UNITED NATIONS

REPORT OF THE TRUSTEESHIP COUNCIL

covering its Third Special Session and its Eighth and Ninth Sessions

22 November 1950 to 30 July 1951

GENERAL ASSEMBLY
OFFICIAL RECORDS: SIXTH SESSION
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Part I

Organization and Activities of the Council

Chapter I

ORGANIZATION OF THE COUNCIL

1. Membership

Two vacancies occurred amongst the elective members of the Trusteeship Council during the period under review: Thailand was elected by the General Assembly at its fifth session to fill the place of the Philippines, whose term expired on 31 December 1950, and the Dominican Republic was re-elected for a further term of three years. The composition of the Council during its eighth and ninth sessions was, therefore, as follows:

Members administering Trust Territories:

Australia
Belgium
France
New Zealand
United Kingdom of Great Britain and Northern Ireland
United States of America

Members mentioned by name in Article 23 of the Charter and not administering Trust Territories:

China
Union of Soviet Socialist Republics

Members elected by the General Assembly:

	Date of retirement
Argentina	31 December 1952
Iraq	31 December 1952
Dominican Republic	31 December 1953
Thailand	31 December 1953

Italy, as Administering Authority for Somaliland, was represented at the eighth and ninth sessions of the Council, and Colombia, Egypt and the Philippines, as members of the Advisory Council for Somaliland, were represented at those meetings of the ninth session devoted to the consideration of conditions in that Territory.

Representatives of the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization participated in the work of the Council as occasion required.

At the opening meeting of the eighth session, the representative of the Union of Soviet Socialist Republics submitted a draft resolution to the effect that the Trusteeship Council should consider inadmissible the participation of the present representative of China and should invite the Government of the People's Republic of China to appoint a representative to take part in the work of the Council. A motion by the representative of the United States of America to postpone consideration of the USSR proposal until the General Assembly had taken action on the question of the representation of China was adopted by 10 votes to 2.

At the opening meeting of the ninth session, the representative of the USSR submitted a draft resolution[1] proposing that the Council invite the representative of the Peoples' Republic of China to participate in the proceedings of the Council and its organs as the representative of China. The representative of the United States of America moved that further discussion of this question be postponed under rule 56 (*g*) of the Council's rules of procedure. This motion was adopted by 11 votes to one.

2. Officers

Mr. Henriquez Ureña (Dominican Republic) and Mr. Pierre Ryckmans (Belgium), who were elected President and Vice-President respectively during the seventh session of the Council, continued in office during the eighth session.

At the opening meeting of the ninth session, on 5 June 1951, Sir Alan Burns (United Kingdom) and Mr. Awni Khalidy (Iraq) were elected President and Vice-President respectively.

3. Sessions and meetings

The Council and its subsidiary bodies held the following sessions and meetings during the period covered by the report:

TRUSTEESHIP COUNCIL

Third special session (314th meeting) 22 November 1950, held at Lake Success.

Eighth session (315th to 345th meetings) 30 January to 16 March 1951, held at Lake Success.

Ninth session (346th to 384th meetings) 5 June to 30 July 1951, held at Flushing Meadow.

AD HOC COMMITTEE ON PETITIONS

Eighth session (1st to 12th meetings) 12 February to 13 March 1951, held at Lake Success.

Ninth session (1st to 23rd meetings) 6 June to 27 July 1951, held at Flushing Meadow.

STANDING COMMITTEE ON ADMINISTRATIVE UNIONS

(1st to 8th meetings) 18 August 1950 to 4 June 1951, held at Lake Success and Manhattan.

DRAFTING COMMITTEE ON THE QUESTIONNAIRE

(One meeting) 25 May 1951, held at Manhattan.

COMMITTEE ON THE REVISION OF THE RULES OF PROCEDURE

Eighth session (1st to 3rd meetings) 5 to 8 February 1951, held at Lake Success.

[1] T/L.171.

COMMITTEE ON RURAL ECONOMIC DEVELOPMENT OF TRUST TERRITORIES

(1st to 6th meetings) 13 March to 15 June 1951, held at Lake Success and Manhattan.

COMMITTEE ON THE ORGANIZATION OF VISITING MISSIONS

Eighth session (1st to 4th meetings) 6 February to 1 March 1951, held at Lake Success.

COMMITTEE ON GENERAL PROCEDURE OF THE TRUSTEESHIP COUNCIL

Ninth session (1st to 3rd meetings) 19 to 23 July 1951, held at Flushing Meadow.

In addition, a number of drafting committees were appointed to prepare draft reports on the Trust Territories.

4. Adoption of supplementary rules of procedure

As a result of the approval by the General Assembly of the Trusteeship Agreement for Somaliland under Italian administration, the question of the revision of the rules of procedure was placed on the agenda of the eighth session of the Council and was referred to a committee composed of Argentina, Australia, Belgium, Iraq, Thailand and the United States of America. The Committee, in its report, submitted a number of supplementary rules, which were adopted by the Council, with certain amendments, during the 327th to 329th meetings. Under these rules, the Government of Italy was granted the right to designate a representative who might be present at all sessions of the Council and who might participate without vote in the discussions, and propose draft resolutions and other motions or amendments, on questions relating specifically to Somaliland or general questions relating to the operation of the International Trusteeship System. Provision was also made for the participation of the members of the Advisory Council for Somaliland in the work of the Council, notification to them of the dates of the Council's sessions and transmittal to them of Council documents relating to Somaliland, and for the transmission to the Council of reports, memoranda and statements submitted by the Advisory Council for Somaliland in accordance with article 11 of the Trusteeship Agreement for Somaliland.

At its 329th meeting, the Council adopted a resolution by which it requested the General Assembly to include in the agenda of the sixth regular session the question of the full participation of Italy in the work of the Council.[2]

5. Revision of the Provisional Questionnaire

During its seventh session, the Council appointed a Drafting Committee on the Questionnaire, composed of the representatives of Belgium, the Dominican Republic, Iraq and the United Kingdom, to prepare a revised text of the Questionnaire, taking into account all comments and suggestions made in this connexion. The Committee held its opening meeting on 19 February 1951, when it had before it a draft revised text prepared by the Secretariat. It submitted to the Council a draft resolution, which was subsequently adopted by the Council at its 330th meeting,[3] and under which the draft revised text was submitted to the Administering Authorities for their observations. The Committee held a second meeting on 25 May 1951 and, as it had not received the observations of all Administering Authorities, submitted a second draft resolution, which was subsequently adopted by the Council at its 346th meeting,[4] extending the time limit for the receipt of observations until 31 October 1951 and for the submission of the final report of the Committee until the tenth session.

At its 316th meeting, the Council adopted a resolution[5] transmitting the Provisional Questionnaire to Italy, as Administering Authority for Somaliland.

6. Provision of information about the United Nations to the peoples of the Trust Territories

Under Trusteeship Council resolution 36 (III) of 8 July 1948 on the provision of information about the United Nations to the peoples of Trust Territories, the Administering Authorities were requested to supply the names and addresses of officials to whom should be sent, for information, records of the Council and other suitable information material about the United Nations. By the same resolution, the Council requested the Administering Authorities to furnish suggestions as to appropriate channels through which information about the aims and activities of the United Nations might be communicated to the general public, and requested the Secretary-General and the Administering Authorities to co-operate in ensuring an adequate flow of suitable material.

In a report on the implementation of this resolution,[6] the Secretary-General listed the number of copies of official records being sent to addressees in the Trust Territories. While no specific suggestions as to appropriate channels had been received, the report contained an account of activities in various Trust Territories in connexion with the provision of information to the general public and of material prepared by the Department of Public Information which had been dispatched to Trust Territories.

The report of the Secretary-General was considered at the 320th meeting, when the Council adopted a resolution[7] instructing future visiting missions to make the necessary contacts to ensure the distribution of documents containing information about the United Nations and to ascertain the most suitable form for such documents so that they might reach the widest possible public in the Trust Territories.

7. Report to the Security Council concerning the Trust Territory of the Pacific Islands

In accordance with Article 83 of the Charter, with the resolution adopted by the Security Council at its 415th meeting on 8 March 1949, and with its own resolution 45 (IV) of 24 March 1949, the Trusteeship Council examined, at its eighth session, the annual report for the year ended 30 June 1950 of the Gov-

[2] Resolution 310 (VIII).

[3] Resolution 304 (VIII).
[4] Resolution 342 (IX).
[5] Resolution 309 (VIII).
[6] T/824.
[7] Resolution 311 (VIII).

ernment of the United States of America on its administration of the Trust Territory of the Pacific Islands, the report of the Visiting Mission to that Territory,[8] and various petitions, and adopted a report which it transmitted to the Security Council on the exercise of its functions in respect of this strategic area.[9]

8. Relations with the Economic and Social Council and the specialized agencies

At its 320th meeting, the Council considered Economic and Social Council resolution 314 (XI) of 24 July 1950 on the teaching of the purposes and principles, the structure and activities of the United Nations and the specialized agencies in schools and other educational institutions, and decided to refer the resolution to the Administering Authorities, requesting them to include information on the measures taken for its implementation in their annual reports.

At the same meeting, the Council considered also Economic and Social Council resolution 320 (XI) on higher education in the Trust Territories in Africa. By this resolution, which was adopted in response to resolution 110 (V) of the Trusteeship Council, the former Council invited the Administering Authorities having need of technical assistance for the educational advancement of the African Trust Territories to submit their requests to the appropriate organizations; drew the attention of the Technical Assistance Board to this matter; and requested its President to consult with the President of the Trusteeship Council, with regard to any further action in this field. The Council decided to take note of this resolution and to defer further action on the question until the ninth session.

At the ninth session (347th meeting), the Council took note of the fact that no requests for technical assistance for the education of Africans in Trust Territories had as yet been received by the Technical Assistance Board in response to the invitation issued to the Administering Authorities, and recommended that those Authorities take full advantage of the facilities offered under the expanded programme of technical assistance.

In response to the invitation extended by the Council to specialized agencies by its resolution 47 (IV) of 1 March 1949, the United Nations Educational, Scientific and Cultural Organization submitted to the Council, at its ninth session, observations on the reports for 1949 for six African Trust Territories.[10] UNESCO also submitted to the Council information on opportunities for study abroad open to inhabitants of Trust Territories,[11] as well as a memorandum requested by the Council on Mexican experience in using the mother tongue as a medium of education.[12] At the 382nd meeting, the representative of UNESCO informed the Council of the provisions made at the 1951 General Conference for the admission as associate members of the agency of territories or groups of territories not responsible for the conduct of their international relations.

[8] T/789.
[9] S/2069.
[10] T/903.
[11] T/832, T/832/Add.1.
[12] T/835.

At the last meeting of the eighth session, the Council authorized its President at that session, Mr. Henriquez Ureña, to represent its interests in the negotiation of an agreement between the United Nations and the World Meteorological Organization. At its ninth session (347th meeting), Mr. Henriquez Ureña submitted an oral report on the negotiations that had taken place in Paris in April 1951, and this report was noted by the Council.

In response to Trusteeship Council resolution 127 (VI) which, *inter alia*, took note of the recommendations contained in General Assembly resolution 323 (IV); requested the Secretary-General to bring to the attention of the International Labour Organisation the Assembly's interest in the problems of migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants, as explained in paragraph 3 of the resolution; requested the expert advice of ILO on those problems; and decided to defer further action until such expert advice could be obtained from ILO or other sources, ILO submitted to the Council an interim statement[13] on the steps being taken by it in the field of migrant labour and penal sanctions. It stated in particular that both these matters would be treated in detail by the ILO Committee of Experts on Social Policy in non-metropolitan Territories, which would meet in October-November 1951, and undertook to keep the Council informed of future developments.

At its 379th meeting, the Council took note of the interim statement and expressed its interest in the meeting of the Committee of Experts.

9. Consideration of resolutions adopted by the General Assembly at its fifth session

(*a*) Report of the Trusteeship Council covering its first special session, its second special session, and its sixth and seventh sessions (resolution 431 (V) of 2 December 1950)

By this resolution the General Assembly recommended that the Council consider at its next session the comments and suggestions made during the discussion of the annual report at the fifth session of the Assembly.

At its 317th meeting, the Council took note of the resolution and decided to take the comments and suggestions into consideration in the course of its work.

(*b*) General procedure of the Trusteeship Council (resolution 432 (V) of 2 December 1950)

By this resolution the General Assembly, noting the increase in the volume of work and in the length of the sessions of the Council, and considering that for the more effective discharge of its duties a review of its present methods of work appeared desirable, recommended that the Council undertake such a review and include the results in its report to the next regular session of the Assembly.

At its 317th meeting, the Council decided that the review recommended by the General Assembly should be postponed until the Council had studied other Assembly resolutions. At its 345th meeting, it decided to postpone consideration of this item until its ninth ses-

[13] T/927.

sion in order that it might have further time in which to decide how its methods of work could best be improved.

At its 347th meeting (ninth session), the Council appointed a Committee composed of the representatives of Iraq and the United States of America to present a preliminary report on the existing methods of work, practices and procedures with a view to making recommendations for the Council's consideration at its tenth session.

The preliminary report[14] was considered by the Council at its 381st and 384th meetings. At its 384th meeting, the Council adopted a resolution[15] in which it noted with satisfaction the preliminary report of the Committee; requested the Administering Authorities to give urgent consideration to the desire of the Council that the reports on the administration of all Trust Territories be considered in the shortest possible time after the close of each year reported on; and recommended, consequently, that pending consideration of this matter at its tenth session, the Administering Authorities make every effort to transmit to the Secretary-General not later than 15 December 1951 the reports on the Trust Territories in the Pacific for the year 1950-1951, and not later than 15 May 1952 the reports on the Trust Territories in Africa for the year 1951.

(c) Annual reports of the Trusteeship Council (resolution 433 (V) of 2 December 1950)

By this resolution the General Assembly, after suggesting that the previous form of presentation of the Council's annual reports might be improved, recommended that the Council in its future reports present in separate sections a comprehensive account of the political, economic, social and educational conditions in each Territory and include in each such section its observations, conclusions and recommendations on the subject, as well as such observations of individual members as the Council considered useful; give in each case in the appropriate section an account of the manner in which the Administering Authority had carried out each recommendation of the General Assembly and the Trusteeship Council; state in the same section its conclusions on the extent of the action taken by the Administering Authority and on the measures which should be adopted in view of those conclusions; and include, whenever practicable, maps of the various Trust Territories.

At its 319th meeting, the Council decided to draw up its present and future reports as indicated in the above resolution.

(d) Organization and methods of functioning of visiting missions (resolution 434 (V) of 2 December 1950)

By this resolution, the General Assembly recommended that the Council undertake another review of the organization and methods of functioning of visiting missions in order to ensure that the most effective use would be made in future of this important function of the General Assembly and of the Council. In this review, the Council was asked to take into account the advisability of arranging for visiting missions to remain long enough in each Trust Territory to be able adequately to perform their task; reducing the number of Territories to be visited by each mission; ensuring the greatest possible flexibility in the itinerary of each mission; extending the duration of visits without diminishing their frequency; continuing to include in the terms of reference of each mission the examination of specific problems; continuing to include in the terms of reference the preliminary examination on the spot of petitions submitted to it and such other petitions as the Council might deem appropriate; selecting members of each mission as much as possible from among representatives who sat on the Trusteeship Council; and directing missions to take advantage of every opportunity to inform the indigenous inhabitants of the workings and operation of the International Trusteeship System.

At its 317th meeting, the Trusteeship Council discussed the above resolution and decided to set up a committee composed of the representatives of Argentina, France, Iraq and the United Kingdom to examine the points raised. At the 329th meeting, the Committee presented its report,[16] but its recommendations did not meet with the unanimous approval of the Council, which accordingly, at its 330th meeting, requested the Committee, with the assistance of two further members, the representatives of Australia and of the Dominican Republic, to draw up revised proposals incorporating various suggestions made during the discussion of the original report. In its revised report,[17] the Committee agreed in principle with the suggestions contained in the General Assembly resolution. It recommended, *inter alia*, that the Council should ensure that future missions were given sufficient time in the Territories visited to be able adequately to fulfil their task, and considered that while one mission was sufficient to cover the four West African and one the three East African Trust Territories, two separate missions should, if possible, be sent to the Trust Territories in the Pacific every three years. The Committee also drafted a statement for use by visiting missions in explaining the purpose of their visit to the indigenous inhabitants of Trust Territories, and agreed that missions should take the opportunity presented by their visit to consult with the local administrations on the supply, suitability and use of the United Nations information material sent out to the Territories in accordance with the Council's resolution on the provision of information to peoples of Trust Territories (36 (III)).

At its 347th meeting, the Council adopted a resolution[18] in which it decided that, in making arrangements for future visiting missions, it would be guided by the principles set forth in General Assembly resolution 434 (V), and would take into account the observations and suggestions made in the Committee's report. The Council also amended the draft statement for the use of the visiting missions.

The terms of reference of the 1951 Visiting Mission are summarized in section 2 of chapter V, part I, of the present report.

[14] T/L.209, T/L.209/Corr.1, T/L.209/Rev.1.
[15] Resolution 346 (IX).
[16] T/L.126.
[17] T/L.126/Rev.1.
[18] Resolution 343 (IX).

(*e*) EXAMINATION OF PETITIONS (RESOLUTION 435 (V) OF 2 DECEMBER 1950)

By this resolution, the General Assembly, considering it essential in the interests of the inhabitants of Trust Territories to continue to improve the procedure for the examination of petitions, recommended that the Council consider the possibility of (i) constituting the *Ad Hoc* Committee on Petitions as a standing committee to meet, if necessary, between sessions of the Council; (ii) requesting the Administering Authorities to submit their observations on petitions within two months of receiving them; (iii) studying all other measures which might improve procedure; and (iv) requesting the Administering Authorities to submit each year special information on the action taken on the recommendations of the Council in respect of the petitions examined.

At its 347th meeting, the Council decided to refer the above question to the *Ad Hoc* Committee on Petitions which it had appointed at the 346th meeting, and requested it, in the light of the discussions in the Assembly and of observations of members of the Council, to make recommendations for its consideration.

The *Ad Hoc* Committee examined the Assembly resolution during its 19th, 22nd and 23rd meetings, and submitted a draft resolution,[19] which was adopted, with amendments, at the 383rd meeting of the Council. Under this resolution,[20] the Council decided to amend rule 86, paragraph 2, of its rules of procedure to read as follows: "The Administering Authority concerned shall, whenever possible, transmit to the Secretary-General in writing, not less than fourteen days before the opening of the session at which the petitions will be examined, its observations on these petitions for circulation to the members of the Trusteeship Council."

The Council requested the Administering Authorities concerned to transmit whenever possible the written observations mentioned in rule 86, paragraph 2, not later than two months after the receipt of the petitions by them; invited them, while continuing to give in their annual reports information regarding problems raised in the petitions, to submit special information concerning action taken on the recommendations of the Council in respect of petitions examined, in cases where the Trusteeship Council had indicated such action to be necessary; and requested members to give further study to means of perfecting procedures so that they would be in a position to give their views at the tenth session of the Council, possibly in conjunction with the revision of the rules of procedure proposed by the Council's Committee on General Procedure and in the light of the General Assembly resolution.

(*f*) EDUCATIONAL ADVANCEMENT IN THE TRUST TERRITORIES (RESOLUTION 437 (V) OF 2 DECEMBER 1950)

By this resolution, the General Assembly recommended that the Council continue to devote particular attention, in consultation with the Administering Authorities and specialized agencies, to long-range programmes of educational development in the Trust Territories, and requested it to include in its annual reports to the Assembly its observations on the various long-range educational programmes undertaken in the Trust Territories and the progress made in respect thereof.

At its 317th meeting, the Council decided to take note of the resolution, with the intention of being guided by it in its future work.

(*g*) RURAL ECONOMIC DEVELOPMENT IN THE TRUST TERRITORIES (RESOLUTION 438 (V) OF 2 DECEMBER 1950)

The recommendations of the General Assembly on this matter, together with the action taken by the Council thereon, are set out in section 2 of chapter VI, part I of the present report.

(*h*) TECHNICAL ASSISTANCE FOR TRUST TERRITORIES (RESOLUTION 439 (V) OF 2 DECEMBER 1950)

By this resolution, the General Assembly drew the attention of the Administering Authorities to the facilities available under the expanded programme of technical assistance as well as to the regular programmes of technical assistance of the United Nations and specialized agencies, and recommended that the Authorities make full use of these sources, make appropriate applications to the agencies involved and submit to the Trusteeship Council information on all such applications made and the manner in which the technical assistance received had been integrated into long-range programmes for development in the Trust Territories.

At its 319th meeting, the Council took note of the above resolution, decided to bring it to the attention of the Administering Authorities and to ask them to report annually on the possibility of obtaining technical assistance for the Trust Territories under their administration.

(*i*) ABOLITION OF CORPORAL PUNISHMENT IN TRUST TERRITORIES (RESOLUTION 440 (V) OF 2 DECEMBER 1951)

By this resolution the General Assembly recommended that measures be taken immediately to bring about the complete abolition of corporal punishment in all Trust Territories where it still existed, and requested the Administering Authorities of those Territories to report on the matter to the General Assembly at its next regular session.

At its 319th meeting, the Council decided to take note of the above resolution. The recommendations of the Council on this question appear in the chapters on conditions in the Trust Territories, in part II of the present report.

(*j*) THE EWE PROBLEM (RESOLUTION 441 (V) OF 2 DECEMBER 1950)

The recommendation of the General Assembly on this problem and the action taken by the Council in respect thereof may be found in chapter IV, part I of the present report.

(*k*) DEVELOPMENT OF A TWENTY-YEAR PROGRAMME FOR ACHIEVING PEACE THROUGH THE UNITED NATIONS (RESOLUTION 494 (V) OF 20 NOVEMBER 1950)

By this resolution the General Assembly, after considering the memorandum of the Secretary-General on

[19] T/L.224.

[20] Resolution 347 (IX).

this subject,[21] reaffirmed its desire that all the resources of the United Nations be utilized for the development of friendly relations between nations and the achieving of universal peace, and requested the appropriate organs to give consideration to those portions of the memorandum with which they were particularly concerned.

By a resolution adopted at its 330th meeting, the Council, after considering in particular points 6, 7, 8 and 9 of the memorandum in so far as they applied to Trust Territories, decided to take note of the General Assembly's resolution.[22]

[21] A/1304.

[22] Resolution 307 (VIII).

Chapter IV

EXAMINATION OF ANNUAL REPORTS

1. Introduction

In order to reduce the period of time between the submission by the Administering Authorities of the annual reports on Trust Territories, as provided for in rule 72 of the rules of procedure, and their examination by the Council, the Council, at its third special session on 22 November 1950, requested the Administering Authorities of African Trust Territories to submit their annual reports for the year 1950 by 15 May 1951, and decided to consider at its June session in 1951 (ninth session) the conditions prevailing in those Territories, including the examination of the annual reports for both 1949 and 1950.

At its 315th meeting, the Council decided to examine at its eighth session the reports on all Pacific Trust Territories for the year 1949-1950. These reports were examined in conjunction with the reports of the United Nations Visiting Mission to Trust Territories in the Pacific.

The action taken by the Council during the period covered by the present report as a result of its examination of annual reports appears for each Territory in the relevant chapter of part II of the report. These chapters also include action taken on general questions raised in petitions and, where applicable, the observations and conclusions of Visiting Missions. The Council decided that the observations of individual members should be placed after the sections to which they referred.

2. Tanganyika

The report of the Government of the United Kingdom of Great Britain and Northern Ireland on the administration of Tanganyika for the year 1949[23] was received by the Secretary-General on 3 August 1950, and its report for the year 1950[24] on 15 May 1951. Mr. J. E. S. Lamb, special representative of the Administering Authority, made an opening statement at the beginning of the examination of both reports at the 352nd meeting of the Council and answered questions at that meeting and at the 353rd to 355th meetings. At the 355th and 356th meetings, the Council held a general discussion and at the latter meeting appointed a drafting committee, composed of the representatives of the Dominican Republic, New Zealand, Thailand and the United States of America, to prepare a draft chapter on the Territory. The recommendations contained in the report of the Drafting Committee[25] were adopted with amendments at the 366th meeting, and the Council, at its 370th meeting, finally adopted the report on Tanganyika as contained in chapter I of part II below.

[23] Transmitted to members of the Council by T/786.
[24] Transmitted to members of the Council by T/904.
[25] T/L.187, T/L.176, T/L.176/Corr.1.

3. Ruanda-Urundi

The reports of the Government of Belgium on the administration of Ruanda-Urundi for the years 1949[26] and 1950[27] were received by the Secretary-General on 17 July 1950 and 29 May 1951 respectively. The examination by the Council of the two reports began with an opening statement by the special representative, Mr. Pierre Leroy, at the 357th meeting, and continued with questions until the 360th meeting. At that meeting, the Council began a general discussion which concluded at the 361st meeting, when the Council appointed a drafting committee composed of the representatives of Australia, Iraq, New Zealand and the USSR, to prepare a draft chapter on the Territory. The recommendations contained in the report[28] of the Drafting Committee were adopted, with amendments, at the 371st meeting, and the Council, at its 379th meeting, finally adopted the report on Ruanda-Urundi as contained in chapter II of part II below.

4. Somaliland under Italian administration

The first report of the Government of Italy on the administration of Somaliland, covering the period from April to December 1950, was received by the Secretary-General on 30 April 1951.[29] Opening statements were made at the 348th meeting by the representative of the Administering Authority and by the Administrator of the Territory, Mr. Giovanni Fornari, acting as special representative. The members of the United Nations Advisory Council for Somaliland, the representatives of Colombia, Egypt and the Philippines, participated in the examination of the annual report. The Council also had before it the report of the Advisory Council on its activities.[30] From the 348th to the 350th meeting, questions were asked of the special representative on conditions in the Territory, and at the 351st and 352nd meetings a general discussion was held. At the latter meeting, a drafting committee was appointed, composed of the representatives of Argentina, China, France and the United Kingdom, to prepare a draft chapter on the Territory. The recommendations contained in the report[31] of the Drafting Committee were adopted, with amendments, at the 364th meeting, and the Council, at its 369th meeting, finally adopted the report on Somaliland as contained in chapter III of part II below.

[26] Transmitted to members of the Council by T/784 and T/784/Add.1.
[27] Transmitted to members of the Council by T/912.
[28] T/L.197, T/L.173, T/L.173/Corr.1.
[29] Transmitted to members of the Council by T/902.
[30] T/923.
[31] T/L.184, T/L.170, T/L.170/Corr.1.

5. Cameroons under British administration

The report of the Government of the United Kingdom of Great Britain and Northern Ireland on the Cameroons under British administration for the year 1949[32] was received by the Secretary-General on 22 September 1950, and that for the year 1950[33] on 17 May 1951. The two reports were examined together by the Council, beginning with the opening statement of the Commissioner of the Cameroons, Brigadier E. G. Gibbons, acting as special representative of the Administering Authority, at the 361st meeting. At that meeting and at the 362nd, 363rd and 365th meetings, questions were put to the special representative. A general discussion was opened at the 365th meeting and completed at the 366th meeting, when the Council appointed a drafting committee, composed of the representatives of Belgium, the Dominican Republic, Thailand and the United States of America, to prepare a draft chapter on the Territory. The recommendations contained in the report[34] of the Drafting Committee were adopted, with amendments, by the Council at its 374th meeting, and the Council, at its 379th meeting, finally adopted the report on the Cameroons under British administration as contained in chapter IV of part II below.

6. Cameroons under French administration

The reports of the Government of France on the administration of the Cameroons for the years 1949[35] and 1950[36] were received by the Secretary-General on 7 August 1950 and 28 May 1951 respectively. The Council began its examination of the two reports with an opening statement by the special representative of the Administering Authority, Mr. Charles Watier, at the 367th meeting. Questioning of the special representative continued from that meeting to the 370th meeting, at which a general discussion was begun, this being concluded at the 371st meeting. The Council then appointed a drafting committee, composed of the representatives of Australia, China, Iraq and the United Kingdom, to prepare a draft chapter on the Territory. The recommendations contained in the report[37] of the Drafting Committee were adopted at the 379th meeting, and the Council, at its 383rd meeting, finally adopted the report on the Cameroons under French administration as contained in chapter V of part II below.

7. Togoland under British administration

The reports of the Government of the United Kingdom of Great Britain and Northern Ireland on the administration of Togoland for the years 1949[38] and 1950[39] were received by the Secretary-General on 3 August 1950 and 22 May 1951 respectively. At the 370th meeting, the Council began its examination of the reports and an opening statement was made by the special representative of the Administering Authority, Mr. D. A. Sutherland. Questions were then put to him until the 373rd meeting, when the Council began a general discussion of conditions in the Territory, which was concluded at the 375th meeting. At the latter meeting, the Council appointed a drafting committee, composed of the representatives of Argentina, Australia, China and France, to prepare a draft chapter on the Territory. The recommendations contained in the report[40] of the drafting committee were adopted, with amendments, by the Council at its 381st meeting, and the Council, at its 383rd meeting, finally adopted the report on Togoland under British administration as contained in chapter VI of part II below.

8. Togoland under French administration

The reports of the Government of France on the administration of Togoland for the years 1949[41] and 1950[42] were received by the Secretary-General on 24 July 1950 and 21 May 1951 respectively. The special representative of the Administering Authority, Mr. P. Montel, made an opening statement at the 374th meeting, when the Council began its examination of the reports. Questions were put to him from that meeting until the 377th meeting. A general discussion of conditions in the Territory was held during the 378th and 379th meetings. At the latter meeting, the Council appointed a drafting committee, composed of the representatives of Argentina, Australia, China, and the United Kingdom, to prepare a draft chapter on the Territory. The recommendations contained in the report[43] of the Drafting Committee were adopted, with amendments, at the 382nd meeting of the Council, and the Council, at its 383rd meeting, finally adopted the report on Togoland under French administration, as contained in chapter VII of part II below.

9. Western Samoa

The report of the Government of New Zealand on the administration of Western Samoa for the year ended 31 March 1950[44] was received by the Secretary-General on 12 October 1950. Mr. G. R. Powles, High Commissioner of Western Samoa, who acted as special representative of the Administering Authority, made an opening statement at the 318th meeting and answered questions relating to conditions in the Territory at the 321st to 323rd meetings. At the 324th meeting, the Council held a general discussion and appointed a drafting committee, composed of the representatives of Argentina, China, France and the United States of America, to draft a chapter on the Territory. The conclusions and recommendations proposed by the drafting committee in its report[45] were adopted, with amendments, at the 335th to 337th meetings. The report, as finally adopted, forms chapter VIII of part II below.

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[32] Transmitted to members of the Council by T/796.
[33] Transmitted to members of the Council by T/906.
[34] T/L.198, T/L.181, T/L.181/Corr.1.
[35] Transmitted to members of the Council by T/788.
[36] Transmitted to members of the Council by T/910.
[37] T/L.206, T/L.182, T/L.182/Corr.1.
[38] Transmitted to members of the Council by T/787, T/787/Corr.1.
[39] Transmitted to members of the Council by T/909.
[40] T/L.210, T/L.210/Add.1, T/L.192, T/L.192/Corr.1.
[41] Transmitted to members of the Council by T/785.
[42] Transmitted to members of the Council by T/907 and T/907/Corr.1.
[43] T/L.218, T/L.196, T/L.196/Corr.1.
[44] Transmitted to members of the Council by T/800.
[45] T/L.133.

10. Nauru

The report of the Government of Australia on the administration of Nauru for the year ended 30 June 1950[46] was received by the Secretary-General on 30 January 1951. The examination of the report by the Council was begun at the 331st and 332nd meetings, when Mr. H. H. Reeve, who acted as special representative of the Administering Authority, made an opening statement and answered questions by members of the Council. A general discussion was held at the 332nd to 334th meetings, at the conclusion of which the Council appointed a drafting committee, composed of the representatives of China, Iraq, Thailand and the United States of America, to draft a chapter on the Territory. The recommendations proposed by that Committee in its report[47] were adopted, with amendments, by the Council at the 341st and 342nd meetings. The report on Nauru, as finally adopted, forms chapter IX of part II below.

[46] Transmitted to members of the Council by T/827.
[47] T/L.144.

