

TRUSTEESHIP COUNCIL

OFFICIAL RECORDS



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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, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America.

Examination of the annual report on the administration of the Trust Territory of New Guinea for the year ending 30 June 1949 (T/471, T/471/Add. 1, T/471/Add. 2)

1. The PRESIDENT asked the members of the Council to consider the annual report on the administration of the Trust Territory of New Guinea for the year ending 30 June 1949.¹

At the invitation of the President, Mr. Lonergan, special representative of the Administering Authority of the Trust Territory of New Guinea, took his place at the Council table.

2. Mr. STIRLING (Australia) informed the Council that Mr. Lonergan was the Government Secretary in the Administration of New Guinea; he had spent thirty years in the territory and had a long experience in administration. Mr. Stirling also stated that as the Australian delegation had not received the written questions until 8 June, it had so far been unable to circulate its replies to the members of the Council. They had, however, been handed in to the Secretariat for reproduction and distribution.

3. Mr. LONERGAN (special representative for New Guinea) said that the report under consideration dealt with the period from 1 July 1948 to 30 June 1949 and showed that during that period steady progress had been made in the work of development which would make possible the implementation of the principles of the Charter and the fulfilment of the obligations imposed by the Trusteeship Agreement.

4. The report was based on the Provisional Questionnaire of the Trusteeship Council and gave special attention to problems raised in the Council and the General Assembly. The Administering Authority had taken note of the conclusions and recommendations adopted by the Trusteeship Council and the General Assembly after examining the reports for 1946-47 and

1947-48; the present report showed what action had been taken in that respect.

5. Since the end of the period covered by the report, the Governor-General of the Commonwealth of Australia and the Minister for External Territories had visited New Guinea, in August 1949 and April 1950 respectively. They had visited the main centres and the most remote posts; they had told the indigenous population that the Commonwealth of Australia was anxious not only to protect their interests but also to encourage the development of the Territory in all fields. At the present time, the United Nations Visiting Mission to Trust Territories in the Pacific was in New Guinea; it would leave for Australia on 15 June.

6. During the period covered by the report, the Administrator of the Territory, Colonel Murray, had been to all the administrative districts and had visited all institutions; he had given the representatives of the inhabitants up-to-date information on the steps which the Administration had taken and proposed to take to ensure progressive development towards self-government.

7. The Native Village Councils Ordinance which provided for the setting up of advisory councils for Native matters and of Native village councils, had been put into effect on 30 December 1949. Action was now being taken to establish Native village councils in the Rabaul-Kopopo area of New Britain; those councils would begin operations before the end of June 1950. Similar councils would subsequently be set up in all districts, and finally the Administration would proceed with the establishment of Advisory Councils for Native Matters.

8. The Administering Authority was considering setting up a Legislative Council, as provided for by the Papua and New Guinea Act, 1949; under that Act the Administrator would ensure that at least five residents of New Guinea would be included as non-official members of the Council.

¹ See Report to the General Assembly of the United Nations on the administration of the Trust Territory of New Guinea from 1st July 1948 to 30th June 1949. Commonwealth of Australia, 1949.

9. New Guinea had been a major theatre of military operations from January 1942 until August 1945, and had suffered great destruction. The task of resettlement and reconstruction was very heavy and, although considerable progress had been made, much remained to be done. War damage compensation paid to private firms and non-indigenous inhabitants alone amounted to approximately 7 million Australian pounds. Much reconstruction had been on a temporary basis owing to the lack of good building materials, but all the villages had been rebuilt. On 30 June 1949 there were 30,219 indigenous persons employed; there were also 1,236 indigenous members of the police force. 4,295 more persons were employed at that date than at the end of the preceding period.

10. The Administration had imported agricultural machinery not only for its own use but also for the assistance of local communities, which paid for the operating cost of that equipment from the proceeds of sales of produce.

11. The Administration had set up pig-breeding stations which distributed pigs among the indigenous inhabitants. A fishing survey vessel specially sent from Australia had made a survey of the fishing resources of the area from the end of 1949 to April 1950.

12. The Australian Government had recently announced its decision to form, in conjunction with the British Aluminium Company, a company to be known as the New Guinea Resources Prospecting Company, Ltd., which would ascertain the hydroelectric resources of the country and draw up plans for their industrial use, particularly in the aluminium industry. It would also prospect for bauxite and other mineral deposits. The Territory could produce rice, cocoa, jute, and tea; with proper organization, substantial industries could be established.

13. Technical staff from the Commonwealth Bureau of Mineral Resources had been made available to the Administration of the Territory to determine whether the Territory had minerals such as chromite and platinum, and also to assess the extent of the sulphur and copper deposits. The Australian Government attached such importance to the future of the external territories that it had appointed a ministerial standing committee, comprising the Commonwealth Treasurer and the Ministers for External Territories, Commerce, Agriculture, and National Development to assist in the preparation of material for the consideration of the Government.

14. During the period under review there had been marked advancement in the field of health. Thirty-eight qualified medical practitioners had recently been recruited from among displaced persons who had arrived in Australia. Twenty-four of them had begun work in New Guinea. There were several schools in which indigenous inhabitants could be trained as medical assistants; already 101 of them had graduated from those schools and entered the service of the Department of Health. The total amount allocated for health services for the year 1948-49 was 466,979 pounds, as compared with 227,527 pounds during 1947-48. A number of new hospitals and medical aid posts had

been opened during the year. The medical patrol service had been developed throughout the Territory; that work had been greatly facilitated by the institution of regular air services, which were used whenever it was necessary to transport medical personnel into isolated regions, or to convey patients to main centres for specialized treatment.

15. The Administration maintained close co-operation with the missions and gave them assistance in the form of cash grants and free drugs. The amount of such cash assistance was 25,075 pounds—an increase of 5,212 pounds over that of the preceding year. It had been decided recently that the Administration would supply missions, free of charge, with hospital equipment, particularly X-ray equipment.

