special representative whether he thought that the recommendation adopted by the Trusteeship Council at its previous session was at present inapplicable in the Trust Territory.

³ See *Official Records of the General Assembly, Fifth Session, Supplement No. 4*, p. 138.

66. Mr. REEVE (Special representative for Nauru) replied that the reconstitution of the Council of Chiefs was a step towards the implementation of that recommendation.
67. Mr. DE ANTUENO (Argentina) asked the special representative whether the Head Chief was to be elected and what were to be his functions and powers.
68. Mr. REEVE (Special representative for Nauru) replied that the Head Chief would be elected by the elected members of the Council of Chiefs.
69. Mr. DE ANTUENO (Argentina) asked whether Nauruans could occupy positions as heads of the postal and radio systems.
70. Mr. REEVE (Special representative for Nauru) replied that the only reason why Nauruans could not hold such posts was lack of technical training. The Administering Authority had encouraged Nauruans to qualify for more responsible posts in the postal services and in broadcasting, but experience had shown that they were not able to do so.
71. The PRESIDENT asked the special representative whether the arrangements the Administering Authority had made for reorganization of the Council of Chiefs in consultation with the chiefs of Nauru had been made before or after the Visiting Mission's arrival. In paragraph 25 of its report, the Visiting Mission expressed the opinion that it would be desirable to give the Council of Chiefs greater authority. Yet the special representative had stated that the existing Council of Chiefs had admitted that its legislative duties should remain advisory for the time being. He wondered whether that admission had come before or after the Visiting Mission's stay.
72. Mr. REEVE (Special representative for Nauru) replied that the principle of reconstitution of the Council of Chiefs had not been altered, but the details of the plan had been amended as a result of consultations between the Administering Authority and the present Council, which was studying the plan. At the time of the Mission's visit, it was possible that the Council of Chiefs had not considered itself ready to take over more than advisory responsibility in certain functions.
73. Mr. Shih-shun LIU (China) referred to section 14 of the annual report, which showed that five officials had been appointed during the period under review, and asked whether all of them were Europeans.
74. Mr. REEVE ((Special representative for Nauru) said that was so.
75. Mr. Shih-shun LIU (China) asked whether the Head Chief, who had recently been appointed Native Affairs Officer, was the only indigenous inhabitant to occupy a key position.
76. Mr. REEVE (Special representative for Nauru) replied that Nauruans occupied many important posts which could be considered key positions. If, however, in referring to key positions, the Chinese representative meant only the heads of departments, then the Head Chief was the only indigenous inhabitant occupying a key position.
77. Sir Alan BURNS (United Kingdom) asked whether the qualified nursing sister appointed by the

Department of Public Health during the year (section 40 of the annual report) was in charge of the hospital for indigenous inhabitants.

78. Mr. REEVE (Special representative for Nauru) said that the nurse in question was on full-time duty at the hospital for indigenous inhabitants.
79. Sir Alan BURNS (United Kingdom) asked whether the nurse appointed by the Department of Public Health would take an active part in training Nauruan nurses.
80. Mr. REEVE (Special representative for Nauru) said that was so.
81. Mr. KHALIDY (Iraq) pointed out that the British Phosphate Commissioners did not publish any information on their financial position, and asked whether that information could be supplied.
82. Mr. REEVE (Special representative for Nauru) said that the trading account and balance sheet of the British Phosphate Commissioners, as also the auditor's report, were given in appendix VII of the annual report. He had no further financial information on their operations.
83. Mr. KHALIDY (Iraq) asked the special representative whether he had any statistical information on the population's share in the profits of the British Phosphate Commissioners that would enable the Trusteeship Council to form an opinion on that question.
84. Mr. REEVE (Special representative for Nauru) said that he did not have the information required, but, if the Iraqi representative would explain exactly what statistics he needed, his request would be transmitted to the Administering Authority.
85. Mr. KHALIDY (Iraq) referred to the statement in paragraph 45 of the Visiting Mission's report that the Mission had tried to obtain information on the finances of the phosphate industry and had been informed that it was unlikely that the British Phosphate Commissioners could supply the information. He was especially interested to know to what extent the population shared in the British Phosphate Commissioners' profits. He did not ask for an immediate reply.
86. Mr. REEVE (Special representative for Nauru) said he would refer the question to the Administering Authority.
87. Mr. KHALIDY (Iraq) said that the Administering Authority did not seem anxious to establish subsidiary industries in the Trust Territory. He wondered whether that question had at least been studied.
88. Mr. REEVE (Special representative for Nauru) said that the Administering Authority had studied the problem, but that there were such serious obstacles to the establishment of subsidiary industries as lack of rivers, barren soil and irregular rainfall. The Administering Authority had explored the possibility of setting up a kapok and coir industry. The Australian Council for Scientific and Industrial Research was dealing with the question.
89. The possibility of developing a fishing industry had also been explored. The distance of the island from world markets and the need to establish preserving and canning facilities on so small an island were unfortunately practically insurmountable problems. The Ad-