11. New Guinea

The annual report of the Government of Australia on the administration of New Guinea for the year ended 30 June 1950[48] was received by the Secretary-General on 30 January 1951. The special representative of the Administering Authority, Mr. J. H. Jones, made an opening statement at the 334th meeting, and answered questions relating to conditions in the Territory at that meeting and from the 337th to the 339th meetings. The general discussion took place at the 339th to 341st meetings and, on the basis of the opinions there expressed, a drafting committee, composed of the representatives of Argentina, New Zealand, Thailand and the United States of America, drafted a chapter for inclusion in the report of the Council. The recommendations contained in the report[49] of the Committee were adopted, with amendments, by the Council at the 344th and 345th meetings, and the Council at the latter meeting finally adopted the report on New Guinea as contained in chapter X of part II below.

[48] Transmitted to members of the Council by T/828.
[49] T/L.160.

Chapter III
PETITIONS

At its eighth session, the Trusteeship Council had on its agenda ninety-four[50] petitions, eighteen of which had been received by the United Nations Visiting Mission to Trust Territories in the Pacific. In accordance with rule 90 of its rules of procedure, it referred the preliminary examination of all petitions, except the twenty relating to the Ewe problem, to its *Ad Hoc* Committee on Petitions, composed of the representatives of Belgium (Chairman), China, the Dominican Republic, France, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. The *Ad Hoc* Committee held twelve meetings, during which it examined thirty-four petitions and submitted six reports thereon to the Council, together with its recommendations as to the action to be taken by the Council. The Council considered and adopted these reports at its 333rd and 341st to 343rd meetings, disposing of thirty-one petitions.

Three petitions were postponed on the suggestion of the *Ad Hoc* Committee.[51]

At its 341st meeting, the Council decided also to postpone to its ninth session all petitions which had not been considered at that time by the *Ad Hoc* Committee since, in the opinion of the Administering Authorities concerned, the general questions raised in those petitions could be more satisfactorily considered in connexion with the examination of the annual reports on the Trust Territories in Africa. Thirteen such petitions had been received within the time limit prescribed in rule 86 of the rules of procedure, and twenty-seven had been received after the time limit.

At its 339th meeting, the Council decided to postpone to its ninth session the consideration of twenty petitions relating to the Ewe question, frontier difficulties and the unification of the two Togolands.

At its ninth session, the Council had on its agenda 187[52] petitions. In accordance with rule 90, it referred the preliminary examination of these petitions to its *Ad Hoc Committee*, which was composed of the representatives of Thailand (Chairman), Argentina, Belgium, New Zealand, the Union of Soviet Socialist Republics and the United States of America. The *Ad Hoc* Committee held twenty-three meetings during which it examined 168 petitions and submitted nine reports thereon to the Council, together with its recommendations as to the action to be taken by the Council. The Council considered and adopted these reports at its 364th, 366th, 347th and 381st to 383rd meetings, disposing of 166 petitions and placing two petitions on the agenda of a following session.[53]

At its 364th and 381st meetings, the Council decided, on the recommendation of the *Ad Hoc* Committee, to postpone to a later session nineteen petitions which had not been received within the time limit prescribed in rule 86.

1. Petitions concerning Tanganyika

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on two petitions as follows:

Petition from Mr. H. O. Kallaghe (T/PET. 2/93)[54]

Petition from Semvua Kamve, Salem Losindilo and Shaaban Mtengeti (T/PET.2/96)[55]

The first of these petitions concerned personal matters, the second raised questions of a political nature.

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

At its ninth session, the Council examined and took action on four petitions.

One of these petitions, from the Kenya African Union and the East African Indian National Congress (T/PET.2/95),[56] raised general questions and is referred to in part II, chapter I, of the present report.

Of the remaining three petitions, two raised questions of a personal nature and one was anonymous, as follows:

Petition from Mr. Herbert Westphal (T/PET. 2/97)[57]

Petition from Mr. Helmut Roth (T/PET.2/98)[58]

Petition from Mzigua (Anonymous) (T/PET. 2/R.1)[59]

2. Petitions concerning Somaliland under Italian administration

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on two petitions as follows:

Petition from certain Chiefs, Notables and Holy Men of the Scekal Tribe (T/PET.11/1)[60]

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[50] Addenda are not included in this total.

[51] (i) Petition from Mr. N. Skouloukos (T/PET.5/69); (ii) Petition from the New Guinea Chinese Union, Rabaul (T/PET.8/4 and Add.1).; (iii) Petition from the Togoland Union (T/PET.6/206 and Add.1, 2, 3).

[52] Addenda are not included in this total.

[53] Petitions from Mr. Joseph Ngu (T/PET. 4/70) and from the French Cameroons Welfare Union (T/PET.4/71 and Add.1).

[54] Resolution 328 (VIII).

[55] Resolution 329 (VIII).

[56] Resolution 377 (IX).

[57] Resolution 378 (IX).

[58] Resolution 379 (IX).

[59] Resolution 380 (IX).

[60] Resolution 340 (VIII).

Petition from certain Sultans, Ugaz, Garad and Chiefs representing a large number of Tribes of Hawya Origin (Somalis) (T/PET.11/2)[60]

Both petitions raised the question of the boundary between Ethiopia and Somaliland under Italian administration.

(*b*) Petitions examined at the ninth session

At its ninth session, the Council examined and took action on thirty-one petitions. Of these, the following fourteen raised general questions and are referred to in part II, chapter III, of the present report:

Petitions from Chiefs and Notables of Galcaio District (T/PET.11/3, part I)[61]

Petition from Chiefs, Notables and Leaders of the Somali Youth League, Branch of Kismayu (T/PET. 11/7)[62]

Petition from Messrs. Abshir Hassan, Yusuf Mussa Abuker, Abduraham Yusuf, Mohamud Omar, Mohamud Abdi Nur, Omar Abdulle, Farah Jibril and Hussein Warsama (T/PET.11/10)[63]

Petition from the Somali Youth League, Mogadiscio (T/PET.11/14)[64]

Petition from the Somali Youth League, Branch of Bardera (T/PET.11/16)[65]

Petition from the Somali Youth League, Branch of Lugh Ferrandi (T/PET.11/17)[66]

Petition from the Somali Youth League, Branch of Gardo (T/PET.11/18)[67]

Petition from the Somali Youth League, Branch of Alula (T/PET.11/22)[68]

Petition from Mr. Mohamed Ali Yusuf and others (T/PET.11/26)[69]

Petition from the Somali Youth League, Branch of Schushuban (T/PET.11/27)[70]

Petition from the Somali Youth League, Branch of Hordio (T/PET.11/28)[71]

Petition from the Somali Youth League, Branch of Tarbeh (or Torba) (T/PET.11/29)[72]

Petition from Mr. Yusuf Gula, Somali Youth League, Branch of Hafun (T/PET.11/30)[71]

Petition from the Somali Youth League, Branch of Bargal (T/PET.11/31)[73]

The following seventeen petitions in most cases raised questions of a personal nature, such as cases of dismissal from employment, land disputes etc.:

Petition from five residents of Ethiopia (T/PET. 11/3, part II)[74]

Petition from Mr. Ahmed Mohamud Ismail Hussein (T/PET.11/4)[75]

Petition from Messrs. Ghedi Guled, Mohamed Warsama, Elmi Amin and Abbi Salad (T/PET. 11/5)[76]

Petition from Mr. Omar Hassan (T/PET.11/6)[77]

Petition from Mr. Abdi Ali Omar (T/PET. 11/8)[78]

Petition from the Somali Youth League, Branch of Bender Kassim (T/PET.11/9)[79]

Petition from the Somali Youth League, Galcaio District (T/PET.11/11)[80]

Petition from the Somali Youth League, Branch of Bender Kassim (T/PET.11/12)[81]

Petition from the Somali Youth League, Local Committee of Dolo (T/PET.11/13)[82]

Petition from Messrs. Hussein Mohamed Egal, Elmi Fara Ali, Hussein Fara Ali, Hussein Fara Ahmed and Saleh Mohamed (T/PET.11/15)[83]

Petition from Ogaden Itarahiem, Chief of Bagiuni (T/PET.11/19)[84]

Petition from Mr. Tom Groves (T/PET.11/20)[85]

Petition from Mr. John C. Gee (T/PET.11/21)[86]

Petition from the International Ethiopian Council for Study and Report (T/PET.11/23)[87]

Petition from Mr. Sciaffet Hussen (T/PET. 11/24)[88]

Petition from the Somali Youth League, Branch of Afmadu (T/PET.11/25)[89]

Petition from Mr. Mohamed Sceikh Nur (T/PET. 11/32)[90]

3. Petitions concerning the Cameroons under British administration

(*a*) Petitions examined at the eighth session

At its eighth session, the Council examined and took action on two petitions as follows:

Petition from five members of the Victoria Federated Council (T/PET.4/66)[91]

Petition from Chief N. D. Fongum (T/PET. 4/67)[92]

The first concerned the continuance in office of the president of a certain Native Authority and the second dealt with administrative arrangements concerning a specific area.

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[61] Resolution 359 (IX).
[62] Resolution 361 (IX).
[63] Resolution 363 (IX).
[64] Resolution 365 (IX).
[65] Resolution 366 (IX).
[66] Resolution 367 (IX).
[67] Resolution 368 (IX).
[68] Resolution 370 (IX).
[69] Resolution 373 (IX).
[70] Resolution 374 (IX).
[71] Resolution 375 (IX).
[72] Resolution 376 (IX).
[73] Resolution 374 (IX).
[74] Resolution 360 (IX).
[75] Resolution 348 (IX).
[76] Resolution 349 (IX).
[77] Resolution 350 (IX).
[78] Resolution 351 (IX).
[79] Resolution 362 (IX).
[80] Resolution 352 (IX).
[81] Resolution 353 (IX).
[82] Resolution 364 (IX).
[83] Resolution 354 (IX).
[84] Resolution 355 (IX).
[85] Resolution 369 (IX).
[86] Resolution 356 (IX).
[87] Resolution 371 (IX).
[88] Resolution 357 (IX).
[89] Resolution 372 (IX).
[90] Resolution 358 (IX).
[91] Resolution 330 (VIII).
[92] Resolution 331 (VIII).

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

At its ninth session, the Council examined and took action on four petitions as follows:

Petition from the Ex-Servicemen's Union, Victoria (T/PET.4/68)[93]

Petition from the Bakweri Land Committee (T/PET.4/69 and 69/Add.1)[94]

Petition from Mr. Joseph Ngu (T/PET.4/70)[95]

Petition from the French Cameroons Welfare Union (T/PET.4/71 and Add.1)[96]

All these petitions raised general questions and are referred to in part II, chapter IV, of the present report.

4. Petitions concerning the Cameroons under French administration

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on two petitions as follows:

Petition from Mr. Alfred Bernard (T/PET.5/84 and Add.1)[97]

Petition from Mr. Abel Mimbiang (T/PET.5/91 and Add.1, 2)[98]

Both petitions raised questions of a personal nature.

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

At its ninth session, the Council examined thirteen petitions.

Of these, the following seven raised general questions and are referred to in part II, chapter V, of the present report:

Petition from the *Union des populations du Cameroun* (T/PET.5/83)[99]

Petition from the *Comité du village d'Akomnyada de l'Union des populations du Cameroun* (T/PET.5/85)[100]

Petition from the *Comité régional du Moungo de l'Union des populations du Cameroun* (T/PET.5/86)[101]

Petition from the *Comité directeur de l'Union des populations du Cameroun* and the *Bureau de l'Union des syndicats confédérés du Cameroun* (T/PET.5/89 and Add.1)[102]

Petition from the *Comité directeur du Kumzsé* (T/PET.5/90)[103]

Petition from the *Kumzsé*, Traditional Assembly of the Bamileké People (T/PET.5/92)[104]

Petition from the *Comité régional du Bamoun de l'Union des populations du Cameroun* (T/PET.5/95)[105]

The remaining six in most cases raised questions of a personal nature such as a divorce case, land dispute, etc.:

Petition from Mr. N. Skouloukos (T/PET.5/69 and Add.1)[106]

Petition from Mr. Moussa Montie, Propaganda Secretary, *Union des populations du Cameroun (Comité régional du Bamoun à Foumban)* (T/PET.5/87)[107]

Petition from Mr. Mathias Mbongue Minyangadou (T/PET.5/88)[108]

Petition from Mr. Jean Mouen (T/PET.5/93)[109]

Petition from Mr. Djoumessi Mathias, President of the *Comité directeur du Kumzsé* (T/PET.5/94)[110]

Petition from Mr. Kamsi David (T/PET.5/96 and Add.1)[111]

5. Petitions concerning Togoland under British administration

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on four petitions as follows:

Petition from the Chiefs and People of Buem and Kraohi States and of Nkonya and Santrokofi Independent Divisions (T/PET.6/191)[112]

Petition from Mr. Siegfried K. Etse (T/PET.6/193)[113]

Petition from the Natural Rulers and Elders of Wora-Wora Division (T/PET.6/200)[114]

Petition from the Convention People's Party (T/PET.6/207)[115]

Most of these petitions raised questions concerning local issues such as the establishment of a secondary school, holding of a public meeting, etc.

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

At its ninth session, the Council examined and took action on sixteen petitions.

Of these, the following nine raised general questions and are referred to in part II, chapter VI, of the present report.

Petition from the Togoland Farmers' Union (T/PET.6/204)[116]

Petition from the Togoland Union (T/PET.6/206 and Add.1, 2, 3)[117]

Petition from the Nkonya State Council (T/PET.6/212)[118]

Petition from the Akpini State Council (T/PET.6/214)[119]

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[93] Resolution 381 (IX).
[94] Resolution 382 (IX).
[95] Resolution 383 (IX).
[96] Resolution 383 (IX).
[97] Resolution 332 (VIII).
[98] Resolution 333 (VIII).
[99] Resolution 385 (IX).
[100] Resolution 386 (IX).
[101] Resolution 387 (IX).
[102] Resolution 390 (IX).
[103] Resolution 391 (IX).
[104] Resolution 392 (IX).
[105] Resolution 395 (IX).
[106] Resolution 384 (IX).
[107] Resolution 388 (IX).
[108] Resolution 389 (IX).
[109] Resolution 393 (IX).
[110] Resolution 394 (IX).
[111] Resolution 396 (IX).
[112] Resolution 334 (VIII).
[113] Resolution 335 (VIII).
[114] Resolution 336 (VIII).
[115] Resolution 337 (VIII).
[116] Resolution 409 (IX).
[117] Resolution 397 (IX).
[118] Resolution 399 (IX).
[119] Resolution 400 (IX).

Petition from Nana Buachie (T/PET.6/219 and Add.1, 2, 3)[120]

Petition from Mr. S. G. Antor (T/PET.6/260)[121]

Petition from the Togoland Youth Association (T/PET.6/275)[122]

Petition from the Togoland Youth Association (T/PET.6/278)[123]

Petition from the Togoland National Farmers' Union (T/PET.6/280)[124]

The remaining seven in most cases raised questions of a personal nature such as a land dispute, a request for importation of a car, etc.:

Petition from Nana Agya Mensah II (T/PET.6/210)[125]

Petition from the People of Nanjuro and Nawuri in the Kpandai area (T/PET.6/215)[126]

Petition from Nana Akompi Firam III (T/PET.6/220)[127]

Petition from Togbi Alphons Komla Gadje VII and Togbi Konda (T/PET.6/223)[128]

Petition from Mr. Agbontor K. Leo (T/PET.6/241)[129]

Petition from Mr. S. G. Antor (T/PET.6/243)[130]

Petition from Mr. Siegfried Kwami Etse (T/PET.6/270)[131]

6. Petitions concerning Togoland under French administration

(*a*) Petitions examined at the eighth session

At its eighth session, the Council examined and took action on two petitions as follows:

Petition from Mr. Emmanuel K. Abdallah (T/PET.7/158 and Add.1/Rev.1)[132]

Petition from the *Union des Syndicats du Togo* (T/PET.7/172 and Add.1)[133]

The first of these contained a personal request; the second concerned a strike of native workers.

(*b*) Petitions examined at the ninth session

At its ninth session, the Council examined and took action on twelve petitions.

Two of these raised general questions and are referred to in part II, chapter VII, of the present report:

Petition from Mr. Augustino de Souza (T/PET.7/124)[134]

Petition from the *Assemblée représentative du Togo* (T/PET.7/169)[135]

The remaining ten were:

Petition from Mr. Augustino de Souza (T/PET.7/123)[136]

Petition from Mr. Mensan M. Aihtson (T/PET.7/159)[137]

Petitions from Mr. Augustino de Souza (T/PET.7/212 and Add.1, 2)[138]

Petition from the *Parti togolais du progrès* (T/PET.7/221 and Add.1)[138]

Petition from the Atakpame section of the *Unité togolaise* (T/PET.7/225)[138]

Petition from Togoland women (*Section féminine de l'Unité togolaise*) (T/PET.7/227 and Add.1)[138]

Petition from Mr. Augustino de Souza (T/PET.7/228 and Add.1)[139]

Petition from *la Jeunesse de l'Unité togolaise* (T/PET.7/235)[139]

Petition from canton chiefs Agou Pebi IV and Panta Kutumua V (T/PET.7/236)[139]

Petition from Mr. Augustino de Souza and from the *section féminine de l'Unité togolaise* (T/PET.7/237 and Add.1, 2)[140]

The first of these petitions concerned the Lomé airfield, the second contained complaints of a personal nature; the seven following dealt with the legislative elections of 17 June 1951, and the last concerned an incident which occurred in Lomé on 5 July 1951.

7. Petitions concerning Togoland under British administration and Togoland under French administration

(*a*) Petitions examined at the eighth session

At its eighth session, the Council had before it twenty petitions concerning Togoland under British administration and Togoland under French administration which raised the Ewe or connected problems.

Although the Council held a general discussion on the Ewe problem and adopted a resolution thereon,[141] it decided to defer further examination of these petitions until its ninth session.

(*b*) Petitions examined at the ninth session

At its ninth session, the Council examined and took action on eighty-eight petitions as follows:

10 petitions from the *Parti togolais du Progrès* (T/PET.6/199-7/165 and Add.1; T/PET.6/209-7/173; T/PET.6/221-7/179 and Add.1; T/PET.6/222-7/180; T/PET.6/228-7/185; T/PET.6/231-7/188 and Add.1; T/PET.6/236-7/193; T/PET.6/237-7/194; T/PET.6/268-7/224; T/PET.6/294-7/252)

7 petitions from the Togoland Union (T/PET.6/198-7/164 and Add.1, 2; T/PET.6/205-7/170 and Add.1; T/PET.6/224-7/181; T/PET.6/249-7/204; T/PET.6/250-7/205; T/PET.6/256-7/211; T/PET.6/290-7/248)

[120] Resolution 397 (IX).
[121] Resolution 405 (IX).
[122] Resolution 407 (IX).
[123] Resolution 408 (IX).
[124] Resolution 409 (IX).
[125] Resolution 398 (IX).
[126] Resolution 401 (IX).
[127] Resolution 402 (IX).
[128] Resolution 403 (IX).
[129] Resolution 404 (IX).
[130] Resolution 397 (IX).
[131] Resolution 406 (IX).
[132] Resolution 338 (VIII).
[133] Resolution 339 (VIII).
[134] Resolution 411 (IX).
[135] Resolution 413 (IX).
[136] Resolution 410 (IX).
[137] Resolution 412 (IX).
[138] Resolution 414 (IX).
[139] Resolution 414 (IX).
[140] Resolution 415 (IX).
[141] Resolution 306 (VIII).

7 petitions from the Togoland Congress (T/PET.6/202-7/167; T/PET.6/225-7/182; T/PET.6/226-7/183 and Add.1, 2, 3; T/PET.6/238-7/195; T/PET.6/252-7/207; T/PET.6/273-7/231; T/PET.6/291-7/249)

6 petitions from Mr. Augustino de Souza, President of the *Unité Togolaise* (T/PET.6/194-7/160 and Add.1, 2, 3, 4, 5; T/PET.6/217-7/177 and Add.1; T/PET.6/218-7/178 and Add.1/Rev.1; T/PET.6/229-7/186; T/PET.6/235-7/192 and Add.1; T/PET.6/240-7/197)

2 petitions from the Togoland Youth Association (T/PET.6/192-7/157; T/PET.6/254-7/209)

2 petitions from Mr. Dermann Ayeva (T/PET.6/197-7/163, and Add.1, 2; T/PET.6/227-7/184)

2 petitions from the All-Ewe Conference (T/PET.6/201-7/166 and Add.1; T/PET.6/245-7/200)

2 petitions from the Buem Native Authority (T/PET.6/232-7/189; T/PET.6/242-7/198)

2 petitions from Chief Togboe Nyangasi (T/PET.6/271-7/229; T/PET.6/274-7/232)

Petition from the Pan-Ewe Union, Kadjebi, Buem (T/PET.6/195-7/161)

Petition from Mr. Sawli Katiejeri (T/PET.6/196-7/162)

Petition from Dr. Olympio, Mr. Dermann Ayeva and Chief Biregah (T/PET.6/203-7/168)

Petition from Mr. Ako Adjei on behalf of Mr. Tey Kwaku Ameh (T/PET.6/208-7/171)

Petition from Mr. Radji Salami (T/PET.6/211-7/174)

Petition from Mr. Frico Dabida (T/PET.6/213-7/175)

Petition from the People of Nanjuro and Nawuri in the Kpandai Area (T/PET.6/216-7/176)

Petition from the Representatives of the Mina and Ouatchi in the District of Anecho and Regent Glyn Lawson Avassou (T/PET.6/230-7/187)

Petition from Assiakoley II, Chief of the Canton of Porto Seguro (T/PET.6/233-7/190)

Petition from Mr. Wilson and other Chiefs and Notables of the Atakpamé Section of the *Parti togolais du progrès* (T/PET.6/234-7/191)

Petition from V. K. Motte Kofi II, Paramount Chief of the Asogli State (T/PET.6/239-7/196)

Petition from Mr. Keteku, President of the Asogli State (T/PET.6/244-7/199)

Petition from the Atando Native Authority (T/PET.6/246-7/201)

Petition from the Natural Rulers and Peoples of Buem State (T/PET.6/247-7/202)

Petition from the Acting Head Chief of Santrokofi Division (T/PET.6/248-7/203)

Petition from Nano Boakye (T/PET.6/251-7/206)

Petition from the Acting Head Chief of the Nkonya Independent Division (T/PET.6/253-7/208)

Petition from Mr. Gerald O. Awuma (T/PET.6/255-7/210)

Petition from the Head Chief and the Chief farmer of the Tafi Division (T/PET.6/257-7/213)

Petition from the Chief farmer Messah Tsekpodui Gbefi (T/PET.6/258-7/214)

Petition from Mr. Aniabor (T/PET.6/259-7/215)

Petition from Chief Ata Quam Dessou, Fio Agbano II and Mpala (T/PET.6/261-7/216, and Add.1)

Petition from Mr. Dzitowu (T/PET.6/262-7/217)

Petition from the Avatime Divisional Council, Vane (T/PET.6/263-7/218)

Petition from Chief Gbadegbe, Traditional Chief Guedo and Prince Patsoh (T/PET.6/264-7/219)

Petition from Chief Sekyere of Likpe Agbosome (T/PET.6/265-7/220)

Petition from the Togoland Ex-Servicemen (T/PET.6/265-7/222, and Add.1)

Petition from the Chief farmer of Likpe (T/PET.6/267-7/223)

Petition from the Lukusi Improvement Society (T/PET.6/269-7/226)

Petition from Chief Buami, member of the Southern Togoland Council (T/PET.6/272-7/230)

Petition from the Avatime Native Authority (T/PET.6/276-7/233)

Petition from Mr. Fransenedzo Egbeegbe (T/PET.6/277-7/234)

Petition from the Akpini Native Authority (T/PET.6/279-7/238)

Petition from Palanga, Head Chief of the "Cabrais" and "Lossos", Chairman of the Union of the Chiefs of Northern Togoland (T/PET.6/281-7/239)

Petition from Chief Ihou Attigbe Teme Odere (T/PET.6/282-7/240)

Petition from Chief Anonene Ahovi (T/PET.6/283-7/241)

Petition from the Atakpam Branch of the *Parti togolais du progrès* (T/PET.6/284-7/242)

Petition from the Chiefs Kanli Adjonou, Nayo Toyikin and Kossi Doni (T/PET.6/285-7/243)

Petition from the *Mouvement Jeunesse Centre* (T/PET.6/286-7/244)

Petition from Head Chief Dauhoni Oussounou (T/PET.6/287-7/245)

Petition from Glyn Lawson, Regent of Anecho and from other chiefs (T/PET.6/288-7/246)

Petition from the Togo Youth Association (T/PET.6/289-7/247)

Petition from the Atando Native Authority (T/PET.6/292-7/250)

Petition from Malm William Amefia Herman and some others from the *Cercle de Klouto* (T/PET.6/293-7/251)

Petition from some chiefs and notables of the *Parti togolais du progrès* (T/PET.6/295-7/253)

Petition from the Head Chief of Bowiri (T/PET.6/296-7/254)

Petition from the chiefs of canton of Klouto (T/PET.6/297-7/255)

Petition from the Togoland Farmers' Union (T/PET.6/298-7/256)

These petitions raised the question of unification of the two Togolands, the Ewe question or connected problems and are referred to in part I, chapter IV, of the present report.

8. Petitions concerning Western Samoa

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on one petition, that from the Chinese Association in Samoa (T/PET.1/3)[142] which had been received by the Visiting Mission.

This petition raised general questions and is referred to in part II, chapter VIII, of the present report.

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

No petitions were examined at the ninth session.

9. Petitions concerning New Guinea

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on three petitions which had been received by the Visiting Mission, as follows:

Petition from Captain A. J. Kutt (T/PET.8/3)[143]

Petition from Paramount Chief Tongania (T/PET.8/5)[144]

Petition from the New Ireland Native Club (T/PET.8/6)[145]

All these petitions raised general questions and are referred to in part II, chapter IX, of the present report.

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

No petitions were examined at the ninth session.

[142] Resolution 312 (VIII).
[143] No resolution was adopted on this petition; see document T/L.152.
[144] Resolution 326 (VIII).
[145] Resolution 327 (VIII).

10. Petitions concerning Nauru

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

At its eighth session, the Council examined and took action on six petitions which had been received by the Visiting Mission, as follows:

Petition from Mr. P. James Aingimea (T/PET.9/2)[146]

Petition from Mr. John Harris (T/PET.9/3)[147]

Petition from the People of Aiwo (T/PET.9/4)[148]

Petition from the Chinese Community (T/PET.9/5)[149]

Petition from the Nauruan Council of Chiefs (T/PET.9/6)[150]

Petition from the Chiefs of Yarren and Boe (T/PET.9/7)[151]

All these petitions raised general questions and are referred to in part II, chapter X, of the present report.

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

No petitions were examined at the ninth session.

11. Petitions concerning the Trust Territory of the Pacific Islands

(*a*) PETITIONS EXAMINED AT THE EIGHTH SESSION

In connexion with its functions in respect of strategic areas under Trusteeship, the Council, at its eighth session, examined and took action on seven petitions concerning the Trust Territory of the Pacific Islands. The Council's examination of these petitions is recorded in its separate report to the Security Council on this Territory.[152]

(*b*) PETITIONS EXAMINED AT THE NINTH SESSION

No petitions were examined at the ninth session.

[146] Resolution 320 (VIII).
[147] Resolution 321 (VIII).
[148] Resolution 322 (VIII).
[149] Resolution 323 (VIII).
[150] Resolution 324 (VIII).
[151] Resolution 325 (VIII).
[152] S/2069.

Chapter IV
THE EWE PROBLEM

1. Introductory

At both its eighth and ninth sessions, the Council devoted further attention to and took further action upon the Ewe problem, which may be more precisely defined as the problem arising from demands for the unification under one administration of the Ewe peoples now divided between Togoland under French administration, Togoland under British administration and an adjacent section of the Gold Coast Colony, and from concurrent demands for the unification under one administration of the two Trust Territories as a whole.

An account of the action taken by the Council on the question up to and including its seventh session is to be found in the three previous reports[153] of the Council to the General Assembly. In order to place the subsequent action in perspective, it may be recalled briefly that at its seventh session the Council adopted a resolution[154] in which it took note of the decision of the two Administering Authorities concerned to extend the composition and functions of the then existing Standing Consultative Commission for Togoland Affairs in order to make it the instrument by which to ascertain the real wishes and interests of all the peoples of the two Trust Territories. In the resolution the Council expressed the hope that the Administering Authorities would proceed along the lines proposed and take all appropriate steps to ensure that the Commission would equitably represent the different sections and groups of the two Trust Territories.

2. Action taken by the General Assembly at its fifth session

The General Assembly, at its fifth session, in resolution 441 (V) of 2 December 1950, took note of complaints made by the President of the *Comité de l'Unité togolaise* in a petition to the Secretary-General against the methods of election prescribed by the Administering Authority of Togoland under French administration and an allegation that persons had been arrested and imprisoned because they wished to have indigenous customs observed in the elections. It took note also of comments to the contrary contained in other related petitions, and of declarations made on these matters by the representative of France in the Fourth Committee. The General Assembly in its resolution recognized the great importance of the Ewe problem and emphasized the importance of finding an adequate solution as soon as possible and in full accordance with the real wishes and interests of the people concerned. In particular, it impressed upon the Administering Authorities the necessity of conducting elections to the Commission in a democratic manner that would ensure a true representation of the people. It recommended that the Administering Authority of Togoland under French administration investigate promptly the practices complained of in the petition referred to above and in other petitions on the subject, with a view to ascertaining whether the methods of election which had been applied ensured that the views of all sections of the population were faithfully reflected, and report thereon to the subsequent session of the Trusteeship Council for such action as the Council might consider appropriate.

3. Action taken by the Council at its eighth session

At its eighth session, the Council had before it three petitions referred to in the resolution adopted by the General Assembly as well as seventeen others on the same or related subjects.[155] The petitioners included all three of the organizations identified by the Visiting Mission to Trust Territories in West Africa[156] in 1949 as playing an active role in the demand for unification, i.e. the All-Ewe Conference, the *Comité de l'Unité togolaise* and the Togoland Union, and the organization, the *Parti Togolais du Progrès,* which it identified as being opposed to the unification movement, as well as the Union of Chiefs and People of Northern Togoland (under French administration). In general terms, the petitions, in the case of those emanating from pro-unification groups, maintained and elaborated upon the complaints previously made against the electoral methods, their contention being that the effect of these methods was to ensure that the Consultative Commission would be dominated by anti-unification points of view and not properly representative of public opinion as a whole. They indicated unwillingness to participate in the work of the Commission as then constituted. On the other hand, the petitions emanating from the opposing groups sought to refute the allegations made by the others and to show that the Commission had been constituted in such a manner as to ensure equitable representation of all the interests concerned. They claimed that the real reason for the unco-operative attitude of the pro-unification groups was their fear of being shown to represent only a minority point of view.

At that session, the Administering Authority of Togoland under French administration submitted a report[157] on the results of an investigation which it had carried out in pursuance of the General Assembly resolution. The report was supported, at the Council's 330th and 331st meetings, by an oral statement by M.

[153] *See Official Records of the General Assembly, Third, Fourth and Fifth Sessions, Supplement No. 4.*
[154] Resolution 250 (VII).
[155] See part I, chapter III, VII(*b*).
[156] T/798.
[157] T/846.

Baptiste, *Procureur-général*, to whom the Administering Authority had entrusted the investigation. The conclusions which M. Baptiste had arrived at were as follows: first, that at the present tribal stage of development of the great majority of the inhabitants of the Trust Territory, only a two-stage electoral system would enable everyone to express his opinion, and in that respect the two-stage system actually applied to the election of members of the Commission was therefore absolutely democratic; and, secondly, that the elections as they had been conducted in practice had ensured in fact and in law the equitable representation of all sections of the population and complied with the resolution adopted by the Trusteeship Council on 14 July 1950.[158]

The following additional documents were also submitted by the Administering Authorities concerned at the eighth session of the Council: the minutes of the first session of the enlarged Consultative Commission,[159] submitted on behalf of both Governments; and the observations of the Government of the United Kingdom on eight petitions relating primarily to Togoland under British administration.[160] At the 338th meeting, the representative of the United Kingdom, on behalf of both Administering Authorities concerned, described the establishment and the proceedings of the first session of the Consultative Commission. He stated that, in Togoland under French administration, the *Comité de l'Unité togolaise* had refused to take part in the second stage of the election and to nominate the representative to whom, as a party, it was entitled, and that this Territory was accordingly represented at the first session by twenty-nine instead of thirty delegates. In the case of Togoland under British administration, five of the seventeen members, including the delegate of the All-Ewe Conference, had not attended. After analysing the statements made in the Commission, the representative of the United Kingdom stated that it was clear that the majority was opposed to any change in the existing system of administration of the two Trust Territories, but that because of the failure of certain groups to take part it had not been possible fully to elucidate the divergent points of view. The two Governments were willing to provide the All-Ewe Conference and the *Comité de l'Unité togolaise* with a further opportunity to take their place on the Commission; they had decided to offer eight seats to the latter party on the basis that it would probably have won six in the election (the two additional seats being required in order to preserve the original proportions of the Commission) and to make a proportionate increase of five in the number of seats allotted to Togoland under British administration.