16. In the field of education, six new schools for the indigenous inhabitants had been opened during the year, bringing the total of such schools to thirty-four. Among the new schools established was a higher training institution, where eighty-five students were enrolled. In addition, the Territory had five primary schools for Europeans, four schools for Asians, and one elementary school for half-castes. At the close of the period under review, 64,516 of the indigenous population were attending 1,746 mission schools. The missions had spent a total of 48,275 pounds for that purpose during the year. The Administration had spent 135,097 pounds on education, or 37,840 pounds more than in the preceding year. It was considering the establishment of centres of higher education, but the adoption of such a measure would depend on the progress of education in general.

17. Measures had been taken to provide education for adults. The programme included physical education, the setting up of libraries, courses in art and music, broadcasting and films.

18. Illiteracy was on the wane among the indigenous population. During the year Dr. Laubach, an authority on mass education, had visited the Territory and conducted a field experiment. The method he advocated provided for lessons in thirteen dialects. The multiplicity of dialects constituted a problem for the Administration; it was desirable to preserve them in order to provide the indigenous inhabitants with a natural medium of expression.

19. Appendix XVII of the report for 1947-48² contained a summary of the findings of the nutrition survey conducted in the Territory by the Australian Institute of Anatomy. The special representative of the Administering Authority had stated at that time³ that the report was about to be printed and that members of the Council would receive copies. Unfortunately, there had been some delay, and copies would not be available before the middle of July 1950. Mr. Lonergan had, however, brought with him a mimeographed copy

² See *Report to the General Assembly of the United Nations on the administration of the Territory of New Guinea from 1st July 1947 to 30th June 1948*: Commonwealth of Australia, 1948.

³ See *Official Records of the fifth session of the Trusteeship Council*, page 156.

of the report, which was available to the members of the Council.

20. The PRESIDENT thanked the special representative for his interesting statement, and invited the members of the Council to put to him any questions they desired regarding political problems in the Territory.

21. Mr. KHALIDY (Iraq) recalled that it was as a result of its examination of the annual report on the administration of New Guinea for 1946-47⁴ that the Council had begun considering the whole question of administrative unions. The present report of the Administering Authority stated that in March 1949 the Government of Australia had passed an act providing for the administrative union of the Territories of New Guinea and Papua. He asked for information with regard to the actual working of the law.

22. Mr. LONERGAN (Special representative for New Guinea) declared that the union of the Territories of Papua and New Guinea had actually been in effect since the end of hostilities, in 1945. The two Territories were administered from the headquarters at Port Moresby. At the end of hostilities the Administration had had very few officials with the knowledge and experience needed for the important task of resettling the indigenous population. As the Japanese troops retreated, the administration of the different districts of New Guinea had been entrusted to young officials.

23. The reasons for the establishment of the administrative union were quite clear: it would conduce to the increasing independence and eventual self-government of the inhabitants.

24. Mr. KHALIDY (Iraq) said that for the time being the Council could not pronounce an opinion with regard to the motives alluded to by the special representative. What he wanted to know was how the administrative union worked and who controlled the administrative services of the Territory.

25. Mr. LONERGAN (Special representative for New Guinea) replied that the Trust Territory was larger than Papua, and had a bigger population. The union of the two Territories was purely administrative in character. There were eight District Commissioners in charge of the eight administrative districts of the Trust Territory, who were responsible to the Administrator at Port Moresby. At the present time, there were 548 officials in charge of the administration of the Territory, i. e. about 200 more than before the war. In order to facilitate the administration of the Territory, it had recently been decided that a deputy administrator should be appointed.

26. Mr. KHALIDY (Iraq) asked what were the powers of the Administrator and of the eight District Commissioners respectively.

27. Mr. LONERGAN (Special representative for New Guinea) explained that each District Commissioner was fully responsible for the administration of the district in which he was situated. Provided that he adhered to the broad principles laid down by the Government, he was subordinate to no one. His duty was to further the political advancement of his district

as an integral part of the progress of the whole Territory. He could go to Port Moresby whenever he wished to consult the Administrator.

28. Mr. KHALIDY (Iraq) asked the special representative to explain the division of functions between the Administrator and the District Commissioners, and whether the Act of March 1949 provided for any such division of functions.

29. Mr. LONERGAN (Special representative for New Guinea) replied that the Act did not provide for any division of functions, and that the duty of the Administrator, as also of the District Commissioners, was to see that the principles of the United Nations Charter were respected and the obligations imposed by the Trusteeship Agreement fulfilled.

30. Mr. KHALIDY (Iraq) observed that there did appear to be certain differences, however slight, between the peoples of the two Territories. He asked whether to be linked together under a single administration might not be harmful to their interests and hinder their development.

31. Mr. LONERGAN (Special representative for New Guinea) replied that the difference between the two peoples was negligible, except in the coastal regions. The interior was occupied by the peoples of the two Territories in common; some of them did not even know whether they belonged to New Guinea or to Papua. They wandered through the bush at will, without realizing that there was any line of demarcation. The inhabitants of the coastal region, on the other hand, had been longer in touch with civilization and had therefore developed more quickly. The differences, however, were very slight, and the administrative union could do no harm to either of the two peoples. On the contrary, it could only be beneficial and would promote the economic progress of the two Territories.

32. Mr. KHALIDY (Iraq) asked in what way the administrative union could benefit the Trust Territory.

33. Mr. LONERGAN (Special representative for New Guinea) said that the Territory was receiving the best administrative services possible. The Australian Government, however, had not enough officials at its disposal to establish two administrative headquarters. New Guinea had suffered great devastation during the war, and the Administration of the Territory was putting into effect a political and economic reconstruction programme.

34. Mr. KHALIDY (Iraq) asked whether there was any electoral system in the Territory and, where the tribal system was in force, what was the relationship between the tribes and the Administration in the matter of elections.

35. Mr. LONERGAN (Special representative for New Guinea) replied that the inhabitants of a village did not hold an election unless the tribe had no hereditary chieftain. In that event, the District Commissioner notified the people of the village that they should elect a representative who would maintain contact with him.

⁴ See *Report to the General Assembly of the United Nations on the administration of the Territory of New Guinea from 1st July 1946 to 30th June 1947*: Commonwealth of Australia 1947.

If the people did not know how they should conduct such an election, he advised them; but in no case did he suggest whom they should elect. The people were entirely free to elect the person of their choice.