ministering Authority would however, continue, to seek a solution of the question of developing subsidiary industries.

90. Mr. SOLDATOV (Union of Soviet Socialist Republics) referred to the statement in paragraph 22 of the Visiting Mission's report that the Council of Chiefs in its present form, based on traditional institutions, might not be suited much longer to the needs of the indigenous community, taking into account the necessity to give the Nauruans increased participation in the administration of their domestic affairs. It was to be noted that as yet there were no legislative or judicial organs in the Territory in which the indigenous population was represented. He asked whether the Administering Authority was contemplating the establishment of such organs.

91. Mr. REEVE (Special representative for Nauru) said that it was the Administering Authority's intention gradually to transform the Council of Chiefs into a legislative authority for the Territory.

92. Mr. SOLDATOV (Union of Soviet Socialist Republics) asked the special representative whether the Administering Authority had prepared a specific programme for that purpose and how much time it believed would be required to carry such a programme into effect.

93. Mr. REEVE (Special representative for Nauru) replied that it was very difficult to make any forecast. Everything would depend on how quickly the Council of Chiefs showed itself capable of assuming the responsibilities incumbent upon it.

94. Mr. SOLDATOV (Union of Soviet Socialist Republics) asked why it was impossible to set up a legislative body in the Trust Territory immediately.

95. Mr. REEVE (Special representative for Nauru) replied that the chiefs themselves did not believe that they were as yet qualified for legislative responsibilities. That was the main difficulty.

96. Mr. SOLDATOV (Union of Soviet Socialist Republics) asked whether the question had been put to the Council of Chiefs.

97. Mr. REEVE (Special representative for Nauru) replied that the existing Council of Chiefs was made up of very old men who were unwilling to assume serious responsibilities.

98. Mr. SOLDATOV (Union of Soviet Socialist Republics) thought that the Administering Authority's negative attitude to the question was open to criticism.

99. Mr. REEVE (Special representative for Nauru) said that the new Council would not necessarily be composed of the same chiefs. Its members would be chosen by the inhabitants from among Nauruans enjoying the right to vote — in other words, adults — and the new chiefs would probably be much younger and more enterprising than the present chiefs.

100. Mr. SOLDATOV (Union of Soviet Socialist Republics) presumed that the Administering Authority intended to dissolve the existing Council of Chiefs and hold an election for a new Council on a democratic basis, with the participation of the indigenous inhabitants.

101. Mr. REEVE (Special representative for Nauru) replied that that was so. The Administering Authority would decide, in consultation with the Council of Chiefs, in what circumstances the existing Council was to be terminated.

102. Mr. SOLDATOV (Union of Soviet Socialist Republics) asked under what conditions the elections for the new Council of Chiefs would be held, what qualifications would be required for participation in the elections, whether women would have the right to vote, and who would nominate the candidates.

103. Mr. REEVE (Special representative for Nauru) replied that under the new constitution all adult Nauruans, including women, would have the right to vote and that all persons qualified to vote, men or women, could be candidates.