At its 339th meeting, the Council adopted a resolution[161] by which it noted the statements made by the Administering Authorities regarding the electoral methods, considered that these methods had represented an effort to enable the sections of the population concerned to express their opinions, and noted that certain groups in the two Trust Territories did not find it possible to take part either in certain stages of the elections or in the proceedings of the enlarged Consultative Commission. The Council then noted that the Administering Authorities proposed to take steps in order to encourage these groups to take part thereafter in the work of the Commission; urged these groups to co-operate with the Administering Authorities in their efforts to seek a solution of the problem; regretted that a satisfactory solution of the problem had not yet been reached, notwithstanding the delays involved; drew the attention of the Administering Authorities to the necessity of seeking a solution with the utmost expedition; invited the two Administering Authorities to continue their efforts to solve the problem in the spirit of the resolution of the Trusteeship Council of 14 July 1950; and recommended, whether or not the composition of the Consultative Commission was completed, that the Administering Authorities formulate as soon as possible substantive proposals for a practicable solution of the question and inform the Council accordingly not later than 1 July 1951.

At its 339th meeting, the Council decided to defer to its ninth session examination of the twenty petitions concerning the Ewe and related problems.

At its 326th meeting, the Council decided to hear an oral presentation by the representative of the Togoland Congress, the Togoland Union and the Togoland Youth Organization. However, Mr. S. G. Antor, the representative of the Togoland Congress, arrived in New York after the Council had completed its consideration of the Ewe problem and had adopted the resolution referred to above. The Council decided nevertheless to hear Mr. Antor and, at the 343rd and 344th meetings, he made an oral statement and answered questions put to him by members of the Council.

4. Action taken by the Council at its ninth session

At its ninth session, the Council had before it a total of ninety-six petitions[162] on the subject, including seventy-six further petitions in addition to those deferred from the eighth session. In general terms, the additional petitions emanating from pro-unification groups indicated and explained a continued unwillingness on the part of these groups in both Trust Territories to take part in the work of the Consultative Commission as constituted, continuing to claim that the Commission had been formed in such a way as to be not a representative body. These petitions included renewed demands for unification, among them being a resolution adopted by a joint congress of pro-unification groups in both Togolands, requesting that the United Nations should send an independent commission to investigate and supervise free and democratic elections, or preferably a plebiscite, and should fix a period of five years for the preparation of Togoland for self-government or independence. On the other hand, the opposing groups maintained that the true wishes of the populations had been expressed through the proceedings of the Consultative Commission, and that the proceedings had demonstrated that an overwhelming majority of the peoples of both Trust Territories was opposed to any

[158] Resolution 250 (VII).
[159] T/845.
[160] T/850.
[161] Resolution 306 (VIII).

[162] See part I, chapter III, paragraph VII (*b*). In addition to the eighty-eight petitions listed there, the Council considered the following eight petitions as relating in part to the Ewe problem: T/PET.6/275, 7/212 and Add.1, 7/221 and Add.1, 7/225, 7/227 and Add.1, 7/228 and Add.1, 7/235, 7/237 and Adds.1 and 2.

change in the existing administrations before they achieved self-government. They requested that the Trusteeship Council should close the Ewe case.

At the same session, and in accordance with the resolution adopted by the Council at its eighth session, the two Administering Authorities concerned presented a joint memorandum[163] in which they gave an account of the further functioning of the enlarged Consultative Commission, a statement of the conclusions which they had reached from its proceedings and from further consideration of the problem, and an announcement of the decisions which they had made as to its solution.

In this memorandum, the two Governments confirmed the fact of the continued abstinence from the work of the Consultative Commission of the principal groups favouring unification. They stated that in Togoland under French adminstration the President of the *Comité de l'Unité togolaise* had formally declined their offer of eight additional seats; and that on the British side, following efforts made to persuade the Ewe representatives to abandon their boycott of the Commission in their own interest, the representative of the All-Ewe Conference and the representatives of Akpini, Awatime, Atando and the Togo Union had absented themselves from the second session which opened at Ho on 15 May 1951. The figures of attendance at the Commission were, therefore, twenty-nine representatives out of thirty on the French side and thirteen out of eighteen on the British side.

The Administering Authorities expressed regret at the failure of these groups to take advantage of the opportunity to express their views in the Commission, adding that this attitude did nothing either to facilitate the task of the Administering Authorities or to permit the realization of the hopes entertained both by them and by the Trusteeship Council. They pointed out, however, that they had been at pains to take account of the views of these groups as expressed in petitions and other representations; nevertheless, they were satisfied that the Consultative Commission had served its purpose of elucidating the views of the majority of the peoples of the two Trust Territories. No continuing role was envisaged for the Commission in the future.

The Administering Authorities stated that they regarded as fundamental to the consideration of the problem and to any proposals for its solution, the following principles: (1) the proposals must pay full regard to the known wishes of the peoples and command general acceptance or, at any rate, acceptance by a large majority; and, (2) any change in the political organization in the territories must be practicable from the economic and fiscal aspects as well as on political grounds.

The Administering Authorities stated that much had been accomplished in the four years in which the matter had been before the Council to alleviate the difficulties caused by the presence of the frontier. As a result of extensive concessions which had been made there was now complete freedom of movement of persons and only the minimum restraint on other traffic; no significant complaints of difficulties caused by the frontier had been brought to the notice of the two Governments in 1950. Further progress in the field of economic, cultural and fiscal measures was possible, and the two Governments had already given earnest and urgent consideration to the implementation of recommendations made by the Consultative Commission in this respect and had put into effect a number of decisions.

They recognized, however, that such practical steps could not yet be regarded as completely satisfying the aspirations of the peoples concerned. They were fully conscious that the existence of two separate administrations exerted a sundering influence on those peoples of the two Trust Territories who felt natural ties of kinship. They had reached the decision, based on the fullest possible consultation with the people, that it was conclusively demonstrated that no solution involving an alteration of boundaries or of political allegiance could currently be proposed which commanded the general assent of the peoples of the two Territories or even the agreement of a majority. They were equally satisfied that no change of this nature could be undertaken which did not raise a fresh set of problems, whether political, economic or fiscal, in place of those which they were then considering.

Within the framework of existing boundaries, however, there was scope for closer relations between the peoples of the two Territories. The Administering Authorities had noted with considerable interest and with full sympathy a reference which the Commission had made to the desirability of harmonizing the policy of development in the two Trust Territories as an essential corollary to their advancement towards self-government. They pointed out that in Togoland, as in West Africa as a whole, developments and changes were going on at a rapid pace in all fields, and that on both sides of the Togoland frontier important developments were in progress in the shape of regional and local government and in the manner of participation by the inhabitants in the administration of public affairs.

In order to associate the people more directly with their efforts to ensure congruity between these developments, the Administering Authorities stated that they had decided that a joint body of representatives of the two Trust Territories should be created which would be an effective instrument for the purpose. Although it was clear that any such new body could have no executive or legislative power extending over both Trust Territories, it should nevertheless be a meeting place of representatives of the people of the two Togolands where views on the development of the respective Territories could be exchanged and co-ordinated and the measures of development in every field harmonized and stimulated. Meeting at regular intervals, it would have the opportunity of discussion and consultation with the senior administrative and technical officers from each side, would consider and advise the two Administering Authorities jointly on the planning and implementation of programmes of economic and social development and frontier amelioration measures, and would advise them also on the projects of common interest on which they considered it necessary that funds should be expended. The Administering Authorities expressed the belief that in this way the legitimate aspirations of the peoples of the Trust Territories would be assured and any prejudice to their interests avoided during the period of their advance towards self-government.

The two Governments concluded their joint memorandum with an analysis of the various unification proposals and the reasons for their rejection of them,

[163] T/931; T/931/Add.1.

maintaining that the unification of the Ewe people did not represent the common desire of any more than a minority of the population of the area which would be comprised in such a unification and, moreover, enjoyed no support from the people of the remaining areas of the two Trust Territories; and that the immediate unification of the two Togolands was also not favoured by a majority. They also cited the practical difficulties and disadvantages of either of these forms of unification. They stated further that the possibility of a solution by unification under a joint Anglo-French authority, which had not actually been proposed, would raise practical difficulties and that even if these could be surmounted the solution would not satisfy the Ewe groups. They also opposed the use of a plebiscite as a means of determining the wishes of the people, stating that it would be impossible to place the matter before the voters in a way which would be beyond misunderstanding and confusion and which would avoid subsequent charges of inadequate presentation or of misrepresentation.

At the 379th and 380th meetings, the Council held a discussion in which the representatives of France and the United Kingdom made further statements in elaboration of their joint memorandum. The Council granted a hearing to Mr. S. G. Antor, representative of the Togoland Congress, who stated that the decision of the Administering Authorities to set up a new joint body was not acceptable, as a solution of the problem, to the Joint Togoland Congress, to the *Comité de l'Unité togolaise*, to the Togo Union, to the Togoland National Farmers' Union, to the Togoland Youth Organization, to the Togoland Ex-servicemen's Union, nor to the peoples at large. He stated further that the Joint Togoland Congress requested an immediate recommendation to the General Assembly that the present separate Trusteeship Agreements for the Togolands be revoked and a single agreement submitted providing for direct United Nations supervision for five years, followed by the grant of complete self-government or independence. The Council granted a hearing also to Dr. Pedro Olympio, representative of the *Parti togolaise du Progrès*, who stated that he was convinced that his party would willingly accept the proposed new joint body; he suggested, however, that, since this organ would not differ from the Standing Consultative Commission except in name, the Commission should be allowed to continue to function for two years in order to avoid the troubles which new elections might cause and particularly to allow the other parties time to reflect on their attitude and take part in the new organ.

At the 380th meeting, the Council adopted a resolution[164] in which, after recalling the resolution adopted at its eighth session, and stating that it had considered various petitions listed in the annex to the present resolution, it noted with interest the Anglo-French memorandum. It concurred with the view of the two Administering Authorities that there would seem to be no reason for continuing the existence of the Consultative Commission, and approved their proposal to establish a joint council to advise them on matters of common concern to the people of the two Trust Territories, including in particular the Ewe problem. The Council then recommended that the two Administering Authorities proceed with their plans immediately to establish such a joint council in order that it might have functioned for a sufficient period of time for the Visiting Mission to Trust Territories in West Africa in 1952 to form an evaluation of its accomplishments; that they ensure that the scope of responsibilities of the joint council be sufficiently broad to enable it to exercise its functions in respect of all questions of common concern to the people, including questions of political, economic, social, educational and cultural development; and that the method of determining the composition and selecting the members of the council be such as to ensure, if possible, the participation of the major groups in the two Territories. The Council also urged all elements of the population to co-operate in the establishment and operation of the joint council, in order that its decisions might fully reflect the views of all concerned; requested the two Administering Authorities to report as soon as possible on the action taken pursuant to the current resolution; and reaffirmed the recommendation contained in the resolution of the eighth session that they take all necessary and appropriate measures to ensure that, until a definitive settlement was reached, the common traits and traditions of the Ewe people be preserved.

At the same meeting, the Council decided to refer to its *Ad Hoc* Committee on Petitions all the current petitions concerning the Ewe and related questions in order to determine which of them might be considered as having been disposed of by the Council's resolution and thus listed in the annex to it, and to recommend such further or separate action as might appear necessary on any of them.

At its 383rd meeting, the Council adopted a recommendation of the *Ad Hoc* Committee to the effect that all the petitions dealing with or relating to the Ewe and allied questions which had been received and circulated up to that time should be listed in the annex. It also adopted separate resolutions dealing with particular aspects of four of the petitions listed.[165] The Council noted that separate action had similarly been taken previously on eight other petitions included in the list.[166]

[164] Resolution 345 (IX).

[165] T/PET.6/266-7/222 and Add.1 (resolution 416 (IX)); T/PET.6/235-7/192 and Add.1 (resolution 417 (IX)); T/PET.6/229-7/186 and Corr.1 (resolution 418 (IX)); T/PET.6/256-7/211 (resolution 419 (IX)).

[166] T/PET.6/275 (resolution 407 (IX)); T/PET.7/212 and Adds.1 and 2, T/PET.7/221 and Add.1, T/PET.7/225, T/PET.7/227 and Add.1, T/PET.7/228 and Add.1, T/PET.7/235 (resolution 414 (IX)); T/PET.7/237 and Adds. 1 and 2 (resolution 415 (IX)).

Chapter V

VISITS TO TRUST TERRITORIES

1. United Nations Visiting Mission to Trust Territories in the Pacific

During its fifth session, in July 1949, the Council decided to send a Visiting Mission to the Trust Territories in the Pacific and, in the course of the 5th and 10th meetings of its sixth session, appointed Sir Alan Burns (United Kingdom) as Chairman, and Mr. T. K. Chang (China), Mr. Jacques Tallec (France) and Mr. Victorio D. Carpio (Philippines) as members of the Mission.

At the 11th meeting of the sixth session, the Council adopted a resolution[167] setting forth the terms of reference of the Mission.

The Mission held its first meeting at Lake Success on 3 April 1950 and, on 5 April 1950, accompanied by six members of the Secretariat, left Lake Success for the strategic Trust Territory of the Pacific Islands[168] where it remained until 2 May 1950.

On 5 May 1950, the Mission arrived in the Trust Territory of Nauru, where it visited the island, inspected the facilities of the British Phosphate Commissioners, met with members of the Chinese community, visited schools and received a number of petitions from tthe Nauruan community. Meetings were also held with the Administrator and the island manager of the British Phosphate Commissioners and the Nauruan Council of Chiefs.

The Mission left Nauru on 10 May 1950 and proceeded to the Trust Territory of New Guinea. It arrived at Rabaul, headquarters of the New Britain District, on 10 May 1950 and remained there until 16 May 1950, holding meetings with the Administrator, with local officials and with groups of the various communities.

From 16 May until 10 June, the Mission visited the Sepik, Madang, Central Highlands and Morobe Districts and then proceeded to Port Moresby, the capital of Papua and New Guinea, where several meetings were held with the Administrator and the heads of the administrative services.

The Mission left for Australia on 14 June and remained in Canberra until 27 June. Meetings were held with the Honourable Mr. P. C. Spender, Minister for External Territories, Mr. J. Howes, Under-Secretary for External Territories, and various officials connected with the administration of New Guinea and Nauru.

On 2 July 1950, the Mission arrived in Wellington, New Zealand, where discussions on Western Samoa were held with the Honourable Mr. F. W. Doidge, the New Zealand Minister of Island Territories, and his principal officers.

The Mission arrived in Western Samoa on 5 July and remained there until 15 July. Meetings were held with the High Commissioner and his principal officers, the Chief Judge, the European Chairman and Samoan members of the Commission of Inquiry into local government, the European elected members of the Legislative Assembly, Samoan members of the Council of State and the Legislative Assembly, and Samoan representatives of each of the forty-two districts of the Trust Territory. Visits were also made to some of the outlying districts on the island of Upolu and the Tuasivi area of the island of Savai'i.

On 15 July, the Mission left Samoa and on 26 July, it arrived at Lake Success, where, in August, it adopted the four reports on the Trust Territories of the Pacific Islands, Nauru, New Guinea and Western Samoa.[169] Subsequently, observations on the report on Western Samoa were submitted by New Zealand as the Administering Authority.[170]

Each report of the Visiting Mission was considered by the Council at its eighth session concurrently with the Council's examination of the annual report of the Administering Authority on the administration of the relevant Trust Territory.

At its 342nd meeting, the Council adopted a resolution[171] in which it took note of the reports of the Visiting Mission and the observations submitted by the Administering Authority for Western Samoa; expressed its appreciation of the work accomplished by the Visiting Mission on its behalf; took note of the observations and conclusions formulated by the Visiting Mission and included in its reports; drew attention to the fact that at its eighth session, in formulating its own conclusions and recommendations in the course of its examination of the annual reports on, as well as petitions and other questions relating to, the Trust Territories concerned, the observations and conclusions of the Visiting Mission and the observations of the Administering Authority of Western Samoa were taken into account; decided that it would continue to take these observations and conclusions into account in the future examination of matters relating to the Trust Territories concerned; and invited the Administering Authorities concerned to give the most careful consideration to the conclusions of the Visiting Mission as well as to the comments made thereon by the Trusteeship Council.

At its 345th meeting, the Council adopted a further resolution[172] in which it decided that the reports of the

[167] Resolution 115 (VI). See also *Official Records of the General Assembly, Fifth Session, Supplement No. 4*, page 179.

[168] See report of the Trusteeship Council to the Security Council (S/2069).

[169] T/789, T/790, T/791 and T/792 respectively.

[170] T/825.

[171] Resolution 302 (VIII).

[172] Resolution 303 (VIII).

Mission, together with the observations submitted by the Administering Authority for Western Samoa in respect of that Trust Territory, and the action taken thereon by the Council should be printed.

2. Second United Nations Visiting Mission to Trust Territories in East Africa, 1951

During its seventh session, the Council decided that a Visiting Mission composed of four members should visit, in 1951, the Trust Territories of Tanganyika, Ruanda-Urundi and Somaliland.

At its 317th meeting (eighth session), the Council decided that the Mission should be composed of representatives of the Dominican Republic, New Zealand, Thailand and the United States of America and, at its 345th meeting, it appointed Mr. Enrique de Marchena (Dominican Republic) and Mom Chao Dilokrit Kridakon (Thailand) as members of the Mission.

At its 346th meeting, (ninth session), the Council appointed Mr. Enrique de Marchena as chairman of the Mission and Mr. G. R. Laking (New Zealand) and Mr. W. I. Cargo (United States of America) as members.

The Council adopted the terms of reference for the Visiting Mission[173] at its 366th meeting. Under the terms of reference, the Council decided that the Mission should depart in July 1951 and that it should spend sufficient time in the three Trust Territories to be able adequately to fulfil its task; it further directed the Mission to investigate and to report as fully as possible on the steps taken in the Territories towards the realization of the objectives set forth in Article 76 b of the Charter, taking into account the terms of General Assembly resolution 321 (IV); to give attention, as might be appropriate in the light of the discussions in the Council and in the General Assembly and of resolutions adopted by them, to issues raised in connexion with the annual reports on the administration of the three Territories concerned, in petitions received by the Council relating to the Territories, and in the reports of the first periodic Visiting Mission on Ruanda-Urundi and Tanganyika and the observations of the Administering Authorities on these reports; to accept and receive petitions without prejudice to its acting in accordance with rules 84 and 89 of the rules of procedure and to investigate on the spot after consultation with the local representative of the Administering Authority concerned, such of the petitions received which in its opinion warranted special investigation; to examine in consultation with the Administering Authorities the measures taken and to be taken in respect of the provision of information about the United Nations to the peoples of the Trust Territories under resolution 36 (III) of 8 July 1948, and to undertake the duties enumerated in resolution 311 (VIII) of 7 February 1951 on the same question. Lastly, it requested the Mission to transmit to the Council by 15 November 1951 a report on its findings, with such observations, conclusions and recommendations as it might wish to make.

[173] Resolution 344 (IX).

Chapter VI

QUESTIONS SPECIALLY REFERRED TO THE COUNCIL BY THE GENERAL ASSEMBLY

1. Administrative unions affecting Trust Territories

In pursuance of General Assembly, resolution 326 (IV) of 15 November 1949, the Council submitted to the General Assembly at its fifth session, as part of its report covering its first special session, second special session and sixth and seventh sessions,[174] a report on its investigation into questions arising from the existence and operation of administrative unions and other forms of association between Trust Territories and adjacent territories. The General Assembly decided to hold over consideration of this report until its sixth session.

The resolution[175] by which the Council transmitted its report to the General Assembly included a decision to establish a Standing Committee on Administrative Unions which would regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory then under review participated. The Standing Committee was established at the seventh session, and consisted of the following members: Argentina, the Philippines, New Zealand and the United States of America. When the Philippines ceased to be a member of the Council on 1 January 1951, and Argentina stated its inability to continue membership of the Standing Committee, the President, during the eighth session (329th meeting), appointed China and Thailand to replace them.

The Standing Committee submitted to the Council, at its ninth session, separate reports concerning each of the following Trust Territories: Tanganyika,[176] New Guinea,[177] Togoland under British administration,[178] Cameroons under British administration,[179] and Ruanda-Urundi.[180] At its 347th meeting, the Council decided that it would consider the reports in connexion with its examination of the annual reports on the administration of the Trust Territories concerned. Recommendations concerning the above Territories, based on the reports of the Standing Committee, were adopted by the Council at its 366th, 379th, 381st, 374th and 371st meetings respectively. At its 379th meeting, the Council decided that these recommendations should be placed in the appropriate sections of the chapters of the present report dealing with conditions in the Territories. The recommendations are consequently to be found in chapters I, X, VI, IV and II respectively in part II thereof.

[174] See *Official Records of the General Assembly, Fifth Session Supplement No. 4*, page 185.
[175] Resolution 293 (VII).
[176] T/915.
[177] T/916.
[178] T/917.
[179] T/918.
[180] T/919.

2. Rural economic development of the Trust Territories

By resolution 438 (V) of 2 December 1950, the General Assembly, recognizing that equitable distribution and proper utilization of land constituted one of the essential conditions of economic and social advancement, recommended that the Trusteeship Council study the prevailing policies, laws and practices which in the Trust Territories related to land, land utilization and the alienation of land. The Council was recommended to take into account the present and future needs of the indigenous inhabitants from the standpoint of the basic objectives of the International Trusteeship System as set forth in Article 76 of the Charter, and the future requirements of the Territories, as well as the social and economic consequences of the transfer of land to non-indigenous inhabitants. The General Assembly further recommended that the Council make such recommendations to the Administering Authorities as might be conducive to the economic and social development of the indigenous inhabitants and as it might see fit to make in the light of its study. The General Assembly requested the Council to report to its sixth session on the work done in this connexion.

At its 318th meeting (eighth session), the Council decided[181] to establish a Committee on Rural Economic Development of the Trust Territories composed of China, the Dominican Republic, France, Thailand, the United Kingdom and the United States of America, with terms of reference based on the resolution of the General Assembly. At its ninth session (366th meeting) the Council received a progress report[182] from the Committee. It stated that the first phase of its work had been the establishment of the facts, that it would proceed to establish the existing situation, examine the implications against the background of land utilization policies and analyse the opportunities for and obstacles to progress, so that recommendations might be made looking to the most beneficial use of the land from the standpoint of the basic objectives of the International Trusteeship System. It stated further that it would report to the Council at its tenth session on the stage reached in this complex and exacting study.

At the same meeting, the Council took note of the progress report of the Committee.

[181] Resolution 305 (VIII).
[182] T/926.

3. Use of the United Nations flag in Trust Territories

In pursuance of General Assembly resolution 325 (IV) on 15 November 1949, the Council, at its seventh session, adopted a resolution[183] under the terms of which it recommended to the Administering Authorities that the flag of the United Nations be flown over all Trust Territories side by side with the flag of the Administering Authority concerned and with the territorial flag if there were one. The resolution noted that it should be understood that the Administering Authorities would, in carrying out the terms of the resolution, have latitude to handle any practical difficulties of administration which it might create. In accordance with the terms of the resolution, the Secretary-General furnished a copy of it to the Italian Government in view of its assumption of the administration of Somaliland.

Information as to the implementation of this resolution was submitted to the Council during its ninth session in the annual reports of the Administering Authorities on the administration of the following Trust Territories for the year 1950, as follows:

[183] Resolution 301 (VII).

Cameroons under British administration: The flag of the United Nations was flown side by side with that of the Administering Authority in conspicuous public places upon appropriate occasions.

Somaliland: The flag of the United Nations had been raised on several occasions alongside the Administering Authority's own flag on the Administration building, and the *commisariats* and the *résidences* would shortly be provided with the flags necessary for use on occasions of which a list was at that time under study.

Tanganyika: Arrangements were being made to fly the flag of the United Nations alongside the flag of the Administering Authority on appropriate occasions at all provincial and district headquarters and on certain other official buildings.

Togoland under British administration: Arrangements had been made for the United Nations flag to be flown outside district offices in the Territory on appropriate occasions.

Togoland under French administration: Note had been taken of the conclusions arising from the discussions of the Council during its seventh session.

Part II
Conditions in the Trust Territories

Chapter I
TANGANYIKA

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

Lying just south of the Equator between the great lakes of Central Africa and the Indian Ocean, Tanganyika covers an area of approximately 362,688 square miles, of which 20,000 square miles are water. Isolated hills, minor mountain ranges and some imposing mountain massives exist in widely scattered parts of the Territory, but the dominant feature is that of flat or gently undulating plains.

The rainfall, which varies from year to year and according to locality, is comparatively low for a tropical country. A long seasonal drought lasting from May to October occurs in the greater part of the central region and this, coupled with the low total fall, constitutes a great handicap to agricultural development.

Only a small part of the Territory, approximately 39 per cent, is inhabited and cultivated, because of the inadequate water supply and of extensive areas infested with tsetse fly.

At the last general census taken in 1948 the population numbered 7,408,096 and included 16,045 Europeans, 59,512 Asians and 7,332,539 Africans. These figures showed that the European population had increased, since the last general census in 1931, by approximately 30 per cent, the Asian population by approximately 82 per cent, and the African population by approximately 46 per cent. It also disclosed that over half the total Indian population (44,248) were born in the Territory.

There is no civil register in the Territory; compulsory registration of births and deaths applies only to the non-indigenous section of the population.

General considerations

At its sixth session, the Council congratulated the Administering Authority on the steady progress made in all fields of administration during 1948. It recognized the need for further advancement and hoped that continuing progress would be made.

At its ninth session, the Council adopted the following conclusion and recommendation:

The Council, considering that the Administering Authority has made a sincere effort to carry out the recommendations of the Council and of its Visiting Mission and that during the two years under review continued progress has been made in the development of the Territory and in the formulation of plans for future development, commends the Administering Authority and expresses the hope that future development will be accelerated.

Observations of members of the Trusteeship Council representing their individual opinions only

General considerations

The representative of Argentina, noting the increase in budgetary allocations for different fields and the increased investment of funds, considered that there had been progress in the Territory during the period under review.

The representative of China commended the Administering Authority for the record of steady progress achieved by the Territory in practically all fields during the years under review. Noting the different projects and development plans, he observed that, although there was nothing wrong with planning *per se*, it was possible that a preoccupation with planning might have generated a sense of hesitation on the part of the Administering Authority which would slow down the tempo of progress that might otherwise have been achieved. He hoped that the tempo of reform and progress would be speeded up, and that by the time the next annual report was considered, the Council would be informed that progress had been made on all fronts.

The representative of New Zealand felt that the Administering Authority, during the years 1949-50, had made steady but very slow progress along the right lines. Although he did not wish to see the pace accelerated to a degree where it might become dangerous, he thought that to the extent that the Administration found it possible to accelerate progress, it would be doing a useful thing.

The representative of the Union of Soviet Socialist Republics stated that the information which the Administering Authority had placed before the Council demonstrated that the former had failed to fulfill the requirements of the Charter with regard to the International Trusteeship System, since it had not taken the necessary measures to carry out the basic objectives of the System.

The special representative of the Administering Authority stated that, while progress in the Territory might not be as speedy as the Council might desire, the efforts being made were honest, and the recognition of this fact by most of the members was appreciated. The Administration would endeavour not only to continue making progress, but to speed it up. With regard to the possibility of over-emphasis on planning, he stated that action without adequate planning was likely to be disastrous.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

The Administering Authority regards as the first essential step in bringing the people of the Territory to a stage where they will be capable of exercising self-government or independence, the establishment of an efficient and progressive system of local government in which all the inhabitants participate to the fullest possible degree. For this purpose, the Administering Authority has established organs of local government, known as Native Authorities, based upon traditional institutions and granted recognition and statutory authority in specified fields.

At present these Native Authorities vary considerably in size, in efficiency, in the manner in which they are developing, and in their willingness to accept changes and reform. In the process of adapting the tribal constitutions to meet modern needs, the Administering Authority has endeavoured to associate disconnected tribal units into larger federations or amalgamations and in recent years to introduce into them the principles of popular representation. It states that although fundamentally the tribal structure has in general remained unaltered, it is gradually being modified to bring it into line with modern conceptions of local government.

While noting with satisfaction that the indigenous inhabitants were encouraged to participate in local administration, the Trusteeship Council at its third session considered, nevertheless, that the existing tribal structure was an obstacle to the political and social advancement of the people. The Visiting Mission of the Trusteeship Council, which went to Tanganyika in 1948, noted "grave political weakness" among the majority of Native Administrations it visited and considered that, with a few notable exceptions, they generally appeared to be weak and unprepared for progressive development towards self-government or independence. It felt that the overwhelming majority of the Africans were not yet capable—and under existing conditions would not be capable for some considerable time to come—of assuming full political responsibility. It considered therefore that the Administering Authority might give urgent consideration to the formulation of appropriate measures for accelerating the development of the inhabitants of the Territory toward self-government or independence.

The Administering Authority stated, in reply to the conclusions of the Council, that the great mass of the people were strongly attached to their tribal institutions and that nothing would be gained and, on the contrary, much harm would be done by attempting ruthlessly to destroy them. However, it pointed to the new councils coming into being within the framework of the tribal structure and the acceptance of the principle of popular representation as evidence of the ability of the tribal institutions to adapt to changing conditions.

The Administering Authority did not share the view of the Visiting Mission that there was grave political weakness among the Native Administrations. It stated that it was unfortunate that the Mission had not been able to visit other Native Administrations, some of them representing the most progressive and politically-minded people of the Territory. The overwhelming majority of the indigenous inhabitants were not yet capable of understanding the meaning of full political responsibility, and it must be expected that it would take them a considerable time to reach that stage. The measures being taken for the political education of the people, which would be pushed forward with vigour, were, however, regarded as fully meeting the need for the "formulation of appropriate measures for accelerating" political development.

Central administration

Executive and legislative organs

Executive authority is vested in the Governor who is appointed as the representative of the Crown and, in matters of major policy, acts under the direction of the Secretary of State for the Colonies. He is advised by an Executive Council on all matters which the law prescribes should be dealt with by the Governor in Council and on such other matters as he may see fit to refer to the Council. The Governor makes laws with the "advice and consent" of an appointed Legislative Council. The Governor may assent, dissent or reserve a Bill passed by the Legislative Council for the signification of His Majesty's pleasure. Ordinances may be disallowed wholly or in part on the advice of the Secretary of State.

The Executive Council is composed of eight senior government officials and four unofficial members, three of whom are Europeans and one an Indian. An African member has now been appointed to the Council.

The Legislative Council consists of the Governor as President, fifteen nominated official members and fourteen unofficial members, of whom four are Africans, seven Europeans and three Indians. It is the stated intention of the Administering Authority to increase African membership on the Council.

Both the Visiting Mission and the Council have commented on African representation on these organs. The Visiting Mission felt that the increase in African membership on the Legislative Council should occur within the near future, without a proportionate increase in the other non-official members. It also considered that the four present African members were not truly representative of the African community and was of the opinion that some kind of an electoral system should be introduced for their selection. Concurrently with the broadening of representation on the Legislative Council, the Mission felt that Africans might also be accorded seats on the Executive Council.

The Trusteeship Council, at its third session, recommended that the Administering Authority introduce electoral legislation so that participation of the indigenous inhabitants in the legislative and executive organs of the Territory would be assured on the basis of a democratic electoral system.

The Administering Authority replied to the Mission that an increase of direct African representation on the Legislative Council was visualized as a normal constitutional development, but the difficulty was to find Africans who could participate usefully and effectively in its deliberations.