36. Mr. KHALIDY (Iraq) asked what was the attitude of the Administration with regard to the maintenance of the tribal system: whether it supported it, as did some of the Administering Authorities in the African Territories, which sacrificed progress to tradition whenever there was a clash; or whether, as in other African Territories, progress carried the day when it encountered the tribal system.

37. Mr. LONERGAN (Special representative for New Guinea) said that the Administration's present policy was to recognize and uphold the tribal system. It endeavoured to discourage customs which were repugnant to humanity, but generally speaking it tried to preserve the best features of the tribal system, and to guide the people in the direction of their own best interests.

38. Mr. AQUINO (Philippines) recalled that the Trusteeship Council, while approving of the method of peaceful penetration into the uncontrolled areas of New Guinea, had recommended to the Administering Authority to recruit more mature and better trained patrol officers. He asked the special representative to supplement the information on the subject given on page 14 of the report.

39. Mr. LONERGAN (Special representative for New Guinea) explained that because of losses during the war, the Administration had been unable to recruit in Australia officers with the necessary experience. During the two preceding years, however, a large number of cadet patrol officers had been trained at the Australian School of Pacific Administration at Sydney and sent to outlying districts. The position had considerably improved as a result of that training of personnel.

40. Mr. AQUINO (Philippines) asked whether it was possible for the Administration to estimate how long it would be before its authority was recognized in the uncontrolled areas and among all the tribes of New Guinea. He also wished to know the status of the uncontrolled areas and whether they were in a state of emergency.

41. Mr. LONERGAN (Special representative for New Guinea) replied to the first point that the Administration intended to complete the work within five years. With regard to the second question, he explained that penetration in those mountainous areas was dangerous only if the indigenous inhabitants were approached without warning. By the method of peaceful penetration, friendly approaches were made in order to win their confidence gradually; aid was brought to them later.

42. Mr. AQUINO (Philippines) recalled that, according to the report for the year 1947-48, many officers' posts which had been provided for had not been filled. Since it appeared from the report for 1948-49 that no substantial change had been made in the composition of the staff, apart from a slight increase

in the European staff, he wished to know what the Administration had done to remedy the situation.

43. Mr. LONERGAN (Special representative for New Guinea) said that the Administration had difficulty in recruiting candidates for technical positions, such as doctors, agricultural experts, school teachers and clerks, but that there was a full complement of district service officials, namely, District Commissioners and their staffs.

44. Mr. AQUINO (Philippines) asked how many officers dealing with New Guinea affairs lived outside the Territory and, in particular, how many were on the staff at the headquarters of the administrative union at Port Moresby, in Papua.

45. Mr. LONERGAN (Special representative for New Guinea) stated that at Administration headquarters there were only fifty people responsible for the two Territories.

46. Mr. AQUINO (Philippines) wished to know why it was not possible at the present time to adopt legal measures for the enforcement of decisions of the village courts, particularly in minor complaints or civil cases.

47. Mr. LONERGAN (Special representative for New Guinea) explained that owing to the difficulty of getting legislative texts printed, it had not yet been possible to issue the Native Village Courts Ordinance, which had been drafted the previous year at the same time as the Native Village Councils Ordinance. However, according to a decision of the Minister for External Territories on 1 June, the Ordinance would be published very shortly and would give full authority to the Native courts, which would then be recognized.

48. Mr. RYCKMANS (Belgium) observed that the report stated in several places that the traditional chiefs were in the service of the Administration and were responsible in certain matters to the District Commissioner; he asked whether all the Native chiefs were automatically recognized by the Administration, and whether the latter could depose them if they were not satisfactory.

49. Mr. LONERGAN (Special representative for New Guinea) replied that the Administration normally recognized the hereditary chief as head of a tribe and that, if he proved unworthy, it was for the people to replace him by his successor in the clan hierarchy.

50. In reply to a number of questions by Mr. RYCKMANS (Belgium), Mr. LONERGAN (Special representative for New Guinea) explained that the chief of a village was officially recognized by the Administration, and that thenceforth he had certain obligations towards the Administration. Should he fail to fulfil them, the Administration could depose him. That had been known to happen. His successor was then chosen in the traditional way and officially recognized by the Administration.

51. Mr. LAURENTIE (France) referred to the statement on page 19 of the report that the situation during the year in the Central Highlands District had been good, and that patrols had been mostly of a rou-

tine nature, with the exception of two patrols whose objective had been the consolidation of the influence of the Administration in the Bara Bunassuwaira sector. He asked whether the words "with the exception of" meant that the patrol in question had encountered or given rise to incidents.

52. Mr. LONERGAN (Special representative for New Guinea) replied that the patrol in question had been a consolidation patrol whose mission was to strengthen the Administration's influence by continuing the work of previous patrols; no incidents had occurred.

53. Mr. SAYRE (United States of America) pointed out that on 30 June 1949, the date when the report had been drawn up, no legislative measures had been taken to give effect to the provisions of the 1949 Act relating to the election to the Legislative Council of Papua and New Guinea of three non-official members possessing such qualifications as were provided by Ordinance. He wondered whether such legislation had since been enacted.

54. Mr. LONERGAN (Special representative for New Guinea) said that nothing had yet been done in that connexion but that it was to be hoped that measures would be taken during the ensuing months for the election of the non-official members to the Legislative Council.

55. In reply to further questions by Mr. SAYRE (United States of America), Mr. LONERGAN (Special representative for New Guinea) confirmed that, unlike the other members of the Legislative Council, who would be appointed, the three non-official members would be elected. The Papua and New Guinea Act of 1949 did not, however, state whether they would be members of the indigenous population or not, and the proposed legislation on the subject had not been enacted.

56. Mr. LIU (China) asked in connexion with the Native Village Councils Ordinance, whether the special representative could give any information on the constitution of those councils, how their members were chosen, and what their powers were.

57. Mr. LONERGAN (Special representative for New Guinea) read a written reply which he had prepared on the subject. Under the terms of the Native Village Councils Ordinance, which had come into force on 30 December 1949, the Administrator could, by proclamation, establish a village council and delimit the area under its jurisdiction. The council would consist exclusively of indigenous members and have such powers as were conferred on it both by the Ordinance and by Native custom, in so far as that custom did not conflict with the laws of the Territory and general humanitarian principles.