104. The PRESIDENT asked how the candidates would be chosen.

105. Mr. REEVE (Special representative for Nauru) replied that he had no specific information on that point, but thought that candidates could be nominated by at least two electors, as under the existing system.

106. The PRESIDENT asked the special representative what persons would be disqualified from voting.

107. Mr. REEVE (Special representative for Nauru) replied that no one would be disqualified from voting, provided that he was a Nauruan, adult and of sound mind.

108. Mr. SOLDATOV (Union of Soviet Socialist Republics) wished to know whether the social organizations, the trade unions or the tribal organizations would be able to nominate candidates for the Council of Chiefs.

109. Mr. REEVE (Special representative for Nauru) said that there were no social organizations or trade unions on Nauru. Nine chiefs would be elected, one for each district. If the USSR representative so wished, more detailed information about the conditions for nomination of candidates could be obtained.

110. Mr. SOLDATOV (Union of Soviet Socialist Republics) said that he would be grateful to the special representative for that information, which was important.

111. He also wished to know whether there were any young people among the indigenous population who were prepared to play a more active part in the affairs of the Territory. As the Territory was fairly small, the special representative would probably be acquainted with such persons. He asked whether the special representative could give the Council some information on that point.

112. Mr. REEVE (Special representative for Nauru) replied that there were many young, intelligent and capable Nauruans between the ages of 25 and 40 who were most anxious to participate in the political development of the Territory. The nomination of candidates for the Council of Chiefs would throw interesting light on that matter.

113. Mr. SOLDATOV (Union of Soviet Socialist Republics) asked the special representative whether the Administering Authority contemplated setting up

executive and judicial organs in which the indigenous population would be represented.

114. Mr. REEVE (Special representative for Nauru) replied that the indigenous population already participated in the work of the judicial organs of the Territory and that one of the magistrates was a Nauruan. As to the creation of executive and judicial organs with indigenous representation, he repeated what he had already said on that subject, which was that the question raised many difficulties. There were not enough cases before the courts to justify the maintenance of a permanent and separate judicial organ. The present organization, in which the Nauruans participated, appeared to be working quite satisfactorily.

115. Mr. SOLDATOV (Union of Soviet Socialist Republics) said he fully understood that it was not possible to establish large judicial and executive organs, but it was essential to set up organs to be controlled by the indigenous inhabitants. There were at present no such bodies in the Territory.

116. As regards judicial organs, the annual report showed that six magistrates and judges had been appointed during the period covered. Of that number, only one was a Nauruan. It would therefore appear that there was still room for Nauruans in the judicial organs of the Territory. He wondered what steps were being taken by the Administering Authority to prepare the indigenous inhabitants for such duties.

117. Mr. REEVE (Special representative for Nauru) replied that the figures the USSR representative had

quoted did not perhaps give a true picture of the position. Three of the magistrates appointed were not residents of the island, while two had taken over duties for which it had been impossible to find persons with sufficient qualifications in the Territory. With regard to training the indigenous inhabitants for judicial functions, the Administering Authority was currently considering a programme to that end.

118. Mr. SOLDATOV (Union of Soviet Socialist Republics) said that, if the indigenous inhabitants were to be prepared for fuller participation in the work of the legislative, executive and judicial organs, the European officials should maintain constant contact with the indigenous population and share their daily life. He wondered whether the European officials spoke the indigenous language. That would play an important part in influencing the population.

119. Mr. REEVE (Special representative for Nauru) replied that very few, if any, European officials spoke the language of the indigenous inhabitants, which, moreover, was peculiar to the island. The Nauruans, however, spoke English more or less fluently. Relations between the European officials and the indigenous inhabitants were of the best, as were relations between the British Phosphate Commissioners and the people. Social contacts between Nauruans and Europeans were not common. That was not due to discrimination, however, but rather to the different ways of life of the two peoples.

The meeting rose at 5.45 p.m.