As regards the introduction of an electoral system, the Administering Authority stated that any attempt at

present to establish one for the appointment of African members would almost certainly result in the appointment of representatives of sectional interests much less in touch with, and responsive to, the needs and wishes of the people than the present carefully chosen members. When popular representation in the tribal councils was fully established, and from them a chain of representation through area, district and provincial councils had been built up, the election of direct representation to the central legislature could be undertaken with some confidence that the views of the masses of the people had found expression. The question of African representation on the Executive Council, the Administering Authority stated, would be constantly kept under review.

The Council, at its sixth session, noted with satisfaction the appointment of a fourth African member to the Legislative Council (appointed in 1948) and the plan of the Administering Authority to increase this number to eight. It hoped that this plan would be carried out as speedily as possible and recommended that the Administering Authority consider the practicability and desirability of selecting the non-official members of the Council on an electoral basis rather than by appointment.

At its ninth session, the Council adopted the following recommendation:

The Council welcomes the appointment for the first time of an African to the Executive Council and expresses the hope that among the reforms arising from the report of the Constitutional Development Committee will be a further increase of African participation in executive and legislative organs.

Departments of Government; Civil Service

There were thirty-five departments and offices functioning in the Territory in 1950, apart from the Customs and Excise, Income Tax, Posts and Telegraphs Departments and the Railways, which are High Commission departments. These departments and offices are divided into groups; each group is placed under the direction, co-ordination and supervision of a member of the Executive Council, who is directly responsible to the Governor.

In 1950, there were 11,355 Africans employed in the administrative services, apart from the High Commission staff, as compared with 2,207 Europeans and 1,040 Asians. The positions they occupied, however, were largely minor in nature. The Administering Authority states that its aim is to appoint Africans to high administrative posts as soon as they secure the necessary qualifications. The Visiting Mission concurred with this policy, but felt that it should be extended and accelerated.

In 1948, the Civil Service was divided into two categories, the Junior Service and the Senior Service; salary increases were made in the Junior Service and also provision for the promotion from this Service to the Senior Service. Pensions legislation was introduced in 1948 for the Junior Service and parallel legislation governing the Senior Service was brought up to date. Proposals were under consideration in 1950 for the establishment of a new branch, to be known as the Works Service, designed to give permanent and pensionable status to regularly employed artisans and other skilled workers who did not qualify for admission to the Junior Service under the normal educational requirements.

At its sixth session, the Trusteeship Council noted with approval the measures taken by the Administering Authority to grant pensions to the employees of the Government and the general increase in the salaries of the administrative staff.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that very few Africans are in the senior branch of the Civil Service, and that it is the aim of the Administration to provide training facilities for the promotion of members of the Junior Service to the Senior Service, recommends that increased opportunities be offered to Africans in the Junior Service and that the Administering Authority consider the provision of a comprehensive programme of specialized training either on an in-service basis or by sending a greater number of promising junior officials to institutions of higher education in the United Kingdom, East Africa or elsewhere for further training.

Provincial Administration

For administrative purposes the Territory is divided into eight provinces, each in charge of a Provincial Commissioner, who is responsible to the Governor for the general administration of his province. The provinces are divided into fifty-four districts in charge of District Commissioners responsible to the Provincial Commissioners. Upon the Provincial Commissioners and the District Commissioners falls the task of seeing that the laws of the Territory are applied and observed and of safeguarding the interests and well-being of the inhabitants.

Local government

Native administration

By far the greater proportion of the African population of the Territory is subject to the system of "indirect administration". The Administering Authority states that in essence this system consists of leaving the conduct and management of local affairs to those who, under established indigenous constitutions, are the recognized tribal authorities and who command the respect and confidence of the people. The functions, powers and responsibilities of the Native Authorities are given statutory recognition and their place within the territorial administration confirmed under the Native Authority Ordinance, 1926.

In 1950, there were 435 Native Authorities in the Territory combined for financial purposes in the operation of fifty-seven treasuries. The establishment of a Native Authority is the prerogative of the Governor. Four types of Native Authority are recognized. The first is the Superior Native Authority, recognized as the supreme leader of a number of sections of tribes, or of tribes closely associated with one another and who usually has subordinate chiefs under him. The second consists of certain federations of chiefs formed by the amalgamation of a number of lesser administrative units. Each chief retains independent executive powers, but combines with others principally to form a joint treasury and also to pass rules applicable throughout the federation and act as a Court of Appeal. The third

is a tribal council formed by the association of petty chiefs and village headmen, each retaining executive freedom in his own area, but joining to form a common treasury and to constitute a Court of Appeal. The fourth and smallest is the small chief or village headman in a more or less isolated tribal area which recognizes no wider political authority.

The duties of the Native Authorities include the maintenance of order and good government and they are empowered to issue orders for the control of liquor, gambling and firearms, the prevention of disturbances, the control of water supplies, tree-cutting and diseases. They can also engage paid labour for essential works and may order any African to cultivate land sufficiently to feed himself and his family. They also provide certain social services such as rural medical stations, maternity clinics, motor ambulance services, and primary schools, work with the agricultural, veterinary and forestry services, and maintain local roads and bridges, tsetse reclamation schemes, etc.

The revenue for these activities is derived from the Native Treasuries; the total amount of revenue in 1950 was £655,966 and expenditure £833,944. The sum of £374,361 was spent on tribal administration, £82,369 on medical and sanitation, £119,428 on education, £38,127 on agriculture, £25,812 on veterinary services, £19,180 on roads and bridges, £5,306 on tsetse reclamation, £18,605 on water supplies, £11,425 on forestry and £139,331 on other heads.

Revenue is derived mainly from a rebate from the hut and poll tax for whose collection the Native Authorities, under the direct supervision of the Provincial Commissioners and the District Commissioners are responsible. The rebate varies from 25 to 61 per cent of the tax collected and in 1950 amounted to £349,503 of the total revenues of the Native Authorities. Other revenue comes from local fees, dues and licences, etc. The Administering Authority reports that attempts are being made in some areas to introduce local rating systems and that, in 1951, local rates in one form or another will be collected in twenty out of the fifty-four districts of the Territory.

Another source of revenue now open to the Native Authorities is the levying of cesses on marketed produce, made possible by the Native Authority (Amendment) Ordinance, 1950. Cesses will be levied in a number of districts in 1951 and this additional revenue, which is expected to be considerable, is intended primarily to finance local development schemes.

The Administering Authority states that most of the African local government bodies are under-capitalized and, on the whole, the standard of their public buildings is low. In an endeavour to stimulate more adequate capitalization and to facilitate continuity of financial policy, it is proposed to create a Local Authorities Loan Fund in 1951 and to encourage the borrowing of money for capital works. It is also proposed to strengthen the position of the Native Authorities and to define more closely their financial powers and responsibilities by making them corporate bodies, able to enter into contracts and to hold land.

The Administering Authority notes that the rapidly increasing scope of the functions of the African local authorities—no longer concerned only with purely tribal and traditional matters but with expanding social services, programmes of public works and other activities involving the control and expenditure of public funds—places on them a burden of responsibility which few yet appreciate. In some councils, steps have already been taken to introduce finance committees and it is intended to extend this system as rapidly as possible.

The Administration has introduced in recent years in certain parts of the Territory principles of popular representation by the establishment of councils at the divisional, area and district levels. These councils are being added to or substituted for the traditional tribal constitutions. Commoners are now represented in varying degree; on certain of these councils they sit merely as advisory bodies apart from the traditional chiefs while, in other councils, they are integrated into the council of chiefs and share to some extent their functions. The Administration states that in some areas the electoral principle is beginning to assert itself; elsewhere a degree of popular representation is obtained through a semblance of an electoral college system or through "selection by acclamation".

District councils—at present the highest form of African local government—differ considerably in constitution and in the deliberative, legislative and executive functions which they exercise.

Divisional councils also vary in their constitutions and functions. Where these councils have reached their fullest development they function in an advisory capacity to the executives, control local allocations from the Native treasury, organize communal activities and act as electoral colleges for the District Council.

The Administering Authority, in its report for 1950, indicates certain aims of policy for the future development of the council system. First of these is the separation of judicial from executive functions. The second aim is the transference of legislative functions from the individual Native Authority to the council or to the chief-in-council. The third aim is the subordination of the executive to the council. Progress in the first two aims has already been achieved in certain districts.

At its third session, the Council recommended that the Administering Authority introduce electoral legislation in order that institutions of local self-government should be established and the participation of the indigenous inhabitants assured on the basis of a democratic electoral system.

The Administering Authority replied that, however desirable it was to speed up the political development of the indigenous people, too great haste in the introduction of such radical changes as electoral systems on modern democratic lines might result in a state of affairs quite opposed to the true principles of democracy by placing the large rural majorities entirely in the hands of small semi-educated minorities. At its sixth session, the Council noted with approval the efforts of the Administering Authority to introduce representatives nominated by the people into the Native Administration councils and hoped that continued efforts would be made in this direction.

The Administering Authority reports that endeavours are also being made to associate disconnected tribal units into larger federations or amalgamations with the objective of ultimately achieving a territorial unification of all tribal groups. An example is the formation

of the Sukumaland Federation in the Lake Province. The Federation comprises fifty-one chiefdoms with a population of nearly one million people. The chiefs sit as a Federal Council to perform the functions of a Supreme Native Authority to deal with matters of policy and legislation and to control the amalgamated treasury. They are still individually responsible for the Native Authorities in their own areas. Local interest in financial matters is maintained in that each district forms a sub-treasury of the amalgamated treasury. The Council is assisted by representatives of the people.

At its ninth session, the Council adopted the following recommendation:

The Council considers as sound the stress laid by the Administering Authority on the development of responsible local government institutions; notes with satisfaction the intention of the Administering Authority to confer greater responsibilities on these institutions; recommends that the Administering Authority accelerate the modification of indigenous tribal institutions along more democratic lines and intensify its efforts among the less developed tribes in order to avoid excessive unevenness in political development; and urges the Administering Authority to proceed as soon as possible with the establishment of local government training facilities.

PROVINCIAL AND REGIONAL COUNCILS

In order to develop local government, the Administering Authority has planned the establishment of provincial councils, which will also include representatives of the Asian and European groups. The first of these Councils was established in 1949 in the Lake Province and is presided over by the Provincial Commissioner and has eighteen members, of whom half are official and half non-official. Of the unofficial members, five are Africans, two Asians and two Europeans. The Council possesses executive and financial responsibility as well as advisory functions, and has control of the provincial allocations for agriculture, forestry, provincial administrations, tsetse reclamation and veterinary services, and also for provincial development schemes.

The Visiting Mission felt that the proposed provincial councils should be important organs with broad legislative, executive and financial powers; that African representation on them should be considerably larger than European or Indian representation; and that the African members might either be chosen by the peoples themselves or, if necessary, at first selected by the Provincial Commissioner from a panel of candidates presented by the people.

The Administering Authority replied that the councils would at first necessarily be largely consultative and advisory, but the importance of expanding their executive and financial responsibilities was fully appreciated. The matter had received careful consideration, and it was pointed out that the functions of the Lake Province Council included considerable financial responsibility. With regard to proportional representation on the Council, the number of African non-official members exceeded the combined number of Asian and European non-official members. The Administering Authority finally stated that, until popular representation in the tribal organization was accomplished, it was impracticable to provide for popular representation on such bodies as provincial councils.

The Trusteeship Council, at its sixth session, noted the development of provincial councils with approval and recommended that the Administering Authority continue to develop the system so that the councils might constitute a link between local government bodies and the Government of the Territory as a whole. Referring specifically to the Lake Province Council, it recommended that African membership on it be progressively increased.

In its report for 1950, the Administering Authority informed the Trusteeship Council that a second Provincial Council has been established on similar lines to the Lake Province Council in the Southern Highlands Province. However, the Constitutional Development Committee had found evidence that some form of decentralization was necessary and that doubts were being expressed as to whether the present administrative division of the Territory into eight provinces offered an ideal basis for local government development. The Committee had therefore requested that further development of provincial councils on the present model be held up pending completion of its investigation and deliberations.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with satisfaction the successful operation of Provincial Councils in the Lake and Southern Highlands Provinces, but noting that the setting up of further councils has been deferred pending the approval of recommendations of the Constitutional Development Committee, expresses the hope that the geographical basis of regional councils will be determined and further councils established as soon as possible, and that the Administering Authority will encourage the progressive development of the regional council system generally.

Townships and municipalities

As far as the development of local urban government is concerned Dar-es-Salaam was raised to the status of a municipality in 1949 and now has a council with a membership of twenty-four representatives of all races. Plans are also under consideration to raise Tanga to the same status.

In the other more important towns, the executive functions of local government are carried out by Township Authorities consisting of official and non-official members, and the Administering Authority stated that the principle of direct African representation on these bodies is being fully implemented with committees responsible for dealing with purely African affairs.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with satisfaction the increase in African representation on the Dar-es-Salaam Municipal Council and considering that municipal councils could become useful instruments in fostering the growth of a more representative form of government, expresses the hope that additional municipal councils will be established.

Further constitutional development

The Visiting Mission noted in its report that little information was available from the policy statements

of the Administering Authority as to the manner in which the inhabitants of the Territory will be prepared for self-government beyond the sphere of local government. It stated also that while there was a degree of definitiveness about the very immediate steps towards self-government, there was far less assurance concerning the steps to follow, and an apparent void beyond that to the ultimate goal. The Visiting Mission felt that close attention should be paid to the manner in which the various Native administrations would be brought into relationship with each other and the manner in which they were to be integrated with the Central Government. The Administering Authority replied that plans for further advance would be worked out as soon as full attainment of the present objectives was in sight. It was fully alive to the problems involved in bringing about a closer relationship between the Native administrations and their eventual integration into the machinery of the Central Government, but felt that it would serve no good purpose to formulate definite plans at the existing stage of development for the precise manner in which these developments would take place. In 1949, however, the Administering Authority informed the Council that, while the building up and strengthening of all organs of local government was the immediate and pressing task, to prepare the way for further progress a Constitutional Development Committee had been appointed to review the present constitutional structure and to make recommendations for future constitutional development.

The Committee is under the Chairmanship of the Member for Law and Order, and includes the Member for Local Government and all the unofficial members of the Legislative Council. It is empowered, *inter alia*, to make recommendations on how soon an electoral system can be introduced in the Territory; the methods of introducing such a system not only with regard to the central legislature, but also to urban and rural local government; the future composition of the Legislative Council on which greater representation of Africans will be ensured; and the future constitutional powers and responsibilities of the provincial councils.

At its sixth session, the Council noted the establishment of the Committee with approval and recommended that the measures envisaged by the Administering Authority for consultation with the people of the Territory should be carried out so as to obtain the views of African political associations, tribal councils, trade unions and other representative groups. It further recommended that the Committee in its deliberations take into account the suggestions and recommendations on political advancement made by the Council and the Visiting Mission to East Africa; consider the possibility of introducing an electoral law, providing as wide a franchise as possible; and consider measures to increase African representation on the Executive and Legislative Councils. Finally, the Council recommended that the Committee take into consideration and actively encourage the participation of women in political affairs.

In its report for 1950, the Administering Authority informed the Council that the Committee had begun its task early in the year and that by the end of the year it was engaged on the preparation of its report. Points to which the Committee has devoted particular attention during its investigations and deliberations included the question of the elective principle and the future constitution of the Legislative Council and provincial councils.

With regard to popular representation, the Administering Authority commented that its introduction in both local and central government was an important objective of present policy, but so far any movement in this direction had been confined to the field of rural local government. Here it had achieved only a varying degree of success and at the present stage there was certainly no prospect of the successful introduction of any form of secret ballot in tribal areas.

In a petition[184] dated 8 May 1950 from the Kenya-African Union and the East African Indian National Congress, reference was made to a resolution passed at a mass meeting on 23 April 1950 in Nairobi which deprecated the racial issues allegedly raised by non-official Europeans in Tanganyika and Kenya and condemned their aggressive attitude toward the constitutional proposals for the Tanganyika Government. The resolution supported the constitutional proposals granting equal unofficial representation to Africans and non-Africans on the Legislative Council of Tanganyika with provision for the election of members on a Common Roll, and stated that these proposals were a necessary step toward the proper discharge of the Trusteeship Agreement and the international obligations undertaken by the United Kingdom for the political, economic and social progress of the inhabitants of Tanganyika. The petitioners further declared that the independence and sovereignty of the East African territories was the real solution to the problems thereof and requested that this be implemented at an early date.

In its observations, the Administering Authority stated that the constitutional proposals referred to in this petition were only tentative suggestions for constitutional changes, submitted in the form of a confidential memorandum by the Governor to the unofficial members of the Legislative Council in December 1949. The Committee on Constitutional Development, subsequently established, had decided not to take the Government-sponsored memorandum as a basis for discussion. The Committee had collected expressions of opinion from all sections of the community and it was at liberty to take into account the views contained in the petition. The Administering Authority stated, however, that these bodies were not domiciled in and did not belong to Tanganyika, and that they had made no attempt to bring their views directly to the attention of the Constitutional Development Committee. The Administering Authority stated that it was reluctant to make observations on the substance of the petition since the findings of the Constitutional Development Committee had not yet been considered.

At its ninth session, the Council adopted the following conclusion:

The Council, noting that the Constitutional Development Committee has concluded its work and has submitted its recommendations, awaits with particular interest details of the specific proposals to be adopted by the Administering Authority and expresses the wish that the published reports relating to the work of the Committee be included as an annex to the annual report for 1951.

[184] T/PET.2/95.

In a resolution[185] on the above petition, the Council drew the attention of the petitioners to the conclusions and recommendations which it had adopted on executive and legislative organs; provincial and regional councils; and further constitutional development.

Inter-territorial organization

A number of services of the Territory have been administered jointly with those of the contiguous British Territories of Kenya and Uganda. These arrangements were provided with a constitutional basis by the East Africa (High Commission) Order-in-Council, 1947. The normal powers of government with respect to the common services are exercised by the High Commission, which consists of the Governors of Kenya, Uganda and Tanganyika. The principal services concerned are defence; industrial planning; railways and harbours; air transport; the collection of customs and income taxes (but not the determination of the rate of tax); post, telegraphs and radiocommunications; research, meteorology and statistics. A Central Legislative Assembly with an unofficial majority has legislative power, subject to the assent of the High Commission, with respect to the common services.

At its third session, the Council *inter alia*, considered it premature to form a definite opinion regarding the East Africa Inter-Territorial Organization and decided to postpone further consideration of the plan until additional information had become available. It expressed the hope, however, that the Administering Authority would consult the Trusteeship Council before undertaking any extension or modification which might affect the status of Tanganyika.

The Visiting Mission found it impossible to study all the workings of the Inter-Territorial Organization. From the considerable data examined, however, the Mission, among other observations, concluded that the organization was more than a mere administrative organization but fell short of a complete political union. It would be a purely administrative union if it possessed only powers of administration over certain common services, and would be a political union if it possessed full powers of legislation over any or all of the common services.

The Administering Authority, in its observations on the Mission's report, was unable to agree that it would be a political union if the Organization possessed full powers of legislation over any or all of the common services. It stressed the administrative nature of the Organization.

The Inter-Territorial Organization was studied by the Committee on Administrative Unions set up by the Trusteeship Council during its fourth session. The final report of the Committee and the conclusions adopted by the Trusteeship Council on its recommendations are to be found in the report of the Trusteeship Council covering its first special session, its second special session, and its sixth and seventh sessions.[186] The relevant section of the Council's report has not yet been considered by the General Assembly.

[185] Resolution 377 (IX).

[186] See *Official Records of the General Assembly, Fifth Session, Supplement No. 4*, pages 180-183, 203-212.

The Inter-Territorial Organization was further considered by the Standing Committee on Administrative Unions, established by the Council at its seventh session, during its series of meetings in May and June 1951. The observations of the Standing Committee appear in its first report to the Trusteeship Council.[187] The Committee examined the various aspects of Tanganyika's participation in the East Africa Inter-Territorial Organization. It studied the papers[188] submitted to the Standing Committee by the Administering Authority concerned and by the Secretariat and examined the relevant parts of the reports on the administration of the Territory for the years 1949 and 1950. At its 7th meeting, on 31 May 1951, the Standing Committee heard the representative of the United Kingdom, who furnished further information at the invitation of the Committee.

The Standing Committee paid particular attention to the question of the review of parts I, III and IV of the East Africa (High Commission) Order-in-Council, 1947, relating to the composition and functions of the East Africa Central Legislative Assembly which shall cease to have effect on 31 December 1951.

Since the Trusteeship Council on several occasions had expressed the hope that the Government of the United Kingdom would consult the Council before extending administrative unions, the Standing Committee decided, at its 3rd meeting on 20 March 1951, to invite the Administering Authority to inform it concerning its future plans.

On 30 April 1951, in response to the Committee's inquiry, the representative of the Administering Authority stated as follows:

> "Section 3 of the East Africa (High Commission) Order-in-Council, 1947, provided that parts III and IV of the Order (i.e. those dealing with the Central Legislative Assembly and Legislation and Legislative Procedure) should continue in operation for four years, i.e. until 31 December 1951.
>
> "The future of the Central Legislative Assembly is now under consideration. So far, the question has been considered only by the Tanganyika and Uganda Legislative Councils who have adopted unanimously motions proposing that the Order-in-Council be amended to provide for the extension of the life of the Central Legislative Assembly for a further period of four years. Consequently decisions concerning the matters on which the Standing Committee on Administrative Unions have asked to be informed have not yet been reached, but the Administering Authority will in due course inform the Committee of them, as they affect Tanganyika."[189]

The Standing Committee undertook a detailed study of the functions of the East Africa Industrial Council and also of the effect which the inter-territorial arrangements might have upon the economic development of Tanganyika.

The Standing Committee, noting that the previous Committee on Administrative Unions felt that the Ad-

[187] T/915.

[188] T/C.1/L.2, T/C.1/L.3, T/C.1/L.5, T/C.1/L.5/Corr.1, T/C.1/L.6 (pages 4-7), T/C.1/L.7, T/C.1/L.7/Add.1, and T/C.1/L.8.

[189] T/C.1/L.7.

ministering Authority should keep very careful watch in respect to the operation of the East Africa Industrial Council, especially in the granting of licences, in order that the economic development of Tanganyika may not be hindered, decided, at its 3rd meeting on 20 March 1951, to invite the Government of the United Kingdom to submit further information concerning the function and operation of that Council.

On 30 April 1951, the representative of the Administering Authority replied as follows:

"The East African Industrial Council was established with the object of encouraging the orderly promotion and development of industry in East Africa and not least in Tanganyika where there is a great need of major and secondary industrial development.

"The functions of the Council are to advise the East Africa High Commission on broad questions of policy relating to industrial development, or upon matters placed before the Council by the High Commission or any of the East African Governments, and of undertaking such specific duties as may from time to time be assigned to it. While it can advise and, by these activities assist, operators to establish industry in the most favourable conditions for the success of their enterprises, the Council has little control over the actual amount of industrial development undertaken in East Africa. This is and must be governed largely by the inclinations of the operators themselves.

"A particular duty assigned to the Council is that of administering the system of industrial licensing. Its powers in this field are derived from legislation which is enacted in parallel by the three High Commission territories of Kenya, Uganda and Tanganyika. A licence to manufacture an article scheduled under this legislation must be obtained from the Council, which is required to hold an enquiry to decide whether an application should be granted or refused. Objections can be lodged by persons who claim that they are liable to be injuriously affected by the granting of the licence. A licence may be cancelled by the Council for failure to comply with the conditions attached to it. Apart from allowing a degree of control over the development and location of industry, this legislation provides a measure of protection for new capital investments against uneconomical competition. This is at least as much in the interests of Tanganyika as of either of the other two territories concerned.

"The only manufactures which the Industrial Council is at present empowered to control by licence are as follows:

Cotton yarn	Woollen yarn	Glazed articles of pottery
Cotton piece goods	Woollen piece goods	Glazed earthenware tubes
Cotton blankets	Woollen blankets	Glazed sanitary earthenware and stoneware

"It should be noted that the powers of the Council cannot be extended to other manufactures except by further legislation which must be enacted by all the three territories concerned.

"Very considerable industrial development is at present taking place in Tanganyika. There are, for example, the meat factory of Tanganyika Packers Limited; branches of the Metal Box Company, which manufactures tin cans and containers, and the British Oxygen Company, which manufactures oxygen and oxy-acetylene; a tannery and leather goods factory in the Moshi district; and the manufacture of soap, furniture, bricks and tiles, the mining of diamonds, lead and coal, and the production and processing of sisal, together with a number of other projects. None of the industries so far established in Tanganyika falls within the purview of the East African Industrial Council in respect of industrial licensing. There is, however, no reason to suppose that an application supported by the Government of Tanganyika for the establishment of an industry which is subject to the Council's control would be rejected by the Council. There are therefore no grounds for fearing that the functions and operations of the Council exercise, or are likely at any time to exercise, any adverse influence on the economic development of the Trust Territory.

"Finally, if it were apparent to the Tanganyika Government that the operations of the East African Industrial Council were detrimental to the interests of Tanganyika, that Government, through its access to the East Africa Inter-Territorial Organization and the Secretary of State, could take active steps to ensure that this tendency was curtailed. The Administering Authority is, under the terms of the Trusteeship Agreement, obliged to further the industrial and economic development of Tanganyika and this obligation is being, and will continue to be, faithfully pursued."[190]

At the 7th meeting of the Standing Committee, on 31 May 1951, the representative of the Administering Authority made a statement with respect to the Declaration of 9 March 1950 concerning the licences to establish a factory for the manufacture for sale of cotton yarn or cotton piece goods,[191] which is summarized as follows:

"The Tanganyika legislation provides that no such Declaration can be granted unless a majority of those members of the East African Industrial Council appointed by any one of the East African Governors agree to the grant. This provision gives to the Tanganyika members of the Industrial Council (one official and two unofficial members appointed by the Governor of Tanganyika) the power to exercise a veto if, in their view, such a Declaration would adversely affect the interests of the Trust Territory. Thus the interests of the Trust Territory are fully protected.

"The Declaration of 9 March 1950 applies equally to all three East African Territories and does not therefore discriminate against Tanganyika. A licence for the manufacture of cotton yarn and cotton piece goods had been granted in Kenya; the application of the Calico Printers Association in the case of the Declaration of 9 March 1950 related to Uganda and did not discriminate against Tanganyika.

[190] T/C.1/L.8.
[191] T/C.1/L.5 and Corr.1.

"The establishment of a textile industry on a large scale in East Africa will be of manifest advantage to Tanganyika which spends 20 per cent of its imports on finished textiles; a cheap local source of supply will help to reduce the cost of living in the Trust Territory.

"The East African Industrial Council cannot initiate industrial development by itself establishing industries but helps to establish the most favourable conditions for the success of any industries which the *entrepreneurs* themselves decide to establish. The Administering Authority helps infant industries in the initial stages by protective measures. The justification for such protective legislation and practice has been reiterated in the report of the group of experts appointed by the Secretary-General of the United Nations to advise on the measures required to reduce unemployment and under-employment in underdeveloped countries.

"Should a case arise in Tanganyika in which the natural advantages of the Trust Territory would attract an undertaking which would prefer to establish itself in Tanganyika, the provisions of the East African Industrial Council Ordinance would operate in favour of the Trust Territory by assuring to that infant industry a privileged position in the whole East African market, at least until it had found time to establish itself firmly. A further consideration of some importance lies in the fact that if an infant industry in Tanganyika, or any of the East African Territories, is exposed in the initial stages to very strenuous conditions, it might well fail; such failure would inevitably have a depressing effect on industrial development; conversely the successful establishment of industry would improve the climate for such development throughout East Africa.

"No applications for licences to establish in Tanganyika cotton spinning or weaving industries had been made at the time of the Declaration nor, so far as is known, are likely to be made. In fact, no application to establish any of the scheduled industries in Tanganyika has ever been refused by the East African Industrial Council."

In the light of the above explanations, the representative of the Administering Authority believed that the Standing Committee would feel satisfied that the actions of the East African Industrial Council in this case were generally to the advantage and not to the disadvantage of the economic and social development of the Trust Territory of Tanganyika.

At its ninth session, the Council adopted the following conclusions:

With regard to the East African Central Legislative Assembly, the Council:

(a) *Notes with appreciation the statement of the Administering Authority that it will inform the Standing Committee in due course when decisions concerning the future status of the East African Central Legislative Assembly have been reached;*

(b) *Notes also that there have been no additions to the list of scheduled services with respect to which the East African Central Legislative Assembly may pass laws;*

(c) *Notes from the memorandum of the Administering Authority, dated 30 April 1951, that the Legislative Council of Tanganyika has adopted unanimously a motion proposing the continuation of the East African Central Legislative Assembly for a further period of four years;*

(d) *Notes further that this motion was adopted with the concurring vote of the African representatives on the Legislative Council and recalls that the African representatives on the Legislative Council of Tanganyika abstained from voting when, in 1947, the establishment of the East Africa Inter-Territorial Organization was discussed in the Legislative Council;*

(e) *Recalls in this connexion the statement of the special representative of the Administering Authority that proposals concerning the re-examination of the East Africa Inter-Territorial Organization in so far as the East African Central Legislative Assembly, its powers, functions and constitution are concerned, would be explained to the people, that their reaction would be tested, but not necessarily in a representative body covering the whole of the Territory, and that it was customary for consultation to take place at meetings between the government spokesmen and the people in their own areas;*

(f) *Expresses the hope, with reference to the conclusion reached by the previous Committee on Administrative Unions that it was "of the opinion that a more explicit procedure for ascertaining public opinion and for the appropriate weighing of the opinion of the various sections of the population would seem to be desirable", that the Administering Authority will examine and weigh public opinion in the Territory before revising the provisions relating to the composition and functions of the East African Central Legislative Assembly.*

With regard to the East African Industrial Council, the Council:

(a) *Is of the opinion, having considered the information on this subject, that continued care should be exercised in order that inter-territorial and industrial planning does not prejudice the economic development of the Trust Territory and that the policies pursued in the licensing of new industries do not discourage economic initiative;*

(b) *Notes that, in connexion with the granting of a licence to Nyanza Textiles Industries Limited to establish a textile mill in Uganda, the Industrial Council had made a Declaration prohibiting until 1954 the establishment in any of the East African territories, including Tanganyika, of cotton yarn or cotton piece goods industries. This declaration derived its authority as far as Tanganyika was concerned from an ordinance (No. 72 of 1949) authorizing the Council by declarations of this character to protect new industry from uneconomic competition during the early stages of its development. Parallel ordinances were enacted in the other two territories.*

(c) *Takes special note in this connexion of the statement of the representative of the Administering Authority that no applications for licences to establish a cotton spinning or weaving industry in Tanganyika had been received or were known to be pending at the time of the Declaration.*

(d) *Intends to examine with particular care the future operations of the East African Industrial Council under this legislation with a view to safeguarding the interests of the Trust Territory.*

With regard to co-operation between the East Africa Inter-Territorial Organization and the Central African Council, the Council:

(a) *Takes note of certain discussions in the East African Central Legislative Assembly;*

(b) *Notes also that a resolution for closer co-operation in the field of communications and defence was adopted;*

(c) *Notes, furthermore, that the African representatives in the East African Central Legislative Assembly had opposed this resolution;*

(d) *Takes note in this connexion of the statement of the representative of the Administering Authority that the Central African Council to whom this resolution was addressed had up to the present made no response and that, in these circumstances, the resolution remained inoperative and could have no effect on the question of the administrative union affecting Tanganyika.*

With regard to the safeguards enumerated in sub-paragraph 7 (a) of Trusteeship Council resolution 293 (VII), the Council:

(a) *Notes that the annual reports on the administration of Tanganyika for 1949 and 1950 contain separate financial, statistical and other data relating to the Territory of Tanganyika;*

(b) *Notes, however, that some services under the East Africa High Commission, namely, the East African Posts and Telegraphs Department and the East African Railways and Harbours Administration, are so closely integrated that it is impracticable to give separate financial figures for the Territory of Tanganyika alone.*

With regard to the safeguards enumerated in sub-paragraph 7 (b) of Trusteeship Council resolution 293 (VII), the Council takes note of a statement of the representative of the United Kingdom according to which the Secretary of State for the Colonies would always be pleased to receive future visiting missions to Tanganyika if they should care to call on him in London, and the Chairman or Administrator of the East Africa High Commission would be glad to receive visiting missions to Tanganyika should they be passing through Nairobi and care to call on him and make the acquaintance of the principal officers of the High Commission.