58. The general duties of the councils were to fulfil the obligations imposed upon them by the Ordinance or by any other law in force in the Territory, to maintain peace and public order among the indigenous inhabitants in their area and to prevent them from contravening the laws of the Territory.

59. In addition, subject to the approval of the District Commissioner, village councils might organize or finance businesses, carry out works for the benefit of the community and provide, or co-operate with any department of the Administration of the Territory in providing, any public or social service.

60. Subject to the provisions of the Ordinance, village councils might make rules with a view to ensuring peace, prosperity and public order among the indigenous inhabitants in their areas. Thus they might prohibit or restrict the playing of certain games or the use of certain weapons, forbid any act which might disturb public order, and take steps to prevent the pollution of water and regulate the disposal of garbage. They had, of course, very many other duties.

61. The members of the councils were selected or nominated by the clans and they met regularly.

62. Mr. LIU (China) quoted a passage on page 18 of the report which stated that Native behaviour was well defined and controlled in villages where Native life had not been disrupted, and asked what factors caused such disruption.

63. Mr. LONERGAN (Special representative for New Guinea) explained that the conduct of the indigenous inhabitants was excellent in so far as it was regulated by clan or family rules. However, in certain villages situated close to ports it sometimes happened that "foreign Natives" came to live among the local population and caused trouble. That did not often occur. That was the meaning of the allusion in the report to the disruption of Native life.

64. Mr. DE MARCHENA (Dominican Republic) pointed out a statement on page 12 of the report, in the chapter entitled "Status of the Territory and its Inhabitants", that the national status of the Natives had not yet been defined. It might be deduced from that that the population was in fact divided into indigenous and non-indigenous inhabitants. He asked what reasons had so far prevented the granting of a national status.

65. Mr. LONERGAN (Special representative for New Guinea) recalled that, before the First World War the Territory had belonged to Germany and that its inhabitants had then had German nationality. In 1921, when the Territory had come under the Mandate System of the League of Nations after having been occupied by Australian troops, the inhabitants had lost their German nationality and had not acquired any other. The Trusteeship System did not provide the population with a national status any more than the Mandate System of the League of Nations had done. Those people had not been annexed by any country; they were simply the inhabitants of a Trust Territory.

66. Mr. DE MARCHENA (Dominican Republic) asked whether the Administration gave any papers to inhabitants of the Territory who wished to travel abroad and, if so, what sort of papers.

67. Mr. LONERGAN (Special representative for New Guinea) replied that the Administration provided such persons with a document of identity which enabled them to leave the Territory and to return there.

68. Mr. DE MARCHENA (Dominican Republic) pointed out that it was stated on page 12 of the report, under the heading "Civil Registration", that there was no civil register in the Territory and that the present stage of development made compulsory registration of births and deaths among the indigenous inhabitants impracticable. He wished to know why it was impossible to establish a civil register.

69. Mr. LONERGAN (Special representative for New Guinea) explained that it had been impossible to set up a register of births and deaths in the past because the indigenous population had been scattered throughout the Territory and the Administration had not had sufficient staff to carry out the work. Nevertheless, the Administration was registering births in all the villages to which it sent patrols. There were places which were inaccessible, but it intended to carry on that practice in all places where a certain stage of development had been reached.

70. Mr. FLETCHER-COOKE (United Kingdom) recalled that, according to the special representative, any inhabitant of New Guinea who wished to travel abroad was given an identity document permitting him to leave the Territory and subsequently to return there. He wished to know to what extent the holder of such a document received protection while he was abroad.

71. Mr. LONERGAN (Special representative for New Guinea) explained that the indigenous inhabitants did not leave the Territory unless they were going to a place where the Administration had made arrangements for their reception. The only places to which the indigenous inhabitants had thus far gone were Australia, Borneo and the surrounding islands and Fiji. On each occasion arrangements had been made with the authorities at the ports concerned for the admittance of the people as temporary residents.

72. Mr. FLETCHER-COOKE (United Kingdom) assumed that, in the future, increasing numbers of students from the Trust Territory would travel to other parts of the world to study, and that the Administration would make sure that they did not lose touch with the authorities responsible for them.

73. Mr. LONERGAN (Special representative for New Guinea) said that, as soon as the need for such action was felt, the Administration would certainly see that it was carried out.

74. Mr. KHALIDY (Iraq) was surprised to learn that no inhabitants of the Territory had ever gone abroad. Since there was no civil register, he wondered what particulars were given in the identity documents issued to persons leaving the Territory.

75. Mr. LONERGAN (Special representative for New Guinea) said that the identity documents were drawn up in accordance with the statements made by the holder.

76. Mr. AQUINO (Philippines) was surprised at that statement and asked the special representative what would happen if an inhabitant of New Guinea decided to go to the United States of America.

77. Mr. LONERGAN (Special representative for New Guinea) replied that such a case had never arisen.

78. The PRESIDENT called for discussion on the economic questions.

79. Mr. RYCKMANS (Belgium) noted that, in section 78 of the report, the price of copra was mentioned as 48 pounds sterling a ton and asked how that price compared with world prices for copra.

80. Mr. LONERGAN (Special representative for New Guinea) believed the world price of copra to be approximately 60 to 70 pounds, but was not sure of the figure. When the agreement had been reached fixing the price at 48 pounds 10 shillings, the world price had been Manila 30 pounds per ton, San Francisco 37 pounds per short ton. At that time the planters in the Territory had been anxious for prices to be stabilized. Before the war the price had fallen as low as 4 pounds per ton, and when it began to recover, after the war, those concerned had tried to guard against the risk of another slump. Stabilization had been brought about by means of a ten-year contract with the United Kingdom, which fixed the basic price at 48 pounds and limited the possible rise or fall to 10 per cent in comparison with the previous year. The planters were thus assured for the next nine years of a sale price above the cost of production.

81. Mr. RYCKMANS (Belgium) noted that, in section 97 of the report, it was stated that the figures for the acreage and production of agricultural land were not available. He wondered whether it would not be possible, in future reports, to provide figures on the acreage of plantations, particularly the European plantations.

82. Mr. LONERGAN (Special representative for New Guinea) did not know why those figures had not yet been given and assured the Council that they would be included in the following report.

83. In reply to a further question by Mr. RYCKMANS (Belgium), Mr. LONERGAN (Special representative for New Guinea) said that the principal plantations were in New Britain and New Ireland.

84. Mr. RYCKMANS (Belgium) pointed out that he had been unable to find any mention in the report of the total length of the roads in the Territory.

85. Mr. LONERGAN (Special representative for New Guinea) thought that the omission of that information must be due to some mistake and said it would certainly appear in the following report. He added that, in the Central Highlands District, there were 350 miles of roads and 2,000 miles of bridle paths.

86. In reply to a further question by Mr. RYCKMANS (Belgium), Mr. LONERGAN (Special representative for New Guinea) said that there were not many motor roads, since there were few cars in the Territory and the roads were used mainly by carts and horses. He gave figures on the length of the roads in the various districts and said that those particulars would be included in the report for the following year.

87. Mr. RYCKMANS (Belgium) thought that the statement made in section 114 was not clear and asked in that connexion whether the indigenous inhabitants had free and equal access to the means of communica-

tion on the same footing as the other inhabitants, without any discrimination.

88. Mr. LONERGAN (Special representative for New Guinea) said that he had himself noted, particularly in Rabaul, the complete absence of any restrictions in that connexion.

89. Mr. AQUINO (Philippines) asked why the total number of indigenous inhabitants employed in the Territory was still below the pre-war figure.

90. Mr. LONERGAN (Special representative for New Guinea) explained that many people had lived for a long time on the money they had received as war damage compensation and had returned to work only when that money was exhausted.

91. Mr. AQUINO (Philippines) noted that the profits of the mining companies were not subject to direct taxation and asked what was the reason for that attitude on the part of the Administration.

92. Mr. LONERGAN (Special representative for New Guinea) recalled the reply he had already given to a written question in that connexion (T/L.83). In 1921, at the beginning of the Mandate, the Administration had tried to increase the public revenue by adding to the already existing customs tariff an income tax and a business tax. That source of revenue had, however, proved insufficient and the decision had soon been rescinded. Those taxes had been abolished and a tax imposed on luxury goods. Nevertheless, a few months previously, the Minister for External Affairs had visited the Territory and had stated that the system of a customs tariff was out of date and that business and income taxes should be introduced into the Territory as quickly as possible.

93. Mr. AQUINO (Philippines) asked if it was possible to obtain information on the capital invested in the Territory.

94. Mr. LONERGAN (Special representative for New Guinea) said that it was very difficult to reply to that question, since all the records of the New Guinea Administration had been destroyed during the war. The matter had been investigated, however, and the information obtained would be included in the subsequent report.

95. Mr. AQUINO (Philippines) understood that, with the exception of indigenous copra, the agricultural products exported from the Territory were all from plantations operated by non-indigenous inhabitants. He wondered what measures, if any, were contemplated to enable the indigenous inhabitants to participate to a larger degree in the export trade of the Territory.

96. Mr. LONERGAN (Special representative for New Guinea) replied that the indigenous inhabitants were participating in that trade to a steadily increasing extent. The Government was continually endeavouring to hand over to the indigenous inhabitants plantations which had formerly been taken over from the Germans and had been run ever since by the people who had acquired them.

97. Mr. AQUINO (Philippines) noted with satisfaction that the Trading with Natives Ordinance

No. 4 of 1946 contained provisions designed to protect the indigenous inhabitants in their trading activities. He asked for further information on the application of that Act.

98. Mr. LONERGAN (Special representative for New Guinea) replied that the Act was operating satisfactorily in the main centres, where its application could be supervised. It was compulsory for any person wishing to trade with an indigenous inhabitant to have a licence, to display the price list in his store and to issue a docket to the indigenous inhabitant. The Administration was further intending to introduce price control so that the indigenous inhabitants would be better protected, particularly in outlying areas which could not be adequately supervised.

99. Mr. AQUINO (Philippines) asked for further information on the geological investigations which had been carried out during the year under review by the Australasian Petroleum Company.

100. Mr. LONERGAN (Special representative for New Guinea) replied that the company had been given a licence to search for petroleum in Papua and in New Guinea. It had not, however, prospected in New Guinea since the war, but only in the area near Port Moresby, in Papua. It had spent about 8 million pounds on the search; the outlook was said to be excellent, but so far there had been no production.

101. Mr. KHALIDY (Iraq) asked for some information on the gold industry.

102. Mr. LONERGAN (Special representative for New Guinea) explained that the gold industry was mainly situated in the Morobe district where gold had been discovered in 1926. With the exception of the war years, about 2 million pounds of gold had been produced each year. During recent years, it had not been possible to work the goldfields intensively because of the heavy expenditure required and the necessity to build roads and rehabilitate the sites. Indigenous inhabitants had the right to mine gold without let or hindrance.

103. Mr. Lonergan added that the gold industry was directed by private enterprises, which paid no tax to the Australian Government. They paid a 5 per cent royalty to New Guinea. The revenue so derived was spent within the Trust Territory.

104. Mr. KHALIDY (Iraq) asked whether those enterprises made any allocation within their own budget for public welfare programmes such as education or health schemes, for example.

105. Mr. LONERGAN (Special representative for New Guinea) stated that the big companies had done exemplary work in assisting in the development of the indigenous inhabitants. They gave them the best possible living conditions, special homes with gardens and bonuses when they went away, and taught them a trade. As a result of the presence of those companies, the people in the surrounding areas enjoyed a large number of amenities such as electric light, shops and new commercial products.

106. Mr. KHALIDY (Iraq) asked approximately how many houses had been built for the indigenous workers.

107. Mr. LONERGAN (Special representative for New Guinea) regretted that he was unable to give that information, but stated that the main goldfields employed between 800 and 1,000 indigenous inhabitants whom they provided with comfortable housing. Most of the workers came from other parts of the Territory; they were fed, housed and clothed at the place where they were working and when their work was finished they were sent home by air and their places were taken by others. They came to work for a fixed period of twelve months and then went home; many of them subsequently returned to work.