With regard to sub-paragraph 7 (c) of Trusteeship Council resolution 293 (VII), the Council notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained.

With regard to sub-paragraph 7 (d) of Trusteeship Council resolution 293 (VII), the Council notes that, according to the information contained in the annual reports for 1949 and 1950, the total revenue derived from the Trust Territory of Tanganyika amounted to:

1948 (actual)	*1949 (actual)*	*1950 (estimated)*	*1951 (estimated)*
£6,965,058	£8,585,646	£8,492,095	£9,936,263

and the total expenditure on the administration, welfare, and development of the Trust Territory (Territorial and Development Plan Account) amounted to:

1948 (actual)	*1949 (actual)*	*1950 (estimated)*	*1951 (estimated)*
£7,378,331	£9,459,540	£12,651,388	£15,052,431

Therefore, expenditures on the administration, welfare and development of Tanganyika for the last four years will be not less than the total amount of public revenue derived from the Territory.

Judicial organization

Justice in the Territory is administered through (*a*) the High Court; (*b*) the Special Tribunal; (*c*) the subordinate courts, and (*d*) the Native courts.

The High Court has jurisdiction, both civil and criminal, over all persons and over all matters in the Territory and exercises supervision over the working and proceedings of the subordinate courts, whose records are inspected from time to time by Judges of the High Court and whose judgments are subject to review and revision by the High Court.

The Special Tribunal, consisting of the Chief Justice, or any Judge of the High Court for the time being acting in that capacity, exercises civil jurisdiction in cases and matters which arose before the establishment of the High Court in 1920.

The subordinate courts exercise both criminal and civil jurisdiction. They are in three classes, and the sentences of imprisonment, fine and corporal punishment which they may pass are limited according to the class of court. There are further limitations on the actual carrying out of sentences until confirmation is given by the High Court, or, in the case of a subordinate court of the third class, by the District Commissioner.

Native courts are tribunals composed exclusively of indigenous inhabitants. Their function is to give effect to the established customary law which governs indigenous society. They administer orders and rules made under the Native Authority Ordinances and the provisions of any law or ordinance under which jurisdiction has been expressly conferred upon them. They have jurisdiction over cases in which all parties are indigenous inhabitants within the area indicated in the court warrant. Certain cases, however, are excluded from their jurisdiction, such as murder, manslaughter and other serious crimes, certain marriage cases, and offences committed in Townships.

During 1950, the Native court system was reorganized in several districts with a view, the Administering Authority states, to improving the efficiency of the court personnel and, in some places, bringing justice nearer the people.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of New Zealand felt that the Administration was wise in making temporary use of the tribal system; however, he would not suggest that the tribal organization would continue to be adequate.

Although he felt that gradualness was inevitable, and observed with approval that the Administering Authority was gradually passing over actual duties and responsibilities to the indigenous inhabitants at the village, district and territorial levels, he had the impression that the present pace was too slow. He would like to see a gradually accelerated transfer of widening powers to the indigenous authorities on all levels.

The representative of the Dominican Republic commended the Administering Authority for the way in which it had approached the problems of the Territory, taking into consideration the reluctance of the indigenous population to accept modern methods of government. He insisted, however, that the Administration should, by every means at its disposal, seek to bring about the gradual development of a political conscience and, in particular, to convince the indigenous population of the necessity for the development of the tribal structure and the creation of a municipal system.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority persisted in encouraging the tribal system and had failed to take the necessary measures for a transition to a system of self-government based on democratic principles. He stated that the Administration availed itself of this backward system in order to control the indigenous population; this system was adapted to the convenience of the European officials of the Administration. In view of the fact that the tribal system which now existed in the Territory and which was encouraged by the Administering Authority was incompatible with the progressive political development of the Trust Territory toward self-government and independence, the Council should recommend that the Administering Authority take measures to ensure the transition from the tribal system to a system of self-government based on democratic principles.

He stated, further, that the Administering Authority had hampered progressive development by failing to take measures to ensure the participation of the indigenous population in legislative, executive and judicial organs, and had failed to assist in setting up local organs of self-government on a democratic basis. This constituted a violation of the provisions of the Charter relating to the Trusteeship System.

The special representative of the Administering Authority stated that an important aspect of the problem of political advancement was persuading the people to consider ideas of modernization of political forms as something to be desired. The effort was made in the hope that, once the people accepted them, they would see their desirability and proceed under their own initiative. He drew attention to the record of development of the council system in local government.

Central administration

Executive and legislative organs

The representative of the United States of America noted particularly the appointment for the first time of an African to the Executive Council of the Territory. He commended the gradually increasing participation of Africans at a responsible level in the political life of the Territory. He expressed the hope that among the reforms arising from the report of the Constitutional Development Committee might come a further increase of African participation in the Executive Council as well as in the Legislative Council.

The representative of the Union of Soviet Socialist Republics stated that even in the Executive and Legislative Councils, devoid of real power as they were, the indigenous inhabitants lacked any true representation. Only one indigenous inhabitant was a member of the Executive Council; in the Legislative Council, consisting of thirty members, there were only four Africans. The Council should recommend that the Administering Authority take legislative and other measures to ensure the participation of the indigenous inhabitants in the legislative, executive and judicial organs of the Government of the Territory.

Departments of government: Civil Service

The representative of the United States of America, referring to the question of increased participation of Africans in responsible posts in the administrative services, noted with satisfaction that provision had been made for promotion from the Junior Service to the Senior Service on the basis of merit. Every assistance should be given to promising Africans in the Junior Service; he suggested that the Administering Authority consider the possibility of providing a comprehensive programme of specialized training for junior officials.

The representative of the Union of Soviet Socialist Republics noted from the reports of the Administering Authority that the important administrative posts were held by Europeans, whereas indigenous inhabitants held only a few posts of secondary importance.

The special representative of the Administering Authority stated that it was the aim of the Administration to provide training facilities for the promotion of members of the Junior Service to the Senior Service. He referred to the availability of scholarships and bursaries for training overseas.

Local government

Native administration

The representative of France noted the progressive and continuing character of tne improvements made in the tribal system and the system of federations. He drew attention, however, to the variations in progress made by the Native administrations, some of which were much further advanced than others. Such differences of development might result in the domination of backward tribes by the more advanced ones.

The representative of Argentina noted with interest the efforts made by the Administering Authority to establish a more popular and democratic system, and considered that this effort should be continued and intensified.

The representative of Thailand welcomed the Administering Authority's statement of its three aims of policy for the future development of the council system. He hoped that the Administration would formulate without too long a delay, a plan of political organization as the result of the study undertaken by the Constitutional Development Committee, because it

was mainly for the lack of such a plan that wide variations in the field of local government had resulted. This was an obvious weakness in the political advancement of the Territory. The statement of the three aims was therefore important, and their implementation should help to bring some element of uniformity to the development of the African local governments in the Territory.

He noted with satisfaction the Administration's plan to confer more power and responsibilities on Native Authorities. He considered that this step should stimulate the indigenous population to participate in the responsibilities of local government, and at the same time, would accentuate the inadequacy of the tribal system to cope with the responsibilities of modern local government. In order to increase further the people's interest in self-government, he urged that representatives on local councils be remunerated for their services, the period of the councils' sessions be regularized, and increased recourse to the committee system be encouraged.

He considered that, with increased local government functions and powers, it was essential that trained personnel be provided for administrative posts, and therefore urged that the establishment of a central local government training institution now under consideration be carried out as soon as possible.

The representative of New Zealand commended the institution of local councils. He approved of the transfer of authority in three steps: firstly, to the chiefs; secondly, to the chief-in-council; and, finally, to a council itself. In this manner, these councils would achieve a representative and democratic character distinct from the present authority derived from tradition. He would like also to see authority transferred to the indigenous inhabitants on the territorial level, and was encouraged by the progress being made along these lines. He hoped that the Administration would find it possible to accelerate and increase that progress.

The special representative of the Administering Authority stated that the Administration fully recognized the danger, at the present stage of development, of granting too wide authority to Native Authorities who might not always be the best judges of social and economic measures to be taken. The need for guidance and supervision of the Native Authorities in these circumstances was a matter always to be kept in mind.

He expressed the hope that the Administration was not in danger of giving too little attention to the more backward tribes by concentrating on the more receptive and progressive ones, and gave assurance that this aspect of the problem would always be kept in mind.

With regard to the suggestion that salaries might be paid to council members as an inducement to Africans to take part in the councils, he stated that at this stage it was considered more important to foster the idea of voluntary public service than to offer pecuniary attractions to assume responsibility on the councils.

With regard to the question of political leaders, he stated that there were no schools in the sense of academic institutions for producing local politicians; the local government bodies were the natural places for training leaders of the people.

PROVINCIAL AND REGIONAL COUNCILS

The representative of France noted that the provincial council system, in going beyond the purely tribal stage of organization, was succeeding in giving the population a new perspective on the problems of government. Such bodies would reduce the importance of the tribal system and he considered that the councils should be given increasing powers as the new responsibilities were understood and grasped.

The representative of the United States of America stated that as the organization of councils was being delayed pending conclusions based on the Committee's report, he considered it desirable that the problem of constitutional reform should pass from the stage of investigation to that of implementation.

FURTHER CONSTITUTIONAL DEVELOPMENT

The representative of Argentina, noting with satisfaction that the preparatory work for political reforms had been completed, expressed confidence that the report would follow the general lines and directives of the Council and of the General Assembly. He considered that the increase of indigenous representation in political organs and the limitation of certain powers of the Governor would constitute a step forward towards a more democratic state. The separation of legislative and executive powers, now both in the hands of the Governor, was of the greatest importance in the maintenance of the constitutional laws.

The representative of Thailand, noting that the Constitutional Development Committee had submitted recommendations which were being studied by the Administration, considered that if progress were to be made, it was essential that a plan be drawn up giving a clear and precise indication of the objectives to be pursued to the officials with whom the responsibility of fostering political development among the indigenous population rested.

The representative of the United States of America noted with satisfaction that the Constitutional Development Committee had consulted widely with the peoples of the Territory for their views on constitutional reform, and had presented a report on its findings. He believed that the Council would wish to be informed in some detail as to the varying expressions of opinion made to the Committee by organizations and individuals in the Territory.

The special representative of the Administering Authority stated that further details of the work of the Constitutional Development Committee would be included in the next annual report, as well as details on further advances made with regard to African representation in government bodies.

Inter-territorial organization

The representative of France considered that the administrative union between the East African territories evidently was of benefit to Tanganyika, and did not in any way jeopardize the integrity of the Trust Territory. Its effect was one which would be entirely proper even between independent countries; therefore, he thought that the matter did not call for special comment by the Council except that, from the legal viewpoint, the system appeared rather compli-

cated, although in actual fact few difficulties had arisen in its application.

The representative of the United States of America stated that, with reference to the question of Tanganyika's position in the East Africa Inter-Territorial Organization, he endorsed the report of the Standing Committee on Administrative Unions, and considered that it should form the basis of appropriate recommendations by the Council.

The representative of the Union of Soviet Socialist Republics stated that the establishment of the East African Inter-Territorial Organization had helped to perpetuate the colonial system in the Trust Territory, and had led to the administrative, economic and political fusion of the Trust Territory with the neighbouring British Protectorate of Uganda and the British Colony of Kenya. This had inhibited and made impossible the advancement of Tanganyika as an independent unit toward self-government or independence, as required by the Charter of the United Nations. The Council should recommend that the Administering Authority establish legislative and executive organs in the Trust Territory which would not be subordinate to any organ set up under the administrative union between the Trust Territory and the neighbouring colonies, and that for this purpose legislative and other measures be taken to ensure the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

The special representative of the Administering Authority stated that, recently, in each of the Legislative Councils of Tanganyika, Kenya and Uganda, a unanimous vote had been cast in favour of the continuation of the Central Assembly for a further period. The Tanganyika African member of the Central Legislative Council had stated that this unanimity resulted from an appreciation of the services rendered by the Assembly and an entire lack of any indication of political union; he had felt that the pooling of the resources of the Territories in social services had been of great advantage and had emphasized that the Assembly should remain firmly on its original basis.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

Tanganyika is essentially an agricultural country with few industries. Agricultural production remains predominant in the present economy of the Territory, although its potential mineral wealth is great and mining will increase in importance.

The vast majority of the indigenous inhabitants are peasant agriculturalists concerned mainly with the growing of foodstuffs for their own consumption. The Territory's total needs cannot yet be met from local production; in addition, the Administering Authority reports that from time to time serious food shortages occur due to crop failures. Such shortages occurred in 1946 and again in 1949 when a prolonged drought resulted in some areas in the exhaustion of all local reserves of the staple food crops.

The Administering Authority states that under a Government-financed food production farm scheme an effort will be made to produce sufficient basic food supplies to overcome the annual shortfall. In 1950, a number of grain silos were constructed, and it is anticipated that, with the increased effectiveness of insecticide protection, reserves may be stored against periods of drought.

Although the great bulk of their produce is consumed locally, certain crops and commodities are produced by the indigenous inhabitants primarily for export and of others there is an exportable surplus. Further, to meet their cash needs, many Africans living in rural areas take paid employment. A labour enumeration in September 1949 showed that, in addition to 34,661 persons in casual daily work, 439,327 indigenous persons were engaged in regular paid employment of whom 179,014 were in agriculture.

The chief items of export in 1949, comprising 87 per cent of the total exports, were sisal, cotton lint, coffee, diamonds, hides, skins and leather, and gold.

By far the largest revenue earner for the Territory and the most important commercial crop is sisal. In 1949, sisal exports were valued at £11,111,000, more than five times the value of cotton lint, the second item in export value for that year, and more than half the total value, £21,647,530, of all the exports for 1949. The industry, almost entirely in the hands of non-indigenous producers, is developed on estates situated mainly in the coastal belt of the Territory. It is the main employer of African labour in the Territory. In 1950, an estimated 126,723 Africans were employed on 180 sisal plantations.

Cotton lint and coffee were valued in 1949 at £2,060,000 and £1,461,000 respectively. Most of the cotton is produced by African farmers and they also produce about two-thirds of the coffee output. The production of hides and skins, valued in 1949 at £625,000, is also predominantly African.

The value of the diamond and gold exports, the two most important minerals exploited at present, was £1,010,000 and £620,000 respectively in 1949. Both industries are developed almost exclusively by private non-indigenous enterprise.

Particulars on the amount of capital invested in the Territory are not available.

The few manufacturing industries which exist in the Territory are mainly concerned with the processing of raw materials to reduce them to economically marketable or exportable forms.

Although it is not possible to give accurate calculations of national income, the Administering Authority refers to statistics on the Territory's budget, its import and export trade and its gross production. In 1949, revenue totalled £10,327,408 and total expenditure £9,459,540. Its total imports in 1950 amounted to £27,940,838 and total exports £25,956,074, a total volume of £53,896,912, more than twice that for 1947. In 1950, the total value of agricultural production was £34,198,657; the value of minerals exploited was £1,802,403 (provisional); the value of forest produce in 1949 was £4 million. The livestock of the Territory, numbering some 6 million head of cattle and over 5 million sheep and goats, are also an important source of wealth.

The indigenous inhabitants have no direct part in the major commercial undertakings of the Territory, nor in the wholesale trade, but, the Administering Authority states, they are taking an increasing interest in the retail trade.

The role of the indigenous inhabitants in the Territory's economic life is therefore first as primary producers and, secondly, as the labour force.

The Administering Authority states that its economic policy is directed at increasing the wealth of the Territory by the maximum development of its natural resources so as to raise the general standard of living, particularly of the indigenous inhabitants. It notes, in particular, that plans and pilot schemes of mechanized agriculture are being pushed forward; that rural water supplies are being provided at an increasing rate; and that economic controls are being relaxed as supplies become more plentiful. The aim of administrative policy is to fit the indigenous inhabitants gradually to participate to the full in the functions at present almost exclusively performed by the non-indigenous inhabitants in the general economy. Educational policy also, in which the technical training of Africans is given increasing prominence, is directed towards this end.

The General Assembly and the Council have also expressed themselves on this point. The General Assembly, at its fourth session, expressed full support of all steps leading to a greater participation of indigenous inhabitants in the profits and management of entities, public or private, engaged in the exploitation of mineral and other natural resources or in the production of, or trade in, raw materials and commodities basic to the Territory's economy. The Council, at its sixth session, stated that measures should be taken to increase the participation of the indigenous inhabitants in economic activities especially as regards the exploitation of mineral and other natural resources, and the production of basic raw materials and consumer goods.

In reply to the Council's recommendation and in noting that the General Assembly expressed full support of all steps leading to a greater participation of the indigenous inhabitants in the economic development of the Territory, the Administering Authority stated that this view was fully in line with its own policy. At present the participation of the indigenous inhabitants was largely confined to the production of primary agricultural products and animal husbandry. These activities were being increasingly organized on a co-operative basis. The various mechanized cultivation and other agricultural development schemes were designed to increase indigenous participation in agricultural production. As regards mineral exploitation, the indigenous peoples had not yet attained the necessary technical qualifications or experience to enable them to participate in an executive or managerial capacity in large-scale mining operations. Such opportunities, the Administration stated, could come only with the development of technical and professional education.

As a means of introducing the Africans into the most important part of the export trade, the Visiting Mission suggested that all ex-enemy sisal, coffee and tea estates should be placed under African ownership, preferably on a co-operative basis. Appreciating, however, the importance of continuing production on such estates, particularly the sisal estates, the Mission suggested that in those instances where Africans were not immediately capable of operating such schemes the Administering Authority consider schemes whereby such estates under African ownership might temporarily continue under non-African management until such time as the Africans were trained to assume full management.

At its sixth session, the Council, noting that the Administering Authority intended to re-alienate a number of ex-enemy estates to non-indigenous persons and noting the desirability of training Africans in modern methods of agricultural production and of increasing their responsibility in the management and ownership of modern agricultural enterprises, recommended that the Administering Authority consider establishing a public corporation, or adopting other appropriate measures for the operation of ex-enemy estates and for applying the profits for the common benefit of the inhabitants of the Territory with the purpose of eventually turning over such enterprises entirely to the indigenous inhabitants, probably as co-operative enterprises.

In its report for 1950, the Administering Authority, in reply, repeated its previous statement to the Visiting Mission that it was not possible to implement the Council's recommendation regarding the disposal of ex-enemy estates. These estates were widely scattered and of varied nature. It was the Administration's opinion that, even had it been possible to acquire all the properties under the control of a public corporation, no advantage would have been gained since the only practical way in which a corporation could have operated the estates would have been to adopt exactly the same procedure as that now followed, to lease them to individual tenants.

The common benefit of the inhabitants could be best secured, the Administering Authority stated, by maintaining developed agricultural properties at maximum production. Such agricultural properties might be turned over to indigenous inhabitants, probably as co-operative enterprises, at a later stage on the expiry of existing rights of occupancy, but such a step was not possible at the present time. Co-operative principles were not yet sufficiently understood and appreciated by the indigenous inhabitants for application to estate ownership and management.

At its ninth session, the Council adopted the following recommendation:

The Council notes that the forestry concession in the Rondo plateau area is in the form of a partnership agreement between the Territory and the concessionaires, and recommends that consideration be given to the possibility of adopting similar agreements in connexion with the exploitation of the natural resources of the Territory.

Technical assistance

The General Assembly, at its fifth session, drew the attention of the Administering Authorities to the facilities available for technical assistance from the United Nations and the specialized agencies, and recommended that full use be made of these sources of assistance for economic expansion and other forms of development. It asked the Administering Authorities to report on aid requested and the manner in which such aid would

be integrated into long-range plans for the Territory's development.

In its 1950 report, the Administering Authority stated that it had always recognized the need for technical assistance in developing the Territory. Every possibility of obtaining such assistance from the United Nations would be examined; the Administering Authority had always regarded the provision of technical assistance as its direct responsibility.

After listing technical assistance rendered and available, the Administering Authority concluded that the problem was not lack of technical aid facilities but the ways and means of putting the available assistance to full use. In the view of the Administering Authority, sound economic development must also provide permanent improvement in the supply and quality of technicians from within the Territory itself. To this end, the policy was to render help in providing facilities for higher education and technical training for the local inhabitants.

Development plan

In pursuance of its economic policy, the Administering Authority, in 1946, approved a ten-year development and welfare plan. The original cost of the plan, when approved, was £19,186,000. Of this sum, £6,775,000 was to be derived from the Colonial Development and Welfare Fund. Through 1949 grants from this fund amounted to £888,012; it was estimated that, in 1950, expenditure from this fund would be £1,236,340. At its sixth session, the Trusteeship Council noted with satisfaction the substantial subsidies allocated by the Administering Authority for the development of Tanganyika.

Rising costs, altered priorities and new requirements made it necessary in 1950 to revise the plan. The new plan envisages an expenditure of approximately £24,450,000 during the period 1951-56, mainly on the development of natural resources, water and communications, and the provision of adequate storage, office and housing accommodation to meet the increasing needs of the Territory.

Total expenditure under the Development and Welfare Plan rose from £851,000 in 1948 and £2,216,000 in 1949 to approximately £3,800,000 in 1950.

At its ninth session, the Council adopted the following recommendations:

The Council, noting with satisfaction the considerable increase in the amounts to be spent under the ten-year development and welfare plan as revised, and considering as sound the emphasis now placed upon such basic problems as communications, water supplies and natural resources, hopes that the Administering Authority will continue its policy of placing particular emphasis upon those projects of direct benefit to the indigenous inhabitants.

The Council recommends that the Administering Authority study the possibility of promoting schemes for providing cheap hydro-electricity.

Public finance; taxation

Actual revenue for 1949 on the territorial account amounted to £8,585,646 and expenditure £7,772,440. The estimated revenue for 1950 is £8,492,095 and expenditure £8,486,975.

The total revenue from both the territorial and development accounts amounted to £10,327,408 and the total expenditure to £9,459,540. The total estimated revenue for 1950 is £12,656,508 and expenditure £12,651,388.

The major portion of the territorial revenue comes from indirect and direct taxes, and the contribution from these taxes in 1949 was 71 per cent of the total revenue. Of this percentage about two-thirds was from indirect taxes, mainly customs and excise duties, and one-third from direct taxes, including the income and non-native poll tax, and the Native house and poll taxes. All taxes are payable in money, except that provision is made for the Native house and poll tax liabilities to be discharged partly, or wholly, by labour. In 1949, 2,422 persons discharged their tax obligations in this manner. House tax is payable in respect of every Native dwelling, and poll tax by every able-bodied male member of the indigenous population over 18 years who is not liable for the house tax. The annual rate for Native house and poll tax in 1950 varied from 7½ shillings to 16 shillings.

Income tax applies to all sections of the community, but is derived almost wholly from the non-indigenous population. The income tax rate is 1½ shillings per pound on the first £400 of chargeable income; increasing to a maximum rate of 5 shillings. A surtax is levied on incomes over £2,000 to a maximum surtax of 9 shillings per pound. Limited companies pay 4 shillings per pound.

The Council, at its third session, in examining the present system of taxation as far as it concerns the indigenous inhabitants, suggested that the Administering Authority consider whether it was satisfactory and based on the ability to pay. It also suggested that the Administering Authority consider the establishment of local and central tribunals for appeals by the indigenous inhabitants against tax assessments.

The Visiting Mission expressed its appreciation of the efforts of the Administering Authority to improve the system of Native taxation and hoped that such efforts would succeed in establishing a progressive system.

The Administering Authority informed the Council that efforts to introduce a graduated system of house and poll tax for the indigenous inhabitants had so far proved unsuccessful and that the flat rate system of collection was therefore continued. These flat rates, fixed annually, varied in different localities according to the local economic conditions and the capacity of the people to pay. The Native Authorities were always consulted with regard to any changes. Adequate provision was also provided for exemption in necessitous cases, but as there was no form of individual assessment there could be no provision for individual appeal against the tax rate. The granting of such rights of appeal as were provided in the case of other forms of direct taxation would have to await the introduction of a graduated system with individual assessment.

Groundnut scheme

Apart from the development programme but considered by the Administering Authority to be of great

importance to the Territory's general economic development is the groundnut scheme, under which the Overseas Food Corporation proposed to bring under cultivation a large area of land in almost uninhabited and unproductive parts of the Territory.

The original target of the scheme was the clearing and cultivation in Tanganyika of some 2,400,000 acres. At its third session, the Trusteeship Council invited the Administering Authority to consider whether its policy of setting aside large tracts of land for development schemes would affect the preservation of adequate land resources for the needs of the indigenous inhabitants. The Administering Authority replied that, on the contrary, the successful development of the scheme could only result in substantial increase in the land resources available to meet these needs.

The high hopes for the success of the scheme have not been fulfilled. The Administering Authority reports that lack of suitable mechanical equipment, heavy bush and inadequate rainfall contributed to a decision to revise the scheme in 1949 from its original target of 2,400,000 acres brought under cultivation to one of 600,000 acres. In 1950, the disappointing experience of another year's clearing and harvest made it necessary for the Overseas Food Corporation to suggest a further revision and modification. The revised plan covers a period of seven years. It is proposed that farm areas be limited to 1,500 to 6,000 acres rather than units of 30,000 acres as envisaged in the original plan.

The Overseas Food Corporation regards the scheme in its modified form as capable of bringing into production hitherto unoccupied and undeveloped areas. The ultimate objective of the integration of the developed areas in the territorial economy, with control finally passing into the hands of the people themselves, remains unchanged.

Agriculture and animal husbandry

Of the total land area of the Territory, amounting to some 220 million acres, about 123 million acres are either potentially or presently available in the Territory for agriculture. Much of this potentially agricultural land is infested by tsetse fly and is waterless and must await reclamation for its development. An estimated 40 million acres of the land is used annually by the indigenous inhabitants for pastoral purposes and 4,500,000 acres for crop production. The area in any one year under other than Native crops amounts to about 1,750,000 acres.

Of the total estimated area of some 9,750 square miles under cultivation in 1950, about 90 per cent was devoted to non-export crops for consumption within the Territory. These latter crops are almost all produced by African farmers. Export production on the other hand is a major concern of non-indigenous farmers; sisal, which is by far the most important commercial crop, is almost entirely in their hands and they also produce about one-third of the coffee crop. Non-indigenous agriculture is developed on relatively large estates employing African labour.

The majority of African farmers are peasant cultivators and pastoralists and the commercial crops they produce are usually grown along with the subsistence crops. Shifting cultivation is still characteristic of Native agriculture over much of the Territory. The hoe is the chief Native implement, but there are a few areas where the plough and other tools are used, particularly in the Lake and Western Provinces where bulk purchases of tools are made by the Native administrations for resale to individuals or groups. In assessing the present status of Native agriculture, however, the Visiting Mission commented that, broadly speaking, it lacked systematic and suitable preparation of the soils and was generally poor and primitive.

Large parts of the Territory are closed to cultivation because of insufficient water supplies and the prevalence of the tsetse fly, with consequent population pressure, overstocking and overgrazing in certain areas. Such pressure is particularly acute in the Mbulu and Sukumaland districts. Pressure is also severe in the Kilimanjaro and Meru areas and in the Western Usumbara Mountains, but here the position has been aggravated by the excessive alienation of land during the time of the former German administration.

The agricultural policy of the Administering Authority, as a primary part of the general economic policy of developing the natural resources and improving the standard of living of the population, is aimed at overcoming these problems, improving and modernizing cultivation and animal husbandry and increasing food production. This is the major concern of the agricultural, veterinary, forestry and tsetse departments; the development plan also provides for thirty-one agricultural and animal husbandry schemes, forestry schemes and related schemes for the provision of water supplies and the conservation of natural resources.

A Soil Conservation Service has been established to study and advise on the most suitable land usage methods and to carry out soil conservation methods on both African and non-African lands. In 1949, a Natural Resources Board was established whose functions include the general supervision of natural resources, the examination of projects for the conservation and improvement of water supplies and soil, the making of recommendations in connexion with forest reserves and the destocking and limitation of stock. At its sixth session, the Trusteeship Council noted with approval the enactment of the Natural Resources Ordinance and the establishment of the Soil Conservation Service.

Two of the most important rehabilitation schemes are the Sukumaland development scheme and the Mbulu development scheme. In both areas severe population pressure had resulted from an increase in population, both human and stock, a wasteful use of the land, the impoverishment of the soil by unsatisfactory methods of agriculture and animal husbandry and encroachments of the tsetse fly. The Sukumaland scheme, covering an area of some 20,000 square miles, affects a population of nearly one million people. Its aim is to organize a controlled re-distribution of population and stock in newly opened up areas which have been cleared of the tsetse fly and provided with water. After resettlement it is planned to effect improvements in methods of agriculture and animal husbandry. The Administering Authority states that the severe drought in 1949, which resulted in a loss of 600,000 head of cattle, had temporarily eased the cattle population problem.

Under the Mbulu scheme, some 600 square miles of new country had been made available by 1950 by bush

clearing and provision of water supplies. Other schemes under way in other areas where population pressure exists include a land usage scheme in the Uluguru area, where over 2,000 acres of land previously alienated to non-Africans have reverted to African use, and a programme of land expansion for the Chagga peoples which calls for almost 23,000 acres of previously alienated land to be made available as well as the opening up of new lands.

Various agricultural stations, experimental and sub-stations and development centres have been established or are expanding.

Several schemes are in operation for the improvement of certain crops — rice, copra, coffee, tobacco and cotton. Experiments in mechanized cultivation are being carried out in the Rufiji Valley where rice growers, making use of a loan granted them from the Agricultural Development Fund, have brought a large area under cultivation by the use of mechanical equipment.

Two sources are open for obtaining agricultural credit. The Land Bank with its headquarters at Arusha began making loans in 1949 to individual farmers, co-operative societies and Native Authorities for the purchase of agricultural machinery, for crop production, erection of farm buildings and storage and for the carrying out of soil conservation measures. The establishment of the Land Bank was noted with approval by the Trusteeship Council at its sixth session. A Local Development Loan Fund has also been established with an initial capital of £50,000 the object of which is to make financial credit available for schemes for the improvement of peasant agricultural production among Africans and Arabs. Normally, loans are made to Native Authorities but may be made in approved cases to individual African cultivators. The report for 1950 states that a total of £37,500 was advanced.

A scheme to assist in the general improvement of indigenous agriculture is the provision made for training an increasing number of agricultural instructors. It was planned in 1947 to increase their number from 400 to 1,000 over a six-year period.

As regards livestock, apart from the rehabilitation schemes by which overstocking and overgrazing of certain areas is relieved, the main efforts of the Veterinary Department are directed toward the development of properly organized marketing schemes and improvements in stock and feeding. A pilot ranch scheme has been launched with the object of testing the potentialities of the Mbata plains for cattle raising and the effectiveness of "antrycide" as a specific against cattle trypanosomiasis.

In assessing the state of African agriculture in the Territory, the Visiting Mission, while appreciating the vast and complex problems facing the Administration and its measures to open up new land and to improve conditions in present areas, through soil conservation, the provision of water supplies, the re-distribution of cattle and population and the introduction of modern methods of cultivation, felt that only a small start had been made and that neither the scope nor the degree of work proceeding was sufficient to combat effectively the conditions which threatened and kept at a low level the peasant agricultural life. It felt, therefore, that more technicians and facilities should be made available to broaden and intensify agricultural development to a degree much greater than that being undertaken. It also felt that the problems faced by the Administration, in addition to their strictly technical nature, were basically rooted in the traditions and social structure of the indigenous inhabitants and might respond favourably to careful and intensive study by trained anthropologists and social scientists.

The Administering Authority agreed that one of the main factors limiting progress was the shortage of professionally and technically trained officers. It hoped, however, that the large number of vacancies existing in the agricultural, veterinary and other professional departments would soon be filled. An investigation was being conducted into systems of shifting cultivation, and an expert mission was engaged in studying the effect of mechanization in agriculture on African society. Use was also being made of the services of an anthropologist in dealing with local problems and it was proposed to recruit other trained anthropologists.

At its ninth session, the Council adopted the following recommendation and conclusion:

The Council, considering that the improvement of African agricultural methods is of great importance for the economic future of the Territory, expresses the hope that the Administering Authority will further strengthen the agricultural services, particularly those bringing directly to the farmer the benefits of scientific experimentation and improved agricultural methods.

The Council commends the Administering Authority on its efforts to relieve population pressure in certain parts of the country by opening up areas hitherto closed to cultivation because of insufficient water supplies or the prevalence of the tsetse fly. The Council would appreciate receiving further information on the progress under the Administration's various resettlement and development schemes.