108. Mr. KHALIDY (Iraq) asked why the people did not work in the mines on a permanent basis.

109. Mr. LONERGAN (Special representative for New Guinea) replied that at present, with the exception of the younger men, the indigenous inhabitants were so much attached to their home towns that they always wished to return there, although it was possible for them to bring their families with them.

110. In reply to further questions from Mr. KHALIDY (Iraq), Mr. LONERGAN (Special representative for New Guinea) added that the company maintained a hospital but had not built schools since most of the workers were unmarried and had not brought families with them. Nevertheless, a school had been provided by the Administration. He went on to explain that the revenue from the 5 per cent royalty was merged in the general budget and became part of the general revenue, all of which was allocated to social development, medical and health services.

111. Mr. SAYRE (United States of America) quoted section 44 of the report, dealing with concessions, which stated that "other than the rights available on application under the mining and other laws of the Territory, no concessions of a special nature have been granted". He wondered what was meant by "rights available on application under the mining and other laws of the Territory".

112. Mr. LONERGAN (Special representative for New Guinea) explained that that passage referred to land concessions and mining concessions. No large organization had been given an exclusive right to mine a whole district, as had been done in 1912, when the administration of the Territory had been practically handed over to the German New Guinea Company. Now land was granted only under a lease.

113. Mr. SAYRE (United States of America) asked whether that right was granted to all applicants, irrespective of nationality.

114. Mr. LONERGAN (Special representative for New Guinea) replied that anybody could apply for a licence but that indigenous inhabitants could engage in gold production without one.

115. Mr. SAYRE (United States of America) noted that, according to the statistics supplied (page 117 of the report), the sum of 323,000 Australian pounds had been paid to indigenous inhabitants as war damages,

and asked how they had spent that considerable sum of money and whether the Government had given them any guidance in the matter.

116. Mr. LONERGAN (Special representative for New Guinea) explained that at first the Administration had exercised no control over the money and that it had mostly been frittered away by the people who received it. The Administration had decided, however, that in future it would pay only a small amount to the person concerned and that the rest should be placed in a savings bank account, withdrawals from which would be possible only with the approval of the District Commissioner. The latter must be satisfied that the money was really being spent to replace goods which had been lost or for other useful purposes.

117. Mr. SAYRE (United States of America) mentioned the experimental work in agriculture being carried on at the experimental stations referred to in section 96 of the report and asked the special representative whether he could give the Council any facts about the results of that work.

118. Mr. LONERGAN (Special representative for New Guinea) agreed that certain points were not covered in the report and promised to do his best to see that the following report should include, as annexes, statements on certain specific subjects such as agricultural development.

119. Mr. LAURENTIE (France) noted that there did not appear to have been any industrial development within the Territory during the year covered by the report.

120. Mr. LONERGAN (Special representative for New Guinea) replied that the development of the Territory had been considerably delayed as a result of the war. The Australian Cabinet had recently announced the formation of a New Guinea Resources Prospecting Company which would study the water power of the Territory with a view to setting up suitable industries. It might be possible to establish an industry for making paper from grass, and to develop the timber and sugar industries.

121. Mr. LAURENTIE (France) referred to possible deposits of bauxite and other mineral deposits and asked whether the ore would be treated on the spot rather than exported in the form of raw material.

122. Mr. LONERGAN (Special representative for New Guinea) replied that the Government intended to develop industries within the Territory whenever possible. In that connexion, the labour problem was also under consideration. It was hoped to make the Territory self-supporting from an industrial point of view.

123. In reply to a question by Mr. RYCKMANS (Belgium), Mr. LONERGAN (Special representative for New Guinea) stated that there was no export duty on gold; the only tax was the 5 per cent royalty on gold ore. On the other hand, there were export duties on other commodities; the duty on copra varied according to the amount, there being a minimum duty of one pound per ton.

124. Mr. RYCKMANS (Belgium) observed that since there was neither an export tax nor a profits tax on gold, the only direct resources which the country derived from the exploitation of the mines were about 50,000 pounds in royalties (page 114 of the report). He asked whether the recent devaluation of the pound had affected that situation, whether it had caused a great increase in the profits of the mining companies, and whether there had been any change in the Administration's policy in the matter of taxation of the gold mines.

125. Mr. LONERGAN (Special representative for New Guinea) observed that he had already replied to that question in writing (T/L.83). The devaluation of the pound did not appear to be having any noticeable effect on the receipts from the gold mines. The question of royalties was under consideration, but the Minister for External Territories had not yet announced his decision. The question was bound up with that of a general income and business tax.

126. Mr. CRAW (New Zealand) asked what progress had been made in rehabilitating land damaged by dredging (Section 95 of the report).

127. Mr. LONERGAN (Special representative for New Guinea) replied that the company itself had undertaken to do the work of resoiling, but that the Administration would take the necessary steps to prevent other companies from devastating the soil to the same extent.

128. Mr. CRAW (New Zealand) asked whether, in future, it would be possible to have separate figures on deposits in savings banks for indigenous and non-indigenous inhabitants (Section 55 of the report).

129. Mr. LONERGAN (Special representative for New Guinea) said that there were 23,131 individual accounts for indigenous inhabitants, amounting in the aggregate in December 1949 to 321,525 pounds. Those figures would be given separately in the following report.

130. Mr. LIU (China) asked the special representative for the general terms of the agreement between the Administration and the workers on the copra plantation at Modilon (Section 27 of the report, page 20, Madang District).

131. Mr. LONERGAN (Special representative for New Guinea) replied that the Modilon plantation had been acquired by the Administration for the extension of the town of Madang. Pending the construction of houses, the indigenous inhabitants of the island of Kar Kar had been asked to work on the plantation and had received most of the money obtained from the sale of the copra.

132. Mr. LIU (China) recalled that on two occasions the Council had recommended that direct taxation should be introduced.⁵ He asked the special representative what the Administration intended to do to give effect to that recommendation.

133. Mr. LONERGAN (Special representative for New Guinea) replied that the introduction of business and income taxes was still under consideration by the Administration. The Minister for Exter-

nal Territories had mentioned that question specifically in the Commonwealth Parliament on 1 June and a decision would soon be taken.

134. Mr. LIU (China) pointed out that section 67 of the report stated that no customs union existed with the metropolitan country or with the neighbouring territory of the Administering Authority. The neighbouring territory in question was Papua. He asked what customs arrangements there were between Papua and the Trust Territory of New Guinea, and whether there were import and export duties on goods passing between the two Territories.

135. Mr. LONERGAN (Special representative for New Guinea) replied that there were no customs duties on the movement of goods between Papua and New Guinea. A combined tariff for the two Territories would come into operation on 1 July 1950, which would place the import duties for both Territories on the same basis.

The meeting was suspended at 4.45 p.m. and was resumed at 5.5 p.m.

Request for a hearing before the council

136. The PRESIDENT informed the Council that a telegram had been received from Togoland under French administration, in which Mr. Derman Ayeve, Chief of the Northern Section of the Togoland Progress Party, respectfully requested on behalf of the chiefs and people of Northern Togoland authorization to be heard by the Council during its discussion on Togoland.

137. He reminded the Council that it had already decided to hear other associations on the same question on 3 July. He would like to hear the opinion of the representative of France, the Administering Authority of the Territory, on the subject.

138. Mr. LAURENTIE (France) said that the French delegation never had opposed and never would oppose the Council's granting requests for hearings in connexion with the question of Togoland.

139. Mr. FLETCHER-COOKE (United Kingdom), like the French representative, had no objection to anyone who could be said to represent a particular opinion in that difficult question appearing before the Council. It was for the Council to decide how many persons it wished to hear on the subject. There must naturally be some limitation, in order to avoid lengthy discussions. He had no objection to the granting of the application in question.

140. Mr. RYCKMANS (Belgium) thought that after granting two requests for hearings, it would hardly be possible to reject a third. However, he thought it was essential to exercise some caution in the matter, if the existing confusion was not to be increased instead of diminished.

141. The PRESIDENT proposed that the Council should grant the request for a hearing made by the signatory of the telegram in question.

It was so decided.

⁵ See *Official Records of the third session of the General Assembly*, Supplement No. 4, page 17, and *Official Records of the fourth session of the General Assembly*, Supplement No. 4, page 65.

142. Mr. KHALIDY (Iraq) asked when the two Administering Authorities of Togoland would be able to submit their proposal to the Council.

143. Mr. FLETCHER-COOKE (United Kingdom) said that he and Mr. Laurentie could assure the Council that their proposal would be submitted before the matter came up for discussion.

Programme of work

144. The PRESIDENT proposed that the Council should devote the afternoon meeting on Monday, 12 June, to the question of Jerusalem, instead of the Monday morning meeting, as laid down in the programme.

145. Mr. RYCKMANS (Belgium) said that every effort should be made to avoid calling committee meetings and plenary meetings at the same time.

146. Mr. CRAW (New Zealand) agreed with the Belgian representative, but said that he had understood that the Committee on Administrative Unions would meet on Tuesday and not on Monday.

147. Mr. SAYRE (United States of America) supported the President's suggestion that the Council should examine the question of Jerusalem on Monday afternoon.

148. Mr. AQUINO (Philippines) agreed that simultaneous meetings of the Council and the Committees in the mornings should be avoided and thought that it would be preferable to devote some afternoons to the question of Jerusalem.

149. Mr. FLETCHER-COOKE (United Kingdom) also thought it would be desirable to spend the Monday afternoon meeting on the question of Jerusalem. However, it would be advisable to devote some mornings also to the question, so that the Council would be able to end its session on or about 15 July.

150. At the proposal of Mr. RYCKMANS (Belgium) the PRESIDENT stated that the Council would postpone its decision regarding the meeting to be devoted to the question of Jerusalem until the following day. For the time being, the meeting was fixed for 12 June at 10.30 a.m., and the Drafting Committee on Western Samoa would also meet on the same day.

Examination of the annual report on the administration of the Trust Territory of New Guinea for the year ending 30 June 1949 (T/471, T/471/Add. 1, T/471/Add. 2) (*continued*)

151. The PRESIDENT opened the discussion on questions concerning social advancement.

152. Mr. RYCKMANS (Belgium) asked how the labour dispute at Rabaul, mentioned in Section 155 of the report, had ended.

153. Mr. LONERGAN (Special representative for New Guinea) said that the workers had simply returned to work, as in the case of the Kieta affair, also mentioned in the same section of the report.

154. Mr. AQUINO (Philippines) asked when the Administration thought that it would be possible to make a cost-of-living survey in the Territory.

155. Mr. LONERGAN (Special representative for New Guinea) said that for the time being it was impossible to make any investigation into the cost of living which would be of any value, because the indigenous inhabitants living in the bush grew their own food and built their own houses; money never changed hands at all. However, he would see that the subsequent report gave some indications regarding the cost of living of persons regularly employed in paid work. The wages paid to the workers also included the cost of their food.

156. Mr. AQUINO (Philippines) observed that according to the table on page 168 of the report, the total subsidies paid to the various missions in the Territory for health and educational purposes amounted to 47,725 pounds. However, appendix IV, on public finance, mentioned only 18,730 pounds for nursing sisters, drugs and dressings and 3,683 pounds for medical officers (page 117). He wished to know in what chapter of the budget the balance of the allotment was to be found.

157. Mr. LONERGAN (Special representative for New Guinea) said that the first figure was correct. He would tell the Council at the following meeting in what part of the report the appropriations concerned were to be found.

158. In reply to a further question by Mr. AQUINO (Philippines), Mr. LONERGAN (Special representative for New Guinea) affirmed that the problem of child marriage did not arise in the Territory.

159. Mr. AQUINO (Philippines) asked what had been the result of the investigation into the abolition of the statutory provisions regarding corporal punishment.

160. Mr. LONERGAN (Special representative for New Guinea) explained that the provisions regarding corporal punishment had been introduced many years previously and had not been applied since the Territory had been placed under trusteeship. In principle, the Government had agreed to abolish corporal punishment. A recommendation to that effect had been brought before the Commonwealth Government, with a view to the amendment of the law.

161. Mr. AQUINO (Philippines) asked whether the right to strike was recognized in the Territory, and, if so, under what conditions.

162. Mr. LONERGAN (Special representative for New Guinea) said that the right was recognized in practice, but that there were no legislative texts on the subject. There had already been a few strikes, and no force had been used to oblige the persons concerned to return to work.