Marketing of agricultural products; co-operatives

With regard to the marketing of the more important agricultural products the Administering Authority states that there is a tendency for them to become subject to organized marketing arrangements by producer groups. In 1950, there were 114 co-operative marketing societies with a total membership of some 75,000. One hundred and seven societies were engaged mainly with the bulking or marketing of members' export crops; ninety with coffee and seventeen with fire-cured tobacco. The total local value of crops so handled for the 1949/50 season exceeded £2 million. The largest co-operative association is the Kilimajaro Native Co-operative Union, composed of and entirely managed by Africans, with 30,000 members and twenty-eight affiliated societies. Its main purpose is the marketing of coffee; in 1950, its sale of coffee amounted to £830,000.

Coffee and cotton are subject to special exporting arrangements. Cotton is passed by bulk contract from the exporters to the Raw Cotton Commission in the United Kingdom or to the Government of India and part of the coffee crop is sold on contract to the Ministry of Food in the United Kingdom and part disposed of by auction at Mombasa, Kenya.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with satisfaction the increase in the number of co-operative societies and in their membership, and the financial provision in the 1951 estimates for the proposed Inter-Territorial Training Centre for Co-operative Staffs, expresses the hope that the Administering Authority will continue to encourage this development, particularly by increasing the facilities for training Africans in the principles and techniques of co-operative enterprise.

Land tenure and land alienation

The policy of the Administering Authority with regard to the holding of land in the Territory makes provision for occupancy by both indigenous and non-indigenous inhabitants. The policy places first importance on the needs of the African inhabitants and declares that "land should not be allocated for non-native settlement, whether from enemy estates or other areas, unless it can be shown that the land in question is not required for native occupation and is not likely to be required in the foreseeable future".

By the provisions of the Land Ordinance, 1923, all lands in the Territory are declared public lands under the control of and subject to the disposition of the Governor, to be held and administered for the use and common benefit, direct or indirect, of the indigenous inhabitants. There is a proviso, however, that titles to land acquired before 1923 remain valid. A certain amount of non-Native settlement is permitted by selected persons where it is thought likely by the Administration to be conducive to the economic development of the Territory and where it is not likely to impair the interests of the indigenous inhabitants either at present, or in the future.

It is not possible to arrive at any accurate estimate of the total area of land held in effective use by the indigenous population because of the practice of shifting cultivation. The total area in 1950 of land alienated to non-Africans amounted to 3,121 square miles. Of this total, 1,524 square miles were held on freehold and the remainder on rights of occupancy, mostly on ninety-nine-year leaseholds. This total is about 0.9 per cent of the total land area of the Territory. The Visiting Mission commented that the relative significance of non-indigenous alienation was shown by the great proportion of the land area which was unproductive. In 1950, the land area was distributed approximately in the following categories:

	Square miles
Arable land under cultivation	9,750
Forest, including savannah, scrub, and mangrove	150,800
Pastures (actual grazing areas)	67,100
Mineral areas under development	1,320
Unoccupied, and undeveloped because of the tsetse fly or lack of water plus townships, minor settlements, villages, etc.	113,736
TOTAL	342,706

The Administering Authority points out, however, that the 99.1 per cent of the land that remains unalienated to non-Natives could provide living space for the present African population at an average density of not more than 36 per square mile, even if allowance is made for mountain areas, forest reserves and other land not suitable or not available for settlement. The Administration concludes that there is clearly no question of land alienation being on such a scale as to be detrimental to the interests of the indigenous population generally.

In considering the policy of the Administering Authority in allowing non-indigenous alienation of land, the Visiting Mission expressed the view that colonization should be curtailed and the strictest control exercised to keep it at the barest minimum consistent with the development of the Territory and the present and long-range needs and interests of the African inhabitants. The Administering Authority replied that the present and future interests of the African inhabitants would be fully preserved and protected, but the fact remained that there were large areas of the Territory which were capable of development within a measurable time only by non-indigenous effort. Non-indigenous agriculture had hitherto made a most important contribution to the wealth and productive capacity of the Territory and must continue to do so for many years to come.

The Administering Authority states that in certain areas, notably the Moshi and Arusha areas in the Northern Province, where population pressure exists, aggravated by excessive alienation during the German administration, 13,359 acres of ex-German estates, 7,591 acres of other estates and 1,919 acres of mission lands would be made available to the indigenous inhabitants of the area. This policy would also be carried out in other parts of the Territory where excessive alienation had aggravated local pressure on the land. However, the real solution of the problem of indigenous population pressure lay in the opening up of areas at present unoccupied and undeveloped.

Forestry

The Administering Authority states that the ready market for exports of all kinds and the heavy local demands for timber have stimulated interest in the exploitation of the Territory's forests. At the end of 1950 thirty forest concessions were in operation covering a total area of approximately 45,000 square miles. Forest produce in 1949 amounted to approximately £4 million, of which £567,501 were exported. The main export items were timber (£218,013); beeswax (£150,503); and wattle bark (£105,218).

The Administering Authority reported that an enterprise in afforestation of considerable magnitude had been embarked upon by the Colonial Development Corporation at Njombe in the Southern Highlands Province. An area of 43,000 acres was made available on a right of occupancy and it was proposed to plant some 30,000 acres of wattle by 1955 and to establish a factory for the extraction of tannin from the wattle bark. A feature of the scheme is that Africans living in the vicinity will be encouraged to establish their own wattle plantations and sell their wattle to the factory. In 1950, the first 3,000 acres had been sown.

Manufacturing industries and commerce

The few manufacturing industries which exist in the Territory are mainly concerned with the processing of raw materials such as the decortication of sisal, the ginning of cotton and the milling of rice, flour, sugar and timber. A certain quantity of soap, leather goods, bricks, tiles, boots and shoes and furniture are made, but are largely absorbed in the local market. A meat-

canning factory near Dar-es-Salaam, Tanganyika Packers Ltd., designed to deal with 50,000 head of cattle annually, has been recently established, in which the Government holds 51 per cent of the shares.

Indigenous industrial activities are confined to the processing and marketing of primary produce, organized largely on a co-operative basis. The Administering Authority states that the most promising field for the development of African controlled industry is at present in the production of clarified butter and ghee; this industry produced 1,568,568 pounds in 1950.

The need for the establishment of secondary industries in the Territory has been commented on by the Council. At its third session, it suggested that the Administering Authority, in developing its plans for the economic advancement of the Territory, should pay special attention to the establishment of secondary industries based on local resources for the purpose of producing consumer goods for the indigenous population. The Visiting Mission also felt that the Administering Authority should encourage the development of these industries. The Administering Authority replied that it was the accepted policy to establish local industries based on local resources to produce consumer goods for the indigenous population.

At its sixth session, considering that secondary industries are essential for the development of the Territory, the Council expressed the hope that the Administering Authority would continue its efforts to encourage the establishment of such industries. In its report for 1950, the Administering Authority stated that it encouraged secondary industries by the provisions of the Income Tax Ordinance and the admittance free of import duty of manufacturing machinery and articles for building purposes. It noted that factories had recently been established for the manufacture of tin cans and containers, fruit juice, soap, oxygen and oxy-acetylene and that there were plans for the manufacture of paint and varnishes as well as for a textile finishing plant.

Minerals

The mineral resources of the Territory, as far as they have been explored, give every indication of being extensive, varied and of great potential value. The Administering Authority states that indications, and in some cases extensive deposits, of many of the more important minerals, with the major exception of oil, have been noted, and there seems no doubt that, as the work of geological survey and prospecting progresses, new discoveries will be made and that, with increasing development and production, the mineral wealth of Tanganyika will contribute very largely to its economic prosperity.

In 1949, the geological mapping of the unknown potential areas was begun, financed by a grant from the Colonial Development and Welfare Fund, and it was hoped to complete this task within ten years.

The principal minerals exploited at present are diamonds, gold, tin-ore, salt and mica, while a wide range of other minerals including kaolin, graphite, nickel, phosphates, platinum, red ochre and vermiculite are mined in a smaller way, or are awaiting more favourable economic conditions for their further investigation or development. Among the minerals not yet exploited, but of which large deposits are known to exist, are lead, titaniferous magnetite, iron ore and coal. A notable find of tungsten ore was made in 1949.

With regard to diamonds, the Tanganyika diamond producers entered into an agreement in 1947 with the Diamond Corporation under which the Territory was allotted a quota of 10 per cent of the world diamond sales. In 1949, the value of diamonds exported amounted to £1,010,000 and held fourth place in the exports of the Territory. The value of gold exported was £620,000. It is handled on behalf of the producers by the local banks and sold to the Bank of England.

The Colonial Development Corporation was investigating in 1950 the coal deposits in the Songea District with a view to determining their magnitude and workable tonnage.

Thirty tons of bituminous coal and twenty-five tons of titaniferous magnetite have been sent to Sweden for special smelting tests.

The Administering Authority's mining policy as reported to the Visiting Mission consists of three major points:

(1) The mining industry is to be developed as rapidly as possible;

(2) Since minerals are a part of the capital assets of the Territory, a direct return must accrue to the territorial budget;

(3) The interests of the Natives must be paramount.

Mineral rights are vested in the Governor in trust, and royalties, rents, fees, etc. derived from the mining industry form part of the Territory's revenue.

In 1950, there were 1,846 titles registered under the Mining Ordinance authorizing prospecting or mining over a total area of approximately 1,320 square miles.

The Visiting Mission reported that in 1947 prospecting rights were held by 485 persons, of whom ninety-two were Africans. In that year, ninety-one mining concerns with annual production exceeding £100 or employing more than fifty labourers were operating in the Territory. Of these concerns, two were African with a combined annual production of £836 as compared with the total annual production of £1,186,036 for that year.

The Visiting Mission emphasized the need for ensuring that the Territory secure an adequate return from the exploitation of its mineral resources and, at its sixth session, the Council requested the Administering Authority for details and statistics of direct and indirect revenue from all sources accruing to the Territory's budget in respect of the chief minerals exploited.

The Administering Authority stated that the importance of ensuring that the Territory and its inhabitants receive a fair return from the exploitation of the Territory's mineral resources was fully appreciated and its declared policy was directed toward this end. It was satisfied that the Territory was receiving an adequate return from its mining activities. It pointed out the difficulty, however, of arriving at any satisfactory estimate of the indirect revenue from mining operations accruing to the Territory's budget.

Direct revenue in 1949 derived from the royalties, rents, registration fees and licences amounted to £224,797, of which £203,579 was derived from diamond

operations and £11,042 from gold. As regards indirect revenue, it was estimated that £8,000 per annum accrued from the poll tax, paid by persons employed in the mining industry. The industry itself paid income tax amounting to £146,245 in 1948 and £194,584 in 1949 and a considerable amount of tax was also paid by individual non-Native employees.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of Belgium noted with interest the measures taken by the Administration for the storing of foodstuffs.

The representative of the United States of America noted that the Administering Authority had shown its awareness of the serious problems resulting from extreme climatic variations, particularly with regard to the provision of adequate food supplies, and had taken certain steps to avoid food shortages in the future. While welcoming the measures taken to produce sufficient basic food supplies to overcome the annual food shortages, he considered that the most important element in any long-term solution to this problem lay in stimulating African farmers to take an interest in improved agricultural methods.

He noted that the Administering Authority had not found it possible to implement the Council's previous recommendation concerning the establishment of a public corporation or the adoption of other appropriate measures for the operation of ex-enemy estates for the common benefit of the indigenous inhabitants and eventual transfer to the indigenous inhabitants. He also noted the statement in the 1950 report that "at some later stage it may be possible" to achieve this objective, and hoped that the Administering Authority would make clear to the Council its views on how this objective might best be achieved.

The representative of the Union of Soviet Socialist Republics noted that the indigenous inhabitants were still engaged in a system of primitive agriculture. As a result of the unsatisfactory agricultural and pastoral system, the soil was being exhausted, and the indigenous population had suffered from periodic droughts and consequent famines. The lack of concern of the Administering Authority for the needs of the Africans was shown by the considerable export of foodstuffs in 1948 despite the great shortage in the Territory. The Council should give attention to the fact that the Administering Authority had not taken the proper measures to ensure the economic progress of the indigenous population.

The special representative of the Administering Authority stated that, with regard to the possibility of storing surplus food against shortages, the people normally did that, and were encouraged to do so, and the Administration encouraged them to build better bins. Food storage was also carried out by the Native administrations in some areas, each cultivator contributing a certain quantity which was returned at the end of the next harvest against a contribution from the new crop. The purpose of government bulk storage was to provide stocks for transport in large quantities to distant areas where there might be no local reserves.

He further stated that the Administration was aware of the need for improved farming as an important aspect of the food supply problem. The important point in increasing agricultural production was not so much increased acreage but increased output per acre by improved methods of cultivation.

The Government of Tanganyika had not found it possible to place the ex-enemy estates under one scheme and one corporation because they were of different sizes and types and scattered throughout the country; a corporation would have to develop them individually in any event. Regarding the present rights of occupancy, he stated that the conditions were the same as those applying generally to rights of occupancy except that, particularly in the Northern Province, a limitation had been placed on the length of the rights of occupancy which did not apply in other areas.

Public finance; taxation

The representative of the Union of Soviet Socialist Republics stated that the Trusteeship Council should recommend that the Administering Authority take measures with a view to replacing the poll tax system by a progressive income tax system, or at least a simple income tax system which would take into account the financial position of the inhabitants and their capacity to pay.

Groundnut scheme

The representative of France considered that the Council should note that the groundnut scheme had not proved as successful as anticipated but that the Territory had nevertheless benefited in various ways from the operations of the scheme. It should further be noted that the cost of the scheme had been borne by the Administering Authority.

The representative of the Union of Soviet Socialist Republics stated that the groundnut scheme, which had failed and in which £32 million had been invested, had nothing in common with the true needs of the Territory in the way of securing a sound food supply or of developing the economy. On the contrary, the fulfilment of the scheme was accompanied by a large-scale alienation of land from the indigenous population, along with violations of their rights and interests.

The special representative of the Administering Authority stressed that the object of the groundnut scheme was to bring unoccupied and tsetse-infested land into production; there was no question of violating the rights and interests of the indigenous inhabitants.

Agriculture and animal husbandry

The representative of the United States of America noted with satisfaction the progress made in the programme of resettling certain of the Chagga people on land formerly alienated to non-indigenous inhabitants, and that the signs of suspicion on the part of the Chagga had been replaced by a willing co-operation with the resettlement team, and readiness to accept advice in the allocation of new areas of land made available. He believed that the Council, in conformity with its resolution 119 (VI) of 20 February 1950, would wish to continue receiving information on

progress in this resettlement programme, as long as population pressure remained a problem.

The special representative of the Administering Authority stated that further information regarding the progress made in resettlement programmes would be included in the next annual report.

Land tenure and land alienation

The representative of the Union of the Soviet Socialist Republics noted that the Administering Authority persisted in alienating lands from the indigenous inhabitants. In the 1949-50 period an area of 389 square miles was alienated. The total area of alienated lands in 1950 amounted to 3,121 square miles or one-third of the entire cultivated area of the Territory. A total of 8,589 square miles of forest reserves had been set aside, which was a method of land alienation from the indigenous population. The Council should recommend to the Administering Authority that it return to the indigenous population the lands alienated from it in any way and that it should not in future allow the alienation of land belonging to the indigenous population.

The special representative of the Administering Authority stated that figures were deliberately misused to represent the alienation of land, not as rational land utilization, but as the snatching of land from indigenous inhabitants. The setting aside of land as forest reserves was designed to prevent erosion, conserve timber supplies and regulate rainfall to the general benefit of the Territory and could not in any sense be considered as an example of wicked alienation. Less than 9,000 square miles had been declared a forest reserve; more forest reserves were needed, not fewer.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

The basic aim of all social welfare efforts is stated by the Administering Authority to be the raising of the standards of living of the people. By planned economic development, particularly in rural areas, by improvement in living and working conditions in towns and industrial areas, and by the expansion of educational, medical and other social services, it is hoped to advance the general standard of living and to strengthen social security.

The Administering Authority states that fundamental responsibility for the elementary social needs of the people rests primarily with the indigenous tribal organization which provides a system of social security for the individual, based on the responsibility of the family, clan or tribe for its members. This system is fortified where necessary by giving legal sanction to welfare measures by their promulgation as orders under the Native Authority Ordinance. Nevertheless, the Administering Authority points out, the tribal system has weaknesses and limitations. Not only does it break down when calamity, such as famine or pestilence, endangers the security of the whole community, but it is not equipped to cater for the growing needs of the population.

For the provision of major services, responsibility lies with the Central Administration and all governmental departments which, with the co-operation of the voluntary agencies and Native Authorities, are concerned with education, public health and other social services.

In 1949, a special Committee was set up to review the work of the Social Welfare Department. The broad lines of policy set out in the Committee's report were accepted in principle and the decision was taken to establish a new and enlarged department under a Commissioner for Social Development.

At its sixth session, the Council noted with approval the appointment of a Commissioner for Social Development and the enlargement of the Social Welfare Department.

Status of women

The laws of the Territory recognize no discrimination on grounds of sex against the women of any race. The social status of African women, while varying considerably from tribe to tribe, is generally regarded by indigenous custom as inferior to that of men. Polygamy and the payment of bride price are still practised. As the surest means of bringing about an improvement, the Administering Authority has stated that the desire for advancement of their status must come from the women themselves who, as the more conservative members of the community, are often the less easily convinced of the need for change.

At its ninth session, the Council adopted the following recommendation:

The Council, while appreciating the reasons given by the Administering Authority for the comparatively backward status of women in the Territory, urges the Administering Authority to continue to take all possible steps, particularly in the educational field, to improve their status.

Slavery and practices akin to slavery

The Administering Authority states that slavery practices no longer exist in the Territory and that practices akin to slavery such as ownership, custody, or marriage of children are, with the exception of child marriage, confined to the remoter parts of the Territory.

At its fourth session, the General Assembly expressed its satisfaction at the recommendations of the Trusteeship Council concerning the absolute prohibition of such uncivilized practices as child marriage.

The Administering Authority stated that such practices as child marriage and the pledging of children had almost disappeared. The efforts of the Native Authorities were enlisted to suppress such practices; in 1950 no cases arose.

Racial discrimination

On several occasions both the General Assembly and the Trusteeship Council have made recommendations in regard to racial discrimination in the Territory. At its third session, the Council drew attention to the importance of ensuring that there be no discrimination against the indigenous inhabitants especially in such matters as employment, wages and salary payments,

the enactment and enforcement of labour legislation and the provision of hospital and medical services. At its fourth session, the Council, noting that certain petitions alleged that there was racial discrimination in the Territory, urged the Administering Authority by appropriate legislation or other measures, to intensify its efforts to eliminate racial discrimination. The General Assembly, at its fourth session, recommended the abolition of discriminatory laws and practices and the Council, at its sixth session, reiterated its previous resolution and recommended that the Administering Authority take steps to eliminate all discriminatory laws and practices.

The Visiting Mission noted in its report that it had received statements from various individuals and petitions to the effect that racial discrimination existed in fact, if not in law, but that it did not have the time to investigate the matter thoroughly.

The Administering Authority reiterated its policy that there should be no racial discrimination and that all should have equal opportunities. It stated that such differences as did exist in employment and in wage and salary payment were not due to discrimination. The fact was that personal experience and qualifications decided the type of work and the rate of remuneration any individual might be expected to enjoy. The removal of personal — and racial — disabilities by the process of education and training was the only answer to the problem.

The Administering Authority further stated that no legal discrimination existed except that in favour of the indigenous inhabitants as could be seen, for example, in the land, trades licensing, credit and labour laws. As far as racial prejudice of an individual or personal nature was concerned, everything possible would be done to counteract and to hasten its disappearance. Any attempt to overcome it, however, by direct legislation would not only be ineffective, but would probably strengthen the prejudice in some quarters and retard rather than strengthen the growth of full inter-racial harmony.

Freedom of the Press

At its sixth session, the Council, noting that the Newspaper Ordinance provided that any person wishing to establish a newspaper might, if so required by the Governor-in-Council, be called upon to execute a bond up to a maximum of 3,000 shillings, expressed the hope that the Administering Authority would constantly bear in mind the necessity for ensuring that this provision did not operate as a restraint upon the freedom of the Press and also the desirability of modifying the provision as soon as practicable.

In reply, the Administering Authority stated that the requirement to execute a bond in no way operated as a restraint upon freedom of the Press. It was merely a precautionary measure to ensure that a newspaper involved in a libel suit would be in a position to meet damages awarded by court action. The Administering Authority felt that this provision of law was a necessary and minimum precaution at the present time, but the possibility of modifying it would be kept under review.

Standard of living

At its sixth session, the Council noted with satisfaction the general improvement in the standard of living during 1948.

No cost of living studies have been prepared for the Territory, although family living and other surveys have been made on a local basis.

In general, the Administering Authority reports, standards of living have improved, although the cost of living still continues to rise.

A special Committee, comprised of official and non-official members, representative of all races, was appointed in 1950 to study the whole problem of rising costs and to make recommendations.

Urban housing

The Administering Authority states that in urban areas, particularly in Dar-es-Salaam, the shortage of housing, with consequent over-crowding, is still an acute problem. Constantly rising building costs have made the rental of African urban houses almost beyond the capacity of the low wage-earner unless some degree of subsidization is provided. Several trial houses have been erected under a scheme for which £1,230,000 has been allocated and for which a special organization has been formed to specialize in the problem of providing adequate African urban housing. It is estimated that the sum allocated will be sufficient to cover the cost of the building of more than 800 houses a year by the Administration.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with concern the present shortage of African urban housing, and noting with satisfaction that the revised ten-year plan provides for urban housing a sum substantially more than the original allotment, urges the Administering Authority to accelerate the implementation of the plan.

Nutrition

At its seventh session, the Council invited the Administering Authorities to explore, in co-operation with the specialized agencies of the United Nations, and also with competent scientific bodies, the possibility of utilizing and expanding the latest methods in the improvement of nutritional standards among the inhabitants of Trust Territories.

Labour

General

The Administering Authority states that its labour policy, framed in accordance with the provisions of international labour conventions, has as its main objectives the establishment of proper working and living conditions for those in employment, the maintenance of harmonious relations between employer and employee, the peaceful settlement of disputes, improved efficiency and an increase in the productivity of the worker, and the rationalization and stabilization of labour.

Although peasant agriculture is the chief economic concern of the vast majority of the Territory's indigenous inhabitants, nevertheless, in order to meet cash needs, and in certain areas because of food shortage caused by drought, large numbers of the able bodied population take up paid employment of some kind for periods varying from a few weeks to as much

as two years at a time. In December 1950, an estimated 360,250 indigenous persons were in paid regular employment, 79,000 less than in 1949. Of this total, approximately 27,000 African workers came from outside the Territory.

The main employers of labour in 1949 were agriculture (179,014), public service (54,025), domestic and personal service (39,849), building and construction (33,129), industrial (27,100), commercial and professional (25,372) and mining and quarrying (21,393).

Although accurate figures are not available, the Administering Authority estimates the number of workers from Tanganyika employed in the Rhodesias and in the Union of South Africa to be as high as 11,500. A number of workers also go to Kenya and Uganda for employment.

At its ninth session, the Council adopted the following recommendations:

The Council, noting that the expansion of the Territory's economy will result in the growth of the number of Africans employed, urges the Administering Authority to pay particular attention to the provisions relating to social welfare and conditions of employment of African labourers, so that the industrial development of Tanganyika will result in benefit and not in hardship to the people.

The Council recommends that the Administering Authority pay careful attention to the wages and working conditions of inhabitants of Tanganyika employed outside the Territory, and that it make suitable arrangements for protecting their interests, including the possibility of establishing a labour advisory service for giving assistance and advice on matters relating to the terms and conditions of their employment.

Industrial accidents

There were 836 industrial accidents during 1950 of which fifty-seven were fatal, 226 resulted in permanent disabilities and 554 in temporary disabilities. There were also thirty-five cases of occupational diseases (thirty-two cases of anthrax and three of silicosis), resulting in one death.

Wage rates

At its third session, the Council suggested that the Administering Authority consider measures to improve the standard of life by increasing substantially the wage level of the indigenous inhabitants particularly in large corporations, in industrial districts and in plantations.

The Administering Authority replied that the transition from a subsistence economy to a money economy had not yet reached a stage where any very drastic increases in wages were possible or even desirable and the substantial increase suggested by the Council would only be possible as the development plans progressed.

The Visiting Mission commented that there appeared no doubt that, generally, the standard of efficiency of labour was low and that the reasons for this were the comparatively low standard of living and lack of education of the vast majority of Africans and their consequent low level of needs; the generally low standard of health due largely to malnutrition and the prevalence of debilitating diseases; the low scale of wages and comparatively poor and unattractive conditions generally; and the fact that the cultural values of the average African did not as yet place the same emphasis upon rigidly enforced rules of work as did those of the average European. It felt that an increase in educational, medical and public health facilities would undoubtedly help to raise the standard of efficiency, but more directly needed were better conditions of labour and the raising of the present low level of wages. It considered labour to be underpaid and that a rise in the wage level might induce the employers to transform the present type of labourer into a skilled, efficient, healthy and stable one.

The Administering Authority agreed generally with the Mission on the factors affecting the efficiency of labour, but stated it held differing views on their relative degree of importance. The two most important were the improvement of the general standard of health and improved educational standards and these were engaging the earnest and active attention of the Administration. Improvement in working conditions was a desirable objective, but in present circumstances could not be expected to be fully effective in stabilizing labour. As far as wage rates were concerned, there had been a steady upward trend in all types of employment and that a further improvement in this direction was desirable could not be denied. It was pointed out, however, that a large proportion of the Africans who left their homes to seek employment did so in order to earn sufficient money to meet some specific requirement and the quicker it was earned, the shorter the period they worked. Increases in wages did not by any means always lead to greater effort or regularity; on the contrary, they not infrequently resulted in a rise in absenteeism. With comparatively few exceptions, the Administering Authority also stated, it was the continued and regular performance of uncongenial unskilled manual labour which defeated the African at the present stage, and no increase of wages which would be economically practicable would induce him to remain at the same task uninterruptedly for a long period.

At its sixth session, the Council noted that the wage level in the Territory was low and reiterated that the Administering Authority should endeavour to establish wage rates in the Territory which would not only enable workers to meet the costs of everyday living, but which would also progressively raise their standard of living.

In its report for 1950, the Administering Authority stated that the level of wages throughout the Territory was rising. The following were the average wage rates paid in 1947, 1949 and 1950:

Occupation	*1947 (monthly wages) (Shillings)*	*1949 (per 30 tasks) (Shillings)*	*1950 (per 30 tasks) (Shillings)*
Agriculture			
Unskilled	8 to 30	12 to 20	15 to 30
Semi-skilled ...	15 to 65	15 to 25	30 to 50
Skilled	21 to 100	45 to 120	50 to 150
Trade, transport industrial establishments			
Unskilled	8 to 30	15 to 20	30 to 60
Semi-skilled ...	15 to 80	35 to 60	60 to 90
Skilled	21 to 100	45 to 130	75 to 200
Mining			
Unskilled	8 to 30	15 to 26	15 to 30
Semi-skilled ...	15 to 80	27 to 30	20 to 65
Skilled	21 to 100	30 to 80	50 to 160

For agriculture and mining labourers rations were also issued to the value of 12 to 20 shillings. Certain agricultural and mining labourers also receive bonus payments.

Industrial relations, trade unions

There were, in 1949, seven registered trade unions in the Territory, five of them African. The largest and most active of the African trade unions was the Dock Workers and Stevedores Union; this Union was dissolved in 1950. The Administering Authority states that this Union went on strike in 1950, as the result of a dispute over the refusal of the Executive of the Union to agree to new arrangements, which they had previously accepted, for the control of entry of persons into the dock area. Work stoppage lasted for two hours the first day and by the fifth day the port returned to full activity as non-union workers went to work. The Administration reports that during the disturbance, three police officers and a number of other ranks were wounded and, of the strikers, one was killed and six wounded, one of whom subsequently died.

In 1950, there were fifty industrial disputes involving 7,444 workers and resulting in the loss of 11,093 man-days of work.

Labour offences

During 1950, fifty-eight employers were convicted of offences against the Master and Native Servants Ordinance. Seven were imprisoned, forty-one fined and ten bound over.

The number of employees convicted during the year was 189, of whom 120 were imprisoned, sixty-one fined, and eight bound over. The major offences were unlawfully leaving an employer's service or refusing or neglecting to fulfill contracts of service.

At its sixth session, the Council, while noting with approval the removal by the Administering Authority of penal sanctions for the use of abusive or insulting language by an employee to an employer, recommended that the Administering Authority consider the possibility of abolishing penal sanctions, in the cases they were still applied, for the breach of labour contracts.

The Administering Authority pointed out that the only reservation remaining in force in the application of the Penal Sanctions (Indigenous Workers) Convention, 1939, was that relating to the unlawful departure of a servant from his employer's service with intent not to return. Unlawful desertion presented a particular problem in a country where contracted workers were frequently brought long distances at considerable expense to the employer. The Administration felt also that there was a moral obligation for a worker to carry out his contract after receiving free issues of blankets and other articles and taking advantage of free transport and other facilities. The possibility of withdrawing this reservation was kept under constant review, but conditions had not yet altered sufficiently to justify such a step.

Child labour

There were 25,004 juveniles (persons under 18 years of age) employed during 1950 in agricultural and industrial employment. Monthly earnings of juveniles ranged from 5 to 15 shillings for 21,588 so employed, to from 101 to 200 shillings for two so employed. In addition to wages many also received rations.

The Administering Authority states that no juvenile may be employed except at a daily wage and on a day-to-day basis and many are in part-time employment only.

At its third session, the Council expressed the view that in the field of labour legislation a policy of prohibiting child labour and of restricting the employment and of safeguarding the work of minors on plantations and in industrial undertakings should be followed.

The Administering Authority replied that the regulations governing the employment of young persons and children were most precise and, while it was not considered practicable at the present stage to abolish completely the employment of children, their regular employment was reduced to a minimum and that its policy is eventually to abolish child labour.

Corporal punishment

During 1950, sentences of corporal punishment were imposed by the subordinate courts, the Native courts and as a disciplinary measure in prisons. The subordinate courts imposed 482 sentences of whipping of which seventeen were quashed by the High Court and two were not carried out as the accused were medically unfit; 359 of those sentenced were juveniles. The Native courts in 1949 imposed 979 sentences of whipping.

Corporal punishment may also be given in prisons as a disciplinary measure for mutiny, or incitement to mutiny, or for personal violence to a prison officer. When considered necessary, confirmation is required by the Commissioner. Four persons received such punishment in 1950.

The maximum number of strokes is twelve for a juvenile (a person under 16 years of age) and twenty-four for an adult. Sentences of corporal punishment may not be passed on females, or males who have been sentenced to death, or males over the age of 45 years.

At its sixth session, the Council recommended the abolition as soon as possible of corporal punishment and whipping in those Territories where it existed. This recommendation was also repeated in a specific recommendation concerning Tanganyika; a similar recommendation had been made by the Visiting Mission.

The General Assembly, at its fifth session, also recommended that measures be taken immediately to bring about the complete abolition of corporal punishment in all Territories where it existed and requested Administering Authorities to report on the matter (resolution 440 (V) of 2 December 1950).

The Administering Authority, in reply to these recommendations, stated that the policy was to bring the law into line with that of the United Kingdom and to abolish this form of punishment as soon as possible. The Administration was anxious to achieve this latter objective but stated that, after viewing the problem objectively, it had reluctantly come to the conclusion that the power to award corporal punishment must for the present be retained for a few serious offences such as rape, defilement of girls under 12 years of age, robbery with violence and brutal assault. The Administering Authority pointed out that an advance had been made in regard to the question of corporal punishment of juveniles by

the establishment of a probationary system which, although at present applied to a small part of the Territory, would be extended as rapidly as circumstances would permit. The Administration would keep the whole subject under constant review and ensure that progressive steps were taken towards the abolition of corporal punishment as it became possible to take such steps without untoward effects on the great body of law-abiding citizens.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with concern that, although certain measures have been taken to reduce the number of offences for which corporal punishment may be imposed by the courts, this form of punishment still exists in the Territory; reaffirms the view expressed in General Assembly resolution 440 (V) that measures be taken immediately to bring about the complete abolition of corporal punishment in all Trust Territories where it still exists and the recommendation of the Council at its sixth session that corporal punishment be abolished as rapidly as possible. To this end, the Council recommends that the Administering Authority give earnest consideration to the possibility of suspending the operation of the relevant provisions of the law pending their complete repeal, and in particular urges the Administering Authority to press on with the expansion of the recently established probation system as the means of securing the abolition of the caning of juvenile delinquents at the earliest possible date.

Medical and health services

In 1950, there was a total of 135 Government registered and licensed physicians as compared with 127 in 1949; in addition there was a total of 166 non-official physicians as against 139 in 1949. There were in 1950 a total of 142 qualified Government nurses and 191 non-official qualified nurses as compared with 128 and 140 respectively in 1949. There were four official and twelve non-official dentists in 1950 as compared with three and ten respectively in 1949.

The number of hospitals and dispensaries in 1950 as compared with 1949 was as follows:

	1949	1950
Hospitals and medical centres providing in-patient treatment		
Government	74	74
Mission, private and industry	90	93
Dispensaries		
Government	21	15
Mission, private and industry	345	363
Native Authority	401	418
Maternity and child welfare clinics		
Government	12	12
Mission	52	52
Native Authority	20	15

The financial provision in the 1950 and 1951 budgets for the health services as compared with 1949 was as follows:

	General revenue			
	Medical Department	*Development funds*	*Native treasuries*	*Total*
	£	£	£	£
1949	593,400	75,185	77,430	746,015
1950	689,990	98,730	82,369	871,089
1951	853,295	182,826	108,804	1,144,925

The Council, at its third session, suggested that the Administering Authority pay particular attention to the development and construction of medical centres, the building of hospitals and the training of medical personnel, including qualified physicians recruited from among the indigenous inhabitants, and suggested that increased appropriations for this purpose be made available.

The Visiting Mission also felt that the medical requirements of the Territory called for a substantial increase in the number of medical staff and in health facilities generally and hoped that increased appropriations would be found for the purpose.

At its sixth session, the Council noted with approval that budgetary appropriations for medical purposes had tripled since pre-war years; noted with concern that medical facilities left much room for improvement; noted with approval the acceptance by the Administering Authority of the report of the Chief Medical Officer as the basis for a complete review of the medical policy of the Territory and expressed its desire to be kept informed on the development of medical policy and its implementation; maintained its recommendation concerning the medical and health services and the suggestions and recommendations of the Visiting Mission to East Africa and expressed the hope that a great expansion and development of these services would take place without delay.

The Council further expressed its concern over the shortage of medical personnel and pointed out that, while the Administering Authority appeared to have experienced difficulties in recruiting medical officers and health inspectors during 1948, the number of personnel engaged in private practice, or employed by non-governmental agencies had increased in a much larger proportion during the same period. It recommended that the Administering Authority continue to recruit suitably qualified medical personnel from among the displaced persons from Europe.

In reply, the Administering Authority pointed to the continuing increase in budgetary appropriations. It reported some difficulty in recruiting qualified staff but noted a recent improvement in obtaining medical officers, which it felt would continue in 1951. In reply to other conclusions of the Council, the Administering Authority stated that every effort was being made to push ahead with plans for the development of medical and health services. In addition to recruitment of personnel, these plans included as an immediate target one hospital bed per thousand of the major population groups, the training of Africans, and the integration of Government and Native administration dispensaries into the medical service designed to develop the dispensaries into rural health and medical intelligence centres. The Administering Authority reports that a new hospital is being built and that the building of a new 400-600 bed group hospital in Dar-es-Salaam will start in 1951.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with satisfaction the considerable increase in the expenditure for medical services, expresses the hope that there will be further budgetary increases in order to meet the need for the expansion of medical services of all kinds and, in particular, in-

creased provision for the training of indigenous medical staff.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to set up a social insurance system for the indigenous population. He noted that the small sum of £16,975 was appropriated for the Social Welfare Department in 1949 while the expenditure for the police in that year was £328,400.

Human rights

The representative of the Union of Soviet Socialist Republics referred to the Criminal Code of Tanganyika which authorized any private person to arrest any individual who, in his view, committed a cognizable offence or whom he reasonably suspected of having committed a felony. According to articles 27 and 28 of the Criminal Code any police officer might arrest without a warrant (1) any person disturbing the public order in his presence; (2) any person noticed by him at night on roads, backyards or other places who, in his opinion, has committed or has the intention to commit an offence; and (3) any person to whom, he reasonably suspects, a warrant has already been issued. In the light of these facts, the Administering Authority's statement that in all other cases an arrest could be made only under the authority of the magistrate's warrant might be regarded only as a mockery. These facts provided evidence that the indigenous population was entirely unprotected against the arbitrary actions of the police and the European property owners. The Trusteeship Council should recommend that the Administering Authority end the consistent violation of the rights and interests of the indigenous population.

The special representative of the Administering Authority stated that the remarks concerning the powers of arrest were worded to make it appear entirely a matter of racial discrimination. The law said nothing about discrimination. Under that law all races had exactly the same rights and were liable to exactly the same treatment if exactly the same acts were committed. The law in Tanganyika conformed with English common law which afforded the fullest protection to the individual, including the "habeas corpus" provisions.

Racial discrimination

The representative of the Union of Soviet Socialist Republics stated that the Criminal Code of the Territory, the prevalence of corporal punishment, unequal educational expenditures for Europeans and Africans and unequal salaries paid to European and African teachers showed that the Administering Authority was carrying out an anti-democratic policy of racial discrimination with regard to the indigenous population. The Council should recommend that the Administering Authority put an end to the anti-democratic policy pursued with regard to the local indigenous population, the policy marked by racial discrimination and rude violation of the rights and interests of the indigenous population of Tanganyika.

Standard of living

The representative of the United States of America expressed concern over certain inflationary tendencies in the Territory, and noted with satisfaction that recommendations contained in the report of the Committee on Rising Costs were under study. He expressed the hope that these recommendations would be implemented in the near future, and that the Council would be informed as to the measures taken and the degree of their success in meeting this problem.

The representative of the Union of Soviet Socialist Republics pointed out that the indigenous inhabitants existed on a level of semi-starvation. Indigenous workers received miserable salaries. The report itself stated that the standard of living of the people in the Southern Province was low.

Labour

General

The representative of New Zealand, noting the extensive mineral resources and the expansion of industry, felt that, with the growth in the number of Africans employed, the Administering Authority should carefully scrutinize conditions of employment and social welfare, particularly with regard to wages, housing, recreation, food and family comfort, so that the industrialization of Tanganyika would result in benefit and not hardship to the people.

He voiced serious apprehensions concerning the many thousands of natives of Tanganyika employed outside the borders of the Territory, and noted that the Administration did not concern itself with the conditions of employment and the welfare of such workers. He suggested that the Administration consider the desirability of establishing contact with these workers in order to safeguard their rights and to ensure their welfare.

The representative of the United States of America expressed concern for the several thousand indigenous workers who annually sought employment in the South African gold fields. While recognizing that employment contracts for these individuals might be entered into outside the Trust Territory, he nevertheless considered that the Administering Authority should take practicable steps to safeguard the interests of these workers.

The special representative of the Administering Authority stated that, with regard to labourers who left Tanganyika to seek work in Rhodesia and South Africa, it was difficult to supervise their welfare because they did not obtain permission to leave the Territory, but went of their own accord, sometimes without a particular destination in mind. In many cases, they returned to an area where they had been before; if they did not like the conditions they would not return, but they had become habituated to going southward rather than northward for work. If the workers were recruited in Tanganyika, then control could be exercised over the terms of their contracts. In the case of Nyasaland and Northern Rhodesia, where Africans were recruited for work in the Union of South Africa, he believed there existed a liaison with mining enterprises farther south, and if Africans from Tanganyika joined Africans from those

territories in going south as contracted workers, they would doubtless receive the same treatment. However, this point would be brought to the attention of the Administration, although it was difficult to see how the suggestions made could be implemented.

WAGE RATES

The representative of Thailand considered that it was important to have fixed minimum wages until the indigenous workers were organized for collective bargaining. He noted with satisfaction that a Bill establishing minimum wages had been introduced in the legislature.

The representative of the Union of Soviet Socialist Republics stated that the indigenous workers received miserable pay. He noted, in the 1949 report, that an unskilled labourer on a groundnut plantation in the Southern Province received approximately one shilling per day which was hardly enough to purchase two pounds of bread.

The special representative of the Administering Authority noted that in dealing with the question of wage rates, the representative of the Union of Soviet Socialist Republics invariably referred to the lowest rates prevailing and had made no mention of the fact that labourers receiving such wages also received food, blankets, medical attention, housing and other amenities.

He further stated that wages were generally rising, and he mentioned especially the Arusha and Moshi areas of the Northern Province where skilled craftsmen were earning up to 400 shillings a month. In March 1951, the Tanganyika Sisal Growers Association had decided to increase wages by 50 per cent.

The representative of the Union of Soviet Socialist Republics stated that he had quoted the wage rates of the lowest paid indigenous workers because the majority of the indigenous inhabitants who were employed were unskilled workers and consequently received the lowest pay.

INDUSTRIAL RELATIONS; TRADE UNIONS

The representative of Thailand noted with regret the setback in the formation of labour unions for collective bargaining, as evidenced by the dissolution of the Dock Workers and Stevedores Union.

Corporal punishment

The representative of Argentina was strongly in favour of the complete suppression of corporal punishment in the Territory, in accordance with the resolution adopted by the General Assembly at its fifth session. He noted that no delegation had voted against the resolution and that the representative of the Administering Authority had voted in favour of it.

The representative of the Dominican Republic stated that the Council should recommend the total abolition of corporal punishment. With reference to the special representative's statement that offenders often preferred corporal punishment to prison, he observed that if this were the case, then prison was obviously the more effective deterrent to crime, and in any event it was hardly for the criminal to choose his punishment. The Administering Authority should do all in its power to follow the recommendations of the Council and of the General Assembly.

The representative of the Union of Soviet Socialist Republics noted that, in 1949, 1,202 persons were subjected to corporal punishment by court order, and that the Administering Authority had failed to carry out the terms of the General Assembly resolution for the abolition of corporal punishment, although the representative of the United Kingdom had voted for that resolution.

The special representative of the Administering Authority stated that references made to corporal punishment in the Council would be brought to the attention of the Administering Authority.

Medical and health services

The representative of Belgium considered that the Council should note with satisfaction the considerable increase in expenditure on the medical services and the increase in the number of physicians in the Territory.

The representative of Argentina stated that the necessity existed for increasing medical assistance of all types.

The representative of New Zealand wished to see some special means adopted for the training of medical practitioners. While he approved of what had been done, he felt that the Administration should consider the possibility of special African schools to train Native medical practitioners.

The representative of the Union of Soviet Socialist Republics stated that the health situation continued in a deplorable state and that the Administering Authority had not taken the necessary measures to ensure progress. Despite an acute shortage of medical personnel, there was still no medical school in the Territory. The Trusteeship Council should recommend that the Administering Authority increase the budgetary appropriation for health services.

The special representative of the Administering Authority stated that the Administration would continue to press on toward increased medical facilities, a need which was fully appreciated.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

The ultimate objective of the educational policy, the Administering Authority states, is a community well-equipped, by the advancement of education in its widest sense, to assume full social, economic and political responsibility. Progress towards this goal, however, depends largely on the achievement of the immediate objective of the educational advancement of the more backward sections of the inhabitants, and a ten-year plan for African education which was revised in 1950 has been prepared with this objective in view. Its aims are to make the most profitable use of all available resources in expanding the school system; to ensure that the greatest possible number of children may become literate in the shortest possible time; to provide the means whereby they may be saved from relapsing into illiteracy; and to provide for a greatly increased number of pupils to have the advantage of secondary and higher education.

At its third session, the Council suggested that the Administering Authority, in undertaking the census,

should make a special effort to obtain precise statistics regarding the number of children of school-age in the Territory. In 1949, the Administering Authority reported that reliable figures classified according to age, sex, race and religion were not available.

Under the revised ten-year plan for African education, the target figure for the number of African children in village schools by 1956 has been raised from 250,000 to 310,000, as against a total of 176,641 children in such schools in 1950. The revised estimated total cost of capital works for the ten-year period is £1,423,000 as against the original estimate of £500,000. Under the original plan it was estimated that by 1956 the annual recurrent expenditure would reach £557,525; the revised estimate is £1,461,000. The other main points covered by the revised proposals include the gradual replacement of district schools by middle schools; increased provision for girls' education; provision for technical education; a slight increase in the target number of pupils in secondary schools; increased provision for agricultural work in the schools; an increase in teacher-training facilities; and an increase in the provision for inspection and supervision.

Not included in the plan is a project to establish a natural resources school, with facilities for some 450 African students.

The Administering Authority states that, in carrying out the development plan, difficulties have been experienced in obtaining teachers and skilled supervisory staff for the school-building programme and in obtaining certain materials and equipment.

The General Assembly, at its fifth session, recommended that the Trusteeship Council devote particular attention, in consultation with the Administering Authorities and the specialized agencies, to long-range programmes of educational development in the Trust Territories, with a view to enabling the inhabitants of those Territories to take over the responsibilities of complete self-government at the earliest possible date. In reply to this resolution the Administering Authority referred to its revised ten-year plan and to the establishment of the Natural Resources School.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with satisfaction the policy, objectives and increased financial provision contained in the revised ten-year plan for African education, expresses the hope that the revised programme will be adopted and implemented if possible before the target date, having regard to the ultimate objective of the provision of education for every child in the Territory.

Expenditure

The following table shows the total financial provision for the educational services for all sections of the community for 1938, 1947, 1949, and 1950:

	1938	*1947*	*1949*	*1950**
	£	£	£	£
General revenue	99,717	359,160	494,871	581,594
Development funds	—	60,900	221,586	337,737
Non-Native Education Authority funds	—	—	95,911	464,746
Native treasuries	14,688	90,590	93,702	119,428
TOTAL	114,405	510,650	906,070	1,503,505

* Estimated.

The General Assembly, at its third and fourth sessions, and the Trusteeship Council, at its fourth session, requested the Administering Authorities to intensify their efforts to increase educational facilities even if this should mean an increase in the budgetary provisions for the purpose.

Specifically referring to Tanganyika, the Council, at its third session, suggested that ways and means be found to make increased appropriations for education.

The Visiting Mission also expressed the hope that increased appropriations would be found to provide Africans with the educational facilities to enable them to acquire the qualifications necessary to achieve the objectives of Article 76 b of the United Nations Charter.

The Administering Authority stated that it wholeheartedly endorsed the repeated emphasis laid by the General Assembly and the Council on the importance of educational advancement in the Territory and, in its report for 1950, pointed to the amounts spent on education between the years 1938 (£114,405) and 1951 (£2,075,276 — estimated) as evidence of the increasing budgetary provisions being made for education.

Educational facilities for Africans

PRIMARY SCHOOLS

The Council, at its third session, suggested that the Administering Authority take effective steps to expand primary education. Primary schools for African children are conducted by the Government, Native Authorities and voluntary agencies. The following table shows the number of such schools, the agencies responsible for them, the number of pupils and the number of teachers for the years 1947, 1949, and 1950.

	Government and Native Authority	*Voluntary Agency*	*Total*
Number of schools:			
1947	267	823	1,090
1949	325	987	1,312
1950	354	1,024	1,378
Schoolchildren:			
1947	30,830	92,301	123,131
1949	40,219	121,325	161,544
1950	44,591	132,050	176,641
Teachers:			
1947			3,910*
1949	962	2,820	3,782
1950	1,219	2,893	4,112

* Figures cannot be broken down.

The village primary schools are co-educational and provide a four-year course (standards I-IV). District primary schools provide a further two-year course up to standard VI for one in five of the pupils completing the village school course. In 1950, seventeen primary schools gave courses up to standard VI and were attended by 2,332 children.

As well as the registered schools there were, in 1950, the estimated 5,002 "bush" schools with an enrolment of approximately 210,000 pupils. These schools are unregistered and run by religious missions; the instruction, as far as secular education is concerned, usually consists of the teaching of the rudiments of reading and writing in the local vernacular.

At its sixth session, the Council, having noted the need for greater educational facilities and the efforts

being made by the Administering Authority within the limited financial resources available, recommended, *inter alia,* that the Administering Authority continue its efforts in the field of education by the adoption of more vigorous measures to expand primary education.

The Administering Authority, under its revised education plan, intends to increase the number of African children in village schools to 310,000 by 1956 as compared with 176,041 in 1950. It is further proposed to replace district primary schools by middle schools, the course to cover four years up to standard VIII, in place of the present two-year course.

Secondary schools

The Council at its third session, as well as the Visiting Mission, suggested that the Administering Authority take effective steps to expand secondary education.

Secondary schools are run by the Government and the voluntary agencies. Most of them do not yet go beyond a four-year course, i.e., up to standard X. One Government and two voluntary agency schools offer the full secondary course up to the sixth year, at which stage pupils may sit for the Cambridge school certificate or the Makerere College entrance examination. The following table shows the number of secondary schools, the number of pupils and the number of teachers for the years 1947, 1949 and 1950:

	Government	*Voluntary agency*	*Total*
Number of schools:			
1947	10	13	23
1949	10	15	25
1950	10	17	27
Pupils:			
1947	768	762	1,530
1949	994	1,088	2,082
1950	1,186	1,219	2,405
Teachers:			
1949	83	102	185
1950	94	97	191

At its sixth session, the Council, having noted the need for greater educational facilities and the efforts being made by the Administering Authority within the limited financial resources available, recommended, *inter alia,* that the Administering Authority continue its efforts in the field of education by the adoption of more vigorous measures to expand full secondary education.

Under the revised development plan the Administration hopes to provide additional facilities for full secondary education and to have 3,720 children attending secondary schools by 1956.

Industrial and vocational training

The following table shows the number of industrial and vocational schools in the Territory for the years 1947, 1949 and 1950, the agencies responsible for them, the number of pupils and the number of teachers:

	Government	*Voluntary agency*	*Total*
Number of schools:			
1947	6	7	13
1949	7	14	21
1950	7	18	25
Pupils:			
1947	265	187	452
1949	249	633	882
1950	262	524	786
Teachers:			
1947			45*
1949	26	86	112
1950	36	35	71

* Figures cannot be broken down.

The Visiting Mission suggested that the Administering Authority consider the possibility of providing more vocational and trade schools and, at its fifth session, the Council recommended that the Administering Authority pay particular attention to the technical and cultural needs of the Territory.

In its report for 1950, the Administering Authority states that it is planned to open a natural resources school providing courses for junior personnel of the Agricultural, Veterinary and Forestry Departments and for teachers working in rural areas. A sum of £300,000 has been allocated in the Development Estimate for this purpose.

It is also planned to increase the number of African industrial instructors from forty-four in 1950 to 222 in 1956. In addition to plans for increasing the number of trade schools, the revised educational plan proposes the establishment of a technical institute to provide higher technical and commercial training.

The Government training school, formerly at Mgulani, has been transferred to Ifunda where the Government has taken over the Overseas Food Corporation's training centre. The Administration states that, as the first step toward the provision of adequate training facilities, the Ifunda centre is in the process of being built up to its capacity of 500 students.

At its ninth session, the Council adopted the following recommendation:

The Council commends the Administering Authority for the projected establishment of the natural resources school, and expresses the hope that the recommendation in the revised ten-year plan for the establishment of two or three trade schools similar to the one at Ifunda will be adopted, and that particular attention will be given to the need for increasing facilities to train Africans for the administrative and technical services.

Teachers and teacher-training schools

African teachers are recruited from the secondary schools after successful completion of special academic and professional training courses. Those who qualify for entrance to Makerere College in Uganda are eligible for a Government bursary for a three years' course for the Makerere diploma in education and under the development plan provision is made for selected Makerere students to receive scholarships for further study and training overseas.

Certificated African male teachers are classified into grade I and grade II. The former, with two years' professional training after completion of their secondary course to standard X, may teach in secondary schools and teacher-training centres and are allowed to teach English. Those holding the grade II certificate, with two years' professional training after completing the academic course up to standard VIII, may teach in primary school in the vernacular. Certificated African women teachers must have had at least one year's professional teaching after completing their seventh year of schooling.

The following table shows the number of teacher-training schools and the number of students attending

them for the years 1947, 1949 and 1950. In the 1950 figures, middle schools have been included:

	Government	*Voluntary agency*	*Total*
Number of schools:			
1947	8	42	50
1949	11	41	52
1950	14	41	55
Pupils:			
1947	461	1,408	1,869
1949	686	1,979	2,665
1950	771	2,339	3,110
Teachers:			
1949	59	177	236
1950	62	209	271

The General Assembly, at its third session, and the Council, at its fourth session, suggested to the Administering Authorities that the existing facilities for the training of indigenous teachers should be improved and expanded. Specifically referring to Tanganyika, the Council, at its third session, suggested that the Administering Authority find ways and means to make increased appropriations for education including the training of teachers, and, at its sixth session, recommended that the Administering Authority improve the teacher-training facilities of the Territory. The Visiting Mission also suggested that the Administering Authority should consider the possibility of providing more teacher-training schools.

The Administering Authority stated that the shortage of teachers presented one of the major problems to be overcome in the educational development programme. Provision had been made for the number of European teachers to be increased to meet the requirements of educational expansion, and until senior African staff became available. With regard to African teachers, the shortage was particularly acute in grade I.

An important feature of the educational programme, the Administering Authority stated, was the provision made for the training of teachers. Under the revised development programme, it is proposed to increase the number of African teachers in grade I from 207 in 1950 to 465 by 1956; in grade II from 3,920 to 7,181 in 1956; Makerere-trained teachers would increase from forty-two to eighty over the same period and industrial instructors from forty-four to 222. In addition, it was also proposed to train grade I agricultural teachers to give agricultural bias to education in all areas where desirable; the target is 357 teachers by 1956.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that the number of teachers has increased during the years under review, expresses the hope that the provisions contained in the revised ten-year plan for African education will result in an accelerated expansion of training facilities so that the lack of an adequate corps of teachers will be alleviated.

Higher education

There are no facilities for higher education within the Territory, but those students who qualify for entrance to Makerere College, Uganda, are eligible for Government bursaries covering the full cost of their time at the College. Aid is also extended for qualified students who wish to study in the United Kingdom. In 1950, forty-two African students were studying at Makerere College, while fourteen were studying in the United Kingdom. In 1949, thirty-four African students were at Makerere College and fifteen in the United Kingdom. Under the development plan, it is hoped to have 200 students attending Makerere College by 1956.

The Council, at its third session, suggested that the Administering Authority should take effective steps to expand institutions of higher learning. At its fifth session, having considered a General Assembly resolution on the subject, the Council recommended that the Administering Authority consider, without prejudice to the normal development of Makerere College, the possibility of establishing in Tanganyika, as soon as possible, facilities for higher education. It further recommended that the Administering Authority consider the possibility of progressively increasing the number of scholarships for higher education in Africa and overseas and to this end urged the Administering Authority to take all possible steps to make available to qualified students from the Territory, fellowships, scholarships and internships established by the United Nations or its specialized agencies. It invited the Administering Authority to give full publicity to all fellowships, scholarships and internships available to the inhabitants of the Trust Territory, and finally suggested that the Administering Authority, in financing the expansion of higher education, should attempt to seek the assistance of such private organizations as were in a position to give financial support.

The Visiting Mission also suggested that the establishment of a college in Tanganyika might be seriously considered to provide higher education facilities for Africans within the Territory itself.

The Administering Authority pointed out that facilities for the higher education of indigenous inhabitants of the Territory were provided at Makerere College, Uganda and that students who qualified for entrance were eligible for Government bursaries covering the full cost of their time at the College.

While it was fully recognized that the time would come when the existing facilities would be inadequate and that Tanganyika must in due course have its own centre or centres of higher learning, the present position was that Makerere College offered accommodation for more students from Tanganyika than were able to avail themselves of the opportunity and that, with the planned expansion of the College, this position was likely to continue for some time to come. The immediate establishment of a separate university college for Tanganyika would not only prejudice the normal development of Makerere College, but the segregation of the Trust Territory's higher education from that of other East African Territories at the present stage would be completely uneconomic and would impose an unnecessary and unjustifiable burden on Tanganyika's limited financial resources.

The possibility of progressively increasing the number of scholarships for higher education in Africa and overseas available to the inhabitants of the Trust Territory was an accepted feature of the educational policy of the Territory and would continue to be so, the Administering Authority stated.

At its fourth session, the General Assembly expressed the opinion that the wider expansion and more rapid development of the present facilities for the higher

education of indigenous students in the Trust Territories constituted an essential contribution to the progress towards autonomy or independence of the inhabitants of those Territories.

The Council, at its sixth session, recommended that the Administering Authority continue its efforts in the field of education by the establishment of institutions of higher learning in the Territory and by increasing provisions for students to attend overseas universities and colleges. In reply the Administering Authority referred to the facilities described above.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with interest the increase to forty-two in the number of students from Tanganyika at Makerere College, considers that this number is still insufficient to meet the Territory's needs, and urges that every effort be made to increase the number of students qualified for higher education.

Education of girls

Of the 182,942 African children attending registered schools in the Territory in 1950, 48,890 were girls, of whom 47,969 were attending primary school, 157 secondary school, 623 teacher-training or middle school and 141 industrial and vocational schools. In 1949, a total of 43,465 girls attended schools in the Territory.

The Administering Authority states that while the more enlightened members of the indigenous population are strongly in favour of the education of girls, there is still some opposition on the part of the people generally, including the parents and guardians of the girls themselves, especially in rural areas.

At its sixth session the Council recommended that the Administering Authority give special attention to the education of girls.

The Administering Authority, in its report for 1950, stressed the increased educational facilities for girls provided for in the revised ten-year plan for African education.

Comparison of educational facilities for European, Asian and African children; inter-racial education

The following table shows the expenditure on African, Asian and European education, the number of registered schools for the three communities and the number of pupils for the years 1947, 1949 and 1950:

	African £	*Asian* £	*European* £
Expenditure:			
1947	382,209	57,013	47,838
1949	699,953	110,633	95,584
1950	868,853*	369,389*	262,725*
Number of schools:			
1947	1,279	83	12
1949	1,409	86	18
1950	1,485	87	22
Schoolchildren:			
1947	119,262	10,499	884
1949	167,173	12,280	1,261
1950	182,942	13,286	1,417

* These figures include loans for capital works and proceeds from the Non-Native Education Tax.

At its third session, the Trusteeship Council called to the attention of the Administering Authority the disparity in expenditure and education facilities for European, Asian and African children respectively. The Visiting Mission also commented on this matter.

The Administering Authority replied to the Visiting Mission that statements alleging disparity in the financial provisions made for educational facilities for European, Asian and African children appeared to be based on a comparison of financial appropriations shown in the territorial estimates without reference to other considerations. However, a recent development would make it difficult to sustain any such arguments in the future. Following the acceptance of the recommendations of the Special Committee on Non-Native Education, the educational programme for the non-indigenous communities had been placed on an entirely different footing since January 1949. In view of the urgent requirements of African education it had been decided that the expenditure from the Territory's general revenue on non-African education could not be increased for the present, and that the cost of any extension of such education must therefore be borne directly by the communities concerned. To this end, the Non-Native Education Tax Ordinance, passed in November 1948, provided for the payment of a special education tax by non-Natives.

At its fourth session, the General Assembly declared formally that discrimination on racial grounds as regards educational facilities available to the different communities in the Trust Territories was not in accordance with the principles of the Charter, the Trusteeship Agreements and the Universal Declaration of Human Rights.

At its sixth session, the Council, noting that the segregation of European, Asian and African children in different schools might perpetuate feelings of racial discrimination and superiority, endorsed a suggestion of the Visiting Mission that the Administering Authority consider the possibility of establishing in Dar-es-Salaam and other urban centres a system of inter-racial primary and secondary education wherever teaching was given in a common language.

The Administering Authority stated that it was necessary in the present stage of the Territory's development to arrange educational programmes largely on a racial basis. As far as primary schools were concerned, the question of language alone made inter-racial education an impracticable proposition at the present time. If the objective of making the greatest possible number of children literate in the shortest possible time were to be achieved, the younger children must be taught in the language in which instruction could be most easily imparted and through which they could assimilate knowledge with the minimum of mental strain. Any decision to change the language of instruction in primary schools would also have the effect of depriving the Territory of the services of a very large proportion of the African teachers now employed and would slow down the spread of literacy for years to come.

The time to give consideration to inter-racial systems of education would be when adequate facilities for higher education were available in the Territory and the English language was widely understood.

School fees

All primary education in Government schools is free. At secondary schools boarding fees of 100 shillings a

year are charged, but may be remitted in whole, or in part, in necessitous cases. No fees are charged at teacher-training centres. The whole cost of students' education at Makerere College, Uganda, is borne by the Government. Small fees are charged in the Native Administration primary schools in the Lake and Southern Highlands Provinces; in other provinces fees are not generally charged. Remission of fees is made in necessitous cases.

Fees at varying rates are charged at most voluntary agency schools. There is no uniformity in fees charged, the amount varying with the locality.

In Indian schools, fees are paid on a sliding scale in Government schools. In non-Government schools, fees are usually charged.

In European schools, fees are charged in the primary schools. Bursaries are provided where necessary for secondary education in Kenya or South Africa.

The General Assembly, at its third session, and the Council, at its fourth session, proposed that primary education should be free and that access to higher education should not be dependent on means.

Adult and mass education

At its third session, the Council suggested that the Administering Authority pay particular attention to mass education for the eradication of illiteracy and to the education of adults to prepare them to assume greater administrative and governmental responsibilities. It also suggested that the Administering Authority take steps to prevent a relapse into illiteracy on the part of the partially educated indigenous inhabitants.

The Administering Authority stated that community education in its full sense is synonymous with community development and as such forms an integral part of the general development plan. In addition, the Social Development Department, through the community welfare centres, has begun planning specialized activities.

During recent years a movement towards mass literacy has sprung up in several areas, fostered by administrative officers and by missionaries, and it is the function of the Social Development Department to assist in the development of these movements.

In addition to the territorial services, the East African Literature Bureau stimulates the production of literature for African use and trains Africans in this kind of work.

At its sixth session, the Trusteeship Council noted with satisfaction the steps taken by the Administering Authority toward the implementation of its resolution concerning mass education and the prevention of a relapse into illiteracy.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with interest the plans for the establishment of broadcasting facilities at Dar-es-Salaam, and considering the usefulness of such facilities for mass education and culture, hopes that these proposals will be implemented as rapidly as possible to provide experience for the expansion of such services in the Territory.

Extent of literacy

The Council, at its third session, suggested that the Administering Authority, in undertaking the census, should make a special effort to obtain precise statistics regarding the extent of literacy.

The Administering Authority stated that among the indigenous inhabitants the percentage of illiteracy was still high and that it varied considerably between different parts of the Territory.

During the census, a special, complete and detailed analysis was taken in sample areas, but the results were not available at the time of writing of the 1949 annual report.

Development of indigenous languages and culture

At its third session, the Council suggested that consideration should be given by the Administering Authority to the development of indigenous languages and culture.

The Administering Authority stated that the Swahili language was first established in written form by missionaries nearly a century ago. Since its adoption as the official vernacular language, the process of standardization had been continued by the Inter-Territorial Language Committee. Missionaries had also established a number of Bantu dialects in written forms. Their use was localized, but study of them was maintained by missions and study by individual officers encouraged by the Government by the award of interpreterships.

At its sixth session, the Trusteeship Council noted with satisfaction the steps taken by the Administering Authority toward the implementation of its resolution with regard to the development of indigenous languages and culture.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of Argentina noted the observations of the United Nations Educational Scientific and Cultural Organization[192] with regard to educational progress in Tanganyika, which, together with the annual report for 1950, indicated the necessity for greater efforts in the educational field.

The representative of New Zealand stated that education in its broadest sense was an essential of progress. The teaching of the entire community was involved, not only of children but of adults also. Every possible endeavour must be made to provide education for every child throughout the Territory. Above all, teachers would have to be trained, and more schools were needed. Underlying the entire problem of advancement was the training of experts. People would have to be especially trained for all types of expert jobs, not only in the technical services but in administration also. Despite limitations of finance or dislikes of the population, there could not be too many doctors, teachers, agriculturists or experts in the primary sciences in a backward Territory faced with grave and complex problems.

The representative of the United States of America noted with satisfaction that the revised proposals for African education set targets to be achieved by 1956 considerably beyond those of the original plan. He

[192] T/903.

considered that the Administering Authority should be particularly commended for the care with which this complex problem had been studied, the wisdom and soundness of the general conclusions reached and the forward-looking quality of the concrete proposals made. If the revised plan were successfully carried out by 1956, although very much would still remain to be done, a substantial advance would have been made toward meeting the educational requirements of the Territory.

The representative of the Union of Soviet Socialist Republics stated that the educational situation continued in a deplorable state, and that the necessary measures had not been taken by the Administering Authority to ensure progress. The existing facilities were entirely insufficient to meet the requirements of the Territory.

The special representative of the Administering Authority said it could not be denied that much yet remained to be done in the field of educational advancement. As was stated in the report for 1950, it was recognized by the Administration that the revised ten-year plan still did not provide a complete answer to the problem but it did represent a considerable advance and, having due regard to the claims of the other social services on the limited financial resources of the Territory, it offered a realistic picture of what could be achieved within the ten-year period.

Expenditure

The representative of Belgium noted the increased expenditure on education and considered that this demonstrated the Administration's concern to improve public education as far as was humanly possible.

The representative of the Union of Soviet Socialist Republics stated that overt discrimination was applied to the indigenous population with regard to educational expenditure. An analysis of the budgetary appropriations for African and European education in relation to the number of African and European pupils led to the conclusion that the expenditure per African pupil was twenty-one times less than the expenditure per European pupil. The Council should recommend that the Administering Authority increase the budgetary appropriations for educational and other cultural needs.

The special representative of the Administering Authority explained that for a number of reasons the expenditure incurred on African and non-African education could not be properly compared on a *per capita* basis. Moreover, as stated in the annual reports, the amounts shown as expenditure on non-African education included loans for capital works and the proceeds of the special Non-Native Education Tax.

Educational facilities for Africans

Secondary schools

The representative of the Union of Soviet Socialist Republics pointed out that there were only three schools in the Territory offering the full course of secondary studies.

Teachers and teacher-training schools

The representative of New Zealand stated that the training of teachers was a basic need of the Territory and that special means should be adopted to widen and accelerate teacher-training.

The representative of the Union of Soviet Socialist Republics stated that racial discrimination against indigenous inhabitants was evident in the salaries paid to European and African teachers. In 1949, the minimum salary of an African teacher was almost ten times smaller than that for a European.

The special representative of the Administering Authority referred to the considerable provision made in the revised ten-year plan for the expansion of training facilities. As regards the allegations of racial discrimination he stated that, quite apart from the general question of the factors governing the remuneration of expatriate officials, there could at present be no comparison between the duties and responsibilities of African school teachers and the European members of the Education Department staff.

Higher education

The representative of New Zealand noted that there were only forty-two students from Tanganyika attending Makerere College. In view of the tremendous need in the Territory for trained personnel he felt that this number could not scratch the surface of the Territory's needs and was demonstrably too small an attempt to solve a problem which he agreed could not be solved at once or at one blow.

School fees

The representative of the United States of America noted that it was recommended under the ten-year plan that fees be charged in the primary and middle schools. While appreciating the need of the Administration for increased revenues to operate the school system, he nevertheless expressed doubt as to whether the families of pupils should be made to bear these costs, as distinguished from the population as a whole. He considered that, as a matter of principle, education, at least at the primary level, should be free. Particularly where education was not compulsory, parents should be given every inducement to send their children to school, rather than be made subject to special taxation for doing so. He believed that the Administering Authority might be asked to review this question of charging school fees, with a view to determining whether other sources of general revenue might not be more advantageously sought and utilized.

The special representative of the Administering Authority stated that views concerning the advisability of charging school fees were not unanimous in Tanganyika. The suggestion was now under consideration by the Administration.

Chapter II

RUANDA-URUNDI

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

Ruanda-Urundi is situated in Central Africa, between latitudes 1° 04′ 30″ and 4° 28′ 30″ south, and longitudes 28° 50′ and 30° 53′ 30″ east of Greenwich, covering a total area of 54,172 square kilometres.

The country is mountainous, some peaks rising to over 2,500 metres. Most of the Territory consists of a high plateau varying between 1,200 and 2,000 metres in altitude and of temperate climate. The capital, Usumbura, is situated on Lake Tanganyika at an elevation of 700 metres and in 1950 had a population of 1,491 Europeans, 972 Asians and 16,362 indigenous inhabitants. The climate at Usumbura is tropical.

Rainfall varies from area to area. It is extremely irregular in respect both of the volume of precipitation and its distribution.

In 1950, the population amounted to 3,904,779 indigenous inhabitants living under the system of chiefdoms, as against 3,808,191 in 1949. There were also 53,015 indigenous inhabitants not living under the system of chiefdoms, as against 45,555 in 1949. On 31 December 1950, the European population amounted to 3,733 as against 3,407 on 31 December 1949. On 31 December 1950, the non-indigenous Asiatic and African populations numbered 1,963 as against 1,790 on 31 December 1949, and mulattos and half-castes 1,207 as against 1,422.

The indigenous population is composed of a Bantu majority (the Bahutus) which accounts for more than 90 per cent of the population; a Hamitic minority (the Batutsi) which constitutes the governing aristocracy and gives Ruanda and Urundi their ruling families and pastoral nobility; and a few thousand pygmies (Batwa). Each country (*pays*), Ruanda and Urundi, is headed by a king (Mwami).

Ruanda-Urundi was part of the former German East Africa. The Territory was placed under Belgian Mandate by a decision of the League of Nations dated 31 August 1923. On 13 December 1946, the General Assembly of the United Nations approved the Trusteeship Agreement for Ruanda-Urundi, and this Agreement was in turn ratified by Belgium by the Act of 25 April 1949.

In 1948, a Trusteeship Council Visiting Mission travelled through Ruanda-Urundi. At its sixth session, the Trusteeship Council, noting that the Administering Authority had concurred with the views expressed by the Visiting Mission on certain matters and had adopted and put into effect some of the Mission's suggestions, commended the Administering Authority for that example of constructive co-operation.

At its ninth session, the Council adopted the following conclusion:

The Council, considering the difficult problems with which the Administering Authority is faced, is of the opinion that continued progress has been made in all fields, during the two years under review; and expresses the hope that progress will be more rapid in the future.

Observations of members of the Trusteeship Council representng their individual opinions only

The representative of New Zealand commended the Administering Authority for the very full and frank account of conditions in Ruanda-Urundi. He felt that on the whole the Administering Authority had a very creditable record of progress in the Territory and was animated by a sense of international responsibility. If the report and the discussion disclosed certain features of the situation which were perhaps not so satisfactory, they were certainly due to the intractable nature of problems faced which would need time, resources and energy to resolve.

The representative of Argentina commended the Administering Authority for the manner in which it was carrying out the delicate tasks involved in its trusteeship.

The representative of Australia saw, in the annual reports, abundantly clear evidence of the fact that the Administering Authority was setting before the Native population higher standards in all fields, and endeavouring to secure their willing acceptance. He commended the Administering Authority for such good administrative conduct.

The representative of the Union of Soviet Socialist Republics stated that the information contained in the reports of the Administering Authority for the years 1949 and 1950 indicated that the policies of the Belgian Government with regard to Ruanda-Urundi have not fostered the progressive development of the Territory towards self-government or independence as required by the Charter of the United Nations.

The representative of Belgium stated that he wished to draw the attention of the Trusteeship Council to the fact that the assertions made by the representative of the USSR were in contradiction with the positive information with which he was perfectly well acquainted and which was contained in the report or had been given by the special representative or by himself.

The special representative of the Administering Authority observed that there existed problems in the political, economic and social fields which could not be solved by decrees and with regard to which the support of the population had to be gained gradually, day by day. The Administering Authority knew that there existed important problems requiring solution, but if there were

no such problems, there would be no need for trusteeship in the Territory. He considered that the attitude of the representative of the USSR was not objective, because he condemned the present conditions in Ruanda-Urundi by comparing these conditions with what they should be once the evolution had been completed.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

There is neither popular representation nor any electoral body in Ruanda-Urundi. The annual report states that owing to the very nature of its development the local population does not take part directly in the exercise of the legislative power. Since 1949, however, the two Bami have been *ex officio* members of the Council of the Vice-Government-General, an advisory body whose recommendations are taken into account when legislative texts are being prepared.

At its third session, the Trusteeship Council, noting that no real progress had yet been made towards developing in the indigenous population the understanding and practice of democratic processes, recommended that the Administering Authority review both the central and local administrative organs of government in such a way that the new administrative structure would be in complete accordance with the objective of developing the indigenous inhabitants politically towards eventual self-government or independence.

The Visiting Mission was of the opinion that the trend of the Belgian authorities' Native policy need not be changed, but that it was desirable that it be accelerated.

In its report for 1948, the Administering Authority pointed out that every year the indigenous authorities were invited to participate more actively in the administration of the Territory; and that all important matters relating to such matters as the status of the indigenous inhabitants, cattle and emigration had been submitted to the councils of the *pays* (countries), which discussed them quite freely.

At its sixth session, the Council commended the Administering Authority for the progress achieved in political matters.

In its report for 1949, the Administering Authority pointed out that on no account should it be forgotten that full political capacity was, chronologically, the last aim to be achieved and that a prerequisite, on the part of the indigenous chiefs, was a sufficient measure of maturity in economic, social and educational matters.

The Administering Authority also pointed out that the indigenous population — with the exception of a few educated Natives — ceased to take any interest in efforts made on its behalf in political matters — and even in economic matters — as soon as they went beyond the limits of its immediate concern.

At its third session, the Council had recommended that the Administering Authority should introduce, in at least a preliminary way, some form of electoral system. In 1949, an attempt was made to secure the appointment by election of several members of the Council in the *centres extra-coutumiers* of Usumbura, but the result of the experiment was considered rather disappointing by the Administering Authority because the Natives took no interest in the elections, which they regarded as an imposition. At its sixth session, the Trusteeship Council expressed the hope that adequate education would make such experiments more successful in the future.

A new attempt to select members of the Council by ballot was made in 1950 at Rumonge. Unfortunately, according to the 1950 annual report, the fact that numerous electors were illiterate, prevented the secrecy of the vote from being fully assured, and this circumstance led to the defection of the electors.

The Administering Authority stated that a new attempt, preceded by a propaganda campaign designed to teach the indigenous inhabitants the mechanism of election, would take place in August or at the beginning of September 1951 for the replacement of six councillors of the *centres extra-coutumiers* in Usumbura whose mandate had expired, and that all measures would be taken in order that the voters should be well aware of their task and capable of voting in absolute secrecy.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that among the fundamental problems in the Territory are the development of an organised electorate and representative political institutions at the local level, and the constitution of a representative central legislative body with real powers and responsibilities; noting with regret the failure of the electoral experiments at Usumbura and Rumonge; and noting with satisfaction the careful and elaborate preparations made by the Administering Authority for the 1951 elections in the centres extra-coutumiers *in Usumbura, expresses the hope that the obstacles which prevented earlier elections from being successful will be surmounted, and that the way will be paved for further elections in other* centres extra-coutumiers *throughout the Territory.*

Administrative union with the Belgian Congo

The Territory of Ruanda-Urundi was united administratively with the Colony of the Belgian Congo by the Act of 21 August 1925. This Act made the Territory a Vice-Government-General, and provided that Ruanda-Urundi should have a separate juridical personality and its own finances and assets. Certain legislative provisions relating to the Belgian Congo, particularly royal decrees and legislative ordinances of the Governor-General of the Belgian Congo, do not apply to the Trust Territory unless they are expressly stated to be applicable to it, or unless they are made applicable to it by ordinance of the Governor of Ruanda-Urundi.

At its third session, the Trusteeship Council expressed the hope that, in view of the fact that Ruanda-Urundi was now a Trust Territory, its separate political entity would continue to be preserved, either by a revision of the Act of 21 August 1925 or by some other suitable measure.

The Visiting Mission was of the opinion that, although administratively united with the Belgian Congo, Ruanda-Urundi had maintained its own identity, but it suggested that the Administering Authority consider the modification of the system of administrative union on the basis of partnership rather than subordination.

The matter has since been considered by the Committee on Administrative Unions.

At its ninth session, the Council adopted the following conclusions and recommendations:[192(a)]

I. *The Trusteeship Council, noting the conclusions reached by the Committee on Administrative Unions that the Administering Authority should consider the desirability of reviewing the legal form of the administrative arrangements between Ruanda-Urundi and the Belgian Congo with a view to bringing it more fully into accord with the existing practices, realizing that, thus far, the Administering Authority has not had sufficient time to undertake the steps necessary for a full consideration of the subject raised by the Committee on Administrative Unions, expresses the hope that the Administering Authority will inform the Standing Committee with regard to any review of or action upon the legal form of the administrative union affecting Ruanda-Urundi.*

II. (*a*) *With respect to the safeguards enumerated in sub-paragraph 7 (a) of Trusteeship Council resolution 293 (VII), the Council notes that the annual reports on the administration of Ruanda-Urundi for 1949 and 1950 contained separate financial, statistical and other data relating to the Trust Territory.*

(*b*) *With regard to the safeguards enumerated in sub-paragraph 7 (b) of Trusteeship Council resolution 293 (VII), the Council notes that neither the Committee on Administrative Unions nor the Trusteeship Council has expressed any doubts concerning the willingness of the Belgian Government to facilitate the access of visiting missions to such information on the administrative union of Ruanda-Urundi with the Belgian Congo as may be necessary to enable visiting missions to report fully on the Trust Territory.*

(*c*) *With regard to the safeguards enumerated in sub-paragraph 7 (c) of Trusteeship Council resolution 293 (VII), the Council notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained; and*

(*d*) *With regard to the safeguards enumerated in sub-paragraph 7 (d) of Trusteeship Council resolution 293 (VII), the Council notes that according to the information contained in the annual reports for 1949 and 1950 the total revenue derived from the Trust Territory amounted to:*

1948	*1949*	*1950*
(estimates)	*(estimates)*	*(estimates)*
200,458,000 frs.	*232,062,000 frs.*	*276,919,000 frs.*

and the total ordinary and extraordinary expenditure on the administrative welfare and development of the Trust Territory amounted to:

1948	*1949*	*1950*
(actual)	*(estimates)*	*(estimates)*
227,168,563.57 frs.	*407,826,000 frs.*	*327,334,161.85 frs.*

Therefore expenditure on the administration, welfare and development of Ruanda-Urundi for the last three years was not less than the total amount of public revenue derived from the Trust Territory.

Legislative and executive powers

Supreme legislative power is exercised by the Belgian Parliament; its enactments are called "Acts" (*lois*). Ordinary legislative power is exercised by the Crown in the form of decrees, which, except in cases of urgency, are submitted to the Colonial Council (an advisory council sitting in Belgium). The Governor-General of the Belgian Congo has power to issue legislative ordinances in cases of urgency. Decrees and legislative ordinances are not applicable to Ruanda-Urundi unless they are expressly stated to be applicable to the Territory, or unless the Governor of Ruanda-Urundi makes them applicable to it.

In cases of urgency, the Governor of Ruanda-Urundi may temporarily suspend the validity of decrees and sign ordinances having the force of law.

Executive powers are vested by law in the Governor of Ruanda-Urundi, who exercises them by means of ordinances.

Since 1947, there has been a Council of the Vice-Government-General of Ruanda-Urundi. This is a purely advisory body which meets for some days each year and examines budgetary proposals, considers any questions submitted to it by the Governor, and is authorized to submit recommendations to the Government. Originally the Council was composed of twenty-two members, seven being *ex officio* members and fifteen appointed, all Europeans, five of whom represented more particularly the indigenous inhabitants.

At its third session, the Trusteeship Council considered that the Administering Authority might find it possible to give the indigenous population direct representation in the Council.

The Visiting Mission recommended that the two Bami and three or four notables or chiefs each from Ruanda and from Urundi be appointed as members of this Council, and that the Council be developed into a legislative body in the near future.

In 1949, the Administering Authority made the two Bami *ex officio* members of the Council and appointed indigenous notables as their alternates.

At its sixth session, the Trusteeship Council commended the Administering Authority on this innovation. It was gratified to note that the Administering Authority viewed with favour an increase in the near future in the number of Africans on that Council and expressed the hope that the Council of the Vice-Government-General would be given some legislative powers.

The Administering Authority reported that, in 1950, the Council of the Vice-Government-General was in session from 17 to 22 April and that the ten-year plan was then explained. A Native priest and three important chiefs were invited to be present at the meetings.

The Administering Authority further indicated that, in 1951, the mandate of the members of the Council of the Vice-Government-General had been renewed. Two new indigenous members had been appointed, one as a full member and the other as an alternate. In addition, five chiefs had been invited to two meetings at which the Vice-Governor-General explained the policy of the Government. The Council of the Vice-Government-General could note in 1951 that a great majority of the wishes expressed in 1950 had been put into execution.

At its ninth session, the Council adopted the following recommendations:

The Council, noting that the Council of Vice-Government-General is still a consultative body, and considering that this organ might become a valuable medium

[192(a)] The same conclusions and recommendations appeared originally in the fifth report of the Standing Committee on Administrative Unions, document T/919.

for political education, recommends that the Administering Authority further explore the possibilities of developing the importance of this organ of government, and expresses the hope that the Administering Authority will soon be able to review the functions of this Council with a view to delegating to it some powers of legislation.

The Council, recalling that, in 1949, the Administering Authority had appointed the Bami as ex-officio *members of the Council of Vice-Government-General with African alternates, noting with satisfaction that, in 1951, one more indigenous member and alternate have been appointed to this Council, recommends that the number of African members on this Council be further increased.*

Administration

The administration of the Territory is under the authority of a Governor. He is assisted in his duties by a Provincial Commissioner and by a staff of officials who are appointed to the various administrative departments. One hundred and thirty-one European officials are at present employed in the general administration as against eighty-five in 1949. The Territory is divided into two Residencies, Ruanda and Urundi, which are divided into eight and nine territories respectively. The number of Europeans employed in local administration had risen from 124 in 1949 to 127 in 1950 in Ruanda and from 141 in 1949 to 146 in 1950 in Urundi.

At its third session, the Trusteeship Council recommended that the Administering Authority provide increased facilities for training indigenous inhabitants to fill responsible posts in the Administration, and study the possibility of granting them, at the earliest possible moment, direct representation in the higher administrative organs.

In 1950, the Civil Service included in the permanent staff 451 literate Natives in subordinate posts as bookkeepers, clerks, etc. The Administration also maintains a corps of 282 Native police, and many other Natives are employed as assistant hospital attendants, labourers, etc. In 1949, the figures were 419 and 335 respectively and, in 1948, they were 414 and 317.

At its ninth session, the Council adopted the following recommendation:

The Council, noting with approval the established policy of the Administering Authority to extend the responsibilities of the indigenous authorities, with the objective of gradually transferring to them responsibilities now discharged by the European Administrations, recommends that increased opportunities be provided for the advancement of qualified Africans into the higher ranks of the European administrative service, and that to this end the establishment of a training programme for African personnel be considered, including the possibility for specialized training abroad.

Indigenous political structure

The Territory is divided into two Native states, or *pays* — Ruanda and Urundi, each headed by a Mwami (King) who is chosen according to Native custom and is invested by the Governor. The chiefdom is the fundamental element in the political organization, which is based on the principle of indirect rule. Both countries are divided into chiefdoms under chiefs who are appointed by the Mwami in accordance with customary law and invested by the Governor. There are fifty-one chiefs in Ruanda and thirty-six in Urundi. Each chiefdom is divided into sub-chiefdoms, the heads of which are appointed by the Mwami and invested by the Resident. There are 626 sub-chiefs in Ruanda and 492 in Urundi.

Councils for Ruanda, for Urundi and the various chiefdoms assist the Bami and the chiefs; the law provides that in some cases they must be consulted. The *pays* and the chiefdoms have autonomous budgets and treasuries, the administration of which is in principle entrusted to the indigenous authorities; inasmuch, however, as the latter's inexperience prevents them from administering these treasuries themselves, as a temporary measure, the treasuries of the *pays* are administered by the Residents and the treasuries of chiefdoms by the Territorial administrators, with the collaboration of the indigenous authorities.

The annual report for 1950 mentions that new accounting regulations for these treasuries giving the indigenous authorities a very large part in managing the finances of their districts were completed during the year and are to be put into effect in 1951.

The Bami, the chiefs and the sub-chiefs are responsible for indigenous administration and for numerous functions prescribed by law. The indigenous inhabitants used to have to pay numerous levies or tributes, either in kind or in labour to the Bami, the chiefs and sub-chiefs. These levies have been gradually reduced by the Belgian Administration. In 1947, all payments in kind had been compulsorily redeemed and replaced by payments in cash to the Bami and the chiefs. In 1948, the redemption of levies in the form of labour was also made compulsory, so that all tribal dues have now been replaced by taxes payable in cash.

At its third session, the Trusteeship Council, noting that the Administering Authority had preserved the indigenous political and tribal structure of the Territory, commended the Administering Authority for not forcibly uprooting the indigenous institutions and customs, but suggested that the present system did not offer sufficient opportunity for the development of a sense of political responsibility among the indigenous inhabitants as a whole, and that their political, economic, social and educational advancement could better be promoted by the progressive establishment of local organs of self-government. The Council invited the Administering Authority to study the desirability and feasibility of gradually establishing one system of government in which both Europeans and indigenous inhabitants would participate, and in which the indigenous inhabitants would assume eventually the principal functions and responsibilities.

The Visiting Mission considered that on the whole, the Native Authorities were confined to a very limited field of action and that their powers were so controlled that they were reduced in most cases to the rank of mere subordinates. On the other hand it considered that the customary framework which had been preserved was no longer an obstacle to political progress within the meaning of the United Nations Charter, for the present Native society already possessed, in embryo, all the opportunities requisite for a new democratic organization in which the peoples of the Territory would be self-governing. Consequently the Mission felt that the indigenous authorities should progressively be given fuller participation in the direction of the Territory's

affairs. It suggested that they should gradually be taken into closer consultation on matters which clearly transcended petty local interests; that they should be consulted on questions which concerned the country as a whole and not exclusively African affairs; and that they should be given a share in the administrative and general political problems as they arose at the higher levels of local administration.

The Visiting Mission also expressed the view that the general attitude of paternalism of the European administration towards the Native Authorities might perhaps be modified in some way, and that the latter should be made increasingly aware of the possibility open to them of taking part on an equal footing with the Administration in the direction of political affairs.

In its report for 1948, the Administering Authority remarked that a very important reform, the effects of which would probably be felt in 1949, was being studied. The object of the reform was to establish new councils at the sub-chiefdom and Territorial levels in addition to the existing councils at the *pays* and chiefdom levels. Election of members of the various councils would follow a procedure corresponding to the stage of development reached by the population. The chairman of each council would be chosen by its members from amongst themselves, and the *conseil de pays* would be vested with legislative powers in so far as was considered feasible.

At its sixth session, the Trusteeship Council invited the Administering Authority to give it, as soon as practicable, full information regarding these plans, to the implementation of which it attached great importance.

The annual report for 1950 states that studies relating to the proposed reform are reaching an advanced stage at Brussels, and that there is reason to hope that the decree to reorganize the political system will be issued in the near future.

The preamble of this decree reads as follows: "The Administering Authority has sought in particular to call more and more upon leading indigenous elements distinguished by their intellectual, professional and moral qualities. Confident of the sincere co-operation of the indigenous authorities, the Administration feels that the time has come to take a further step forward in the democratization of the political system in Ruanda-Urundi by setting up an electoral system adapted to the indigenous mentality as well as to the evolution of the Native mind and by having the customary authorities and the population participate to a greater degree in the administration of their country."

At its ninth session, the Council adopted the following recommendation:

The Council, noting with keen interest the proposed revision of the Ordinance on the indigenous political organization whereby: (a) *electoral principles will be partially applied to the existing indigenous councils* (conseils de pays *and* conseils de chefferies) *and to indigenous councils to be established* (conseils de Territoire *and* conseils de sous-chefferies); (b) *these councils would to some extent exercise legislative powers; considers that such reforms hold great promise of transforming the indigenous feudal political institutions of the Territory into truly representative institutions; and expresses the hope that the next annual report will contain detailed information on the new system.*

Judicial organization

There are non-indigenous criminal and civil courts and there are also indigenous courts which are competent to deal with African civil and tribal questions and which also have limited power in penal matters.

In the view of the Administering Authority the co-existence of indigenous and non-indigenous jurisdictions is justified by the fact that the non-indigenous courts are to conduct their proceedings according to written law, whilst the indigenous courts must settle disputes in accordance with tribal standards.

So far as the non-indigenous courts are concerned, the Decree of 5 July 1948, which came into force on 1 July 1949, considerably modified the judicial organization by stressing the separation of powers as between the executive and the judiciary. The Governor of Ruanda-Urundi is no longer chief public prosecutor and president of the Court of Appeals, but has been replaced in these functions by members of the judiciary. The competence of the Residency courts, which are presided over by civil servants, has been reduced.

With regard to the indigenous courts, the Visiting Mission raised a delicate point concerning the judicial functions of the chiefs: namely the principle of the separation of powers, an idea which is still foreign to the Bantu mentality.

The organization and composition of the indigenous courts have remained unchanged since 1943, but the Administering Authority stated in its report for 1948 that it was proposing to consider the revision of the judicial organization with a view to the separation of the indigenous judicial power from the legislative and executive powers. It also expressed the view that it was preferable and sounder policy in such a delicate matter that the steps calculated to ensure appreciable progress should be decided on by the representatives of the people.

At its ninth session, the Council adopted the following conclusion:

The Council notes with satisfaction the greater measure of separation of political from judicial powers established by the Decree of 5 July 1948.

Journey of the Bami to Europe

The Visiting Mission recommended that arrangements should be made for some of the chiefs or a few of the educated Africans to travel, and especially to spend short periods in Europe. The Mwami and four chiefs of Ruanda spent almost three weeks in Belgium in 1949. The Mwami and several chiefs of Urundi stayed in Belgium for about four weeks in 1950.

At its ninth session, the Council adopted the following recommendation:

The Council commends the Administering Authority for having enabled the two Bami and eight chiefs and notables to visit Belgium in 1949 and 1950, and expresses the hope that the practice will be maintained of inviting chiefs to Belgium for periodic visits.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of Argentina expressed his satisfaction with the assurance given by the Administering

Authority that the forthcoming indigenous political reform was designed to make institutions in the Territory more democratic and representative.

The representative of the Union of Soviet Socialist Republics observed that no system of self-government based on democratic foundations prevailed in the Trust Territory. The Administering Authority had failed to take any measures towards the introduction of such a system.

He noted that the Visiting Mission had stated that conversations with administrative officials made it clear that the political development of the indigenous population was viewed as an extraordinarily slow process. It appeared in their view that many generations would be required to reach any results.

Administrative union with the Belgian Congo

The representative of the United States of America thought that with regard to the administrative union between Ruanda-Urundi and the Belgian Congo the report of the Standing Committee on Administrative Unions should receive the endorsement of the Trusteeship Council and form the basis of the Council's recommendations.

The representative of the Union of Soviet Socialist Republics stated that the policy of the Administering Authority was designed to perpetuate the colonial régime in the Trust Territory through the establishment of a so-called administrative union of the Territory with the Belgian Congo. The Belgian Administration had subordinated Ruanda-Urundi to and united it with the Belgian Congo in flagrant violation of the Charter and of the Trusteeship Agreement.

No legislative or governing organs which were not subordinated to organs created under the administrative union of Ruanda-Urundi with the Belgian Congo existed in the Trust Territory. In respect of the budget, as in all other respects, the Territory was subordinated to the Belgian Congo.

No modifications were made thus far in the laws of 1925 and 1926 uniting the Trust Territory to the Belgian Congo.

The representative of Belgium stated that the representative of the USSR had wrongly concluded that because the Governor-General of the Belgian Congo was the superior of the Governor of Ruanda-Urundi, the latter Territory was subordinated to the Belgian Congo. Obviously, this conclusion was wrong.

The special representative of the Administering Authority pointed out that Ruanda-Urundi was in no way subordinate to the Belgian Congo, but that it co-operated closely with that Colony and derived the greatest advantages from that co-operation.

The legislation of 1925 and 1926 on the administrative union was sufficiently flexible to permit Ruanda-Urundi to pursue its own destiny. It had been drawn up under the Mandate, the objective of which was self-government for the Territories.

Legislative and executive powers

The representative of New Zealand felt that some good work was being accomplished by the Council of the Vice-Government-General, but that there was still a long way to go. He noted that it was still functioning on a consultative basis only, and expressed the hope that the Administering Authority would soon be able to reorganize the Council on other than a purely consultative basis and to delegate to it powers of legislation on some subjects. He hoped that the number of indigenous representatives on the Council could be increased and commended the Administering Authority for having made the two Bami *ex-officio* members of the Council, with indigenous notables as their alternates, and for the appointment of an African as special representative of the indigenous inhabitants on the Council for the year 1951.

The representative of the United States of America noted the assurances of the Administering Authority with regard to the effectiveness of the Council of the Vice-Government-General. He thought, however, that this Council could be developed to an even greater degree, both as an advisory council with power to sway decisions and as a medium for political education, particularly for indigenous leaders. He pointed out that, under the present arrangements, the Council met only once a year and that its session usually lasted five or six days only. He thought that such infrequency and such short duration of the Council's meetings were scarcely adequate to make full and effective use of this body. Therefore, he hoped that the Administering Authority would wish to consider the possibility of increasing the frequency and the duration of these meetings or further explore the possibilities of developing the importance of this organ of government.

The representative of China stated that he was in favour of more frequent meetings of the Council of the Vice-Government-General and of a longer duration of such meetings.

The representative of the Union of Soviet Socialist Republics stated that the indigenous population of Ruanda-Urundi was kept away from participation in legislative, executive and judicial organs of the Trust Territory. The governing powers of the Trust Territory were concentrated in the hands of the Vice-Governor-General who was subordinated to the Governor-General of the Belgian Congo. This Belgian Vice-Governor-General administered the Territory through Belgian officials. All legislative, executive and judicial authority in the Trust Territory was carried out by Belgian officials.

The Trusteeship Council should recommend to the Administering Authority that it establish in the Trust Territory legislative and administrative organs, not subordinated to any organs formed on the basis of a union between the Trust Territory and the Belgian Congo, and that for this purpose legislative and other measures be taken to ensure the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

The representative of Belgium stated that it was not accurate to say that the population of Ruanda-Urundi was debarred from any participation in the political life of the country in the legislative, executive and judicial organs. Everyone in the Trusteeship Council and everyone in Ruanda-Urundi knew perfectly well that the Bami, for instance, played a role in the political life of the country.

The special representative of the Administering Authority observed that the indigenous population of

Ruanda-Urundi was no more debarred from participation in the direct exercise of legislative power than were all other elements of the population of Ruanda-Urundi. The population, however, could influence legislation through advisory channels.

The Bami, the chiefs and the sub-chiefs did exercise executive power and were actually part of the Administration and in respect of all purely customary questions, were, in reality, exercising such executive power exclusively.

Administration

The representative of New Zealand took note of the intention of the Administering Authority to transfer to the indigenous *cadres* of administrators the powers which belonged to the present European administrators, once the former were sufficiently trained to replace the latter.

The representative of the United States of America felt that the established policy of the Administering Authority to extend the responsibilities of the indigenous administrative structure, with the objective of eventually replacing the European administrative officials by African officials, was sound and worthy of encouragement.

He favoured providing increased opportunities, under competent European supervision, for technical training and practical experience in the various technical and administrative services of government. The objective, he felt, should be the training of specialized indigenous personnel for what would eventually be a wholly African administrative structure.

He expressed the hope that full information showing the progress made along these lines would be included in the subsequent annual reports.

The representative of the Union of Soviet Socialist Republics noted that in the European administration, as well as in the so-called indigenous authorities, the indigenous inhabitants worked as clerks, secretaries, messengers, policemen, etc. The Administering Authority did not anticipate any concrete measures for the establishment of organs of self-government based on democratic foundations in which the indigenous population would participate.

Indigenous political structure

The representative of New Zealand noted the proposed reform of the indigenous political organization which would include provision for a greater measure of elections for the various local councils and the transfer