163. In reply to a further question from Mr. AQUINO (Philippines), Mr. LONERGAN (Special representative for New Guinea) said that thirty-eight additional doctors had arrived in the Territory, twenty-four of whom had begun work before his departure in parts of New Guinea where there had previously been no doctors. They were displaced persons from Europe. Three more doctors were expected.

164. Mr. AQUINO (Philippines) asked whether the Administration had expanded or intended to expand its public health programme.

165. Mr. LONERGAN (Special representative for New Guinea) said that the health programme at present being considered by the Commonwealth Government from the financial point of view, provided seventy-six hospitals in addition to those already existing. That figure included so-called base hospitals in the large towns, district hospitals in the small settlements and sub-district hospitals in the rest of the country. The recommendations from the Director of Public Health currently being studied by the Commonwealth Government provided for an expenditure of 7 million pounds on the construction and equipment of the hospitals. Authorization would undoubtedly be given to undertake the programme, which would make it possible to provide modern medical facilities for the whole population.

166. In reply to a question from Mr. KHALIDY (Iraq), Mr. LONERGAN (Special representative for New Guinea) explained that the implementation of the programme would begin during the current year. There would be a base hospital at Lae, a district hospital at Madang and another at Wewak. An officer had been dropped by parachute in a wild area in the very centre of New Guinea.

167. In reply to a further question by Mr. KHALIDY (Iraq), Mr. LONERGAN (Special representative for New Guinea) explained that any person who was arrested must be brought before a court within the shortest possible time, at most a few hours after arrest.

168. Mr. KHALIDY (Iraq) observed that in section 149 of the report, in the paragraph concerning working conditions, there was a reference to the shortage of essential building materials. He wished to know whether there was any justification for that situation five or six years after the war, on a small island which was producing so much gold.

169. Mr. LONERGAN (Special representative for New Guinea) explained that the report referred to materials for permanent buildings. All the workers were housed, though in some cases the huts were made of bush frames and grass. The embargo which had been imposed on timber cutting had recently been removed and consequently the position would improve.

170. Mr. KHALIDY (Iraq) asked how workers sustaining injuries in the course of their work were compensated.

171. Mr. LONERGAN (Special representative for New Guinea) said that the employers were responsible for the medical care given to their workers. If a Native was injured at work, he was entitled to compensation under the Native Labour Ordinance, according to a scale varying with the type of injury. In case of death, compensation was paid to the next of kin. If the Native was employed by the Administration, the Administration paid the compensation.

172. Mr. KHALIDY (Iraq) asked how the Administration applied the regulation prohibiting the em-

ployment of Natives under sixteen years of age, in view of the absence of any civil registration.

173. Mr. LONERGAN (Special representative for New Guinea) said that when the indigenous inhabitants registered for work, they were examined by a medical officer and a labour officer, both of whom had long experience. Moreover, it was very rare for a Native to seek employment under the age of sixteen. In practice, therefore, the law was applied.

174. Mr. KHALIDY (Iraq) asked whether there were adequate medical facilities for workers sustaining injuries in the course of their duties.

175. Mr. LONERGAN (Special representative for New Guinea) said that the medical services were quite adequate to care for all the people who needed them. Injured Natives were taken to hospitals without delay, if necessary by air.

176. Mr. KHALIDY (Iraq) asked the special representative to explain what the word "hospital" meant in the Territory.

177. Mr. LONERGAN (Special representative for New Guinea) said that it was a building containing a number of wards furnished with beds; there was also a dispensary, bacteriological section, X-ray equipment and modern operating theatres. The Native hospital at Rabaul employed European nurses and medical staff. The buildings in question were thus hospitals and not clinics.

178. In reply to a further question by Mr. KHALIDY (Iraq), Mr. LONERGAN (Special representative for New Guinea) said that there were no indigenous doctors at present. Two members of the indigenous population were currently studying medicine at the Central Medical School at Suva, Fiji. A similar school was to be established in the Territory.

179. There were seventy-two indigenous nurses currently employed in the hospitals in the Territory. Members of the indigenous population were still reluctant to be parted from their daughters.

180. In reply to another question by Mr. KHALIDY (Iraq), Mr. LONERGAN (Special representative for New Guinea) explained that there were no mobile clinics in the Territory, as the country was not suitable. However, doctors covered the Territory on foot or by air; 119,000 members of the indigenous population had thus been examined during the previous year.

181. Mr. DE MARCHENA (Dominican Republic) asked how vagrancy was punished.

182. Mr. LONERGAN (Special representative for New Guinea) replied that the penalty for vagrancy was imprisonment; that law applied also to non-indigenous inhabitants.

183. Mr. DE MARCHENA (Dominican Republic) remarked that the penal code would seem to provide for one type of penalty only: forced labour for men and detention for women. He wondered whether the Administration had considered revising the penal code of the Territory in accordance with modern trends.

184. Mr. LONERGAN (Special representative for New Guinea) explained that in general the laws of the Territory provided for fines or imprisonment, and were in keeping with the metropolitan laws in so far as they concerned the non-indigenous population. The laws applicable to the indigenous population were different where minor offences were concerned.

185. Mr. DE MARCHENA (Dominican Republic) wished to know how persons refusing to perform the compulsory duties mentioned in section 159 of the report, which were considered necessary for the well-being of the village population, were punished.

186. Mr. LONERGAN (Special representative for New Guinea) said that that provision had been introduced in 1921 when the Territory was first placed under mandate. The penalty provided was imprisonment. That law, however, had not been applied for a considerable time.

187. Mr. DE MARCHENA (Dominican Republic) pointed out that it was stated in section 213 of the report, that the Administrator could order the removal from one place to another of any Native whose continued residence in any place was detrimental to the peace and public order. He asked whether the Administrator could exercise that power without prior legal proceedings, and whether the Native against whom such a step was taken had any means of appealing.

188. Mr. LONERGAN (Special representative for New Guinea) explained that the Administrator could exercise that power without recourse to a court. That provision had been law in the Territory since about 1921 but was never applied. The law was obsolete and was being reviewed.

The meeting rose at 6.5 p.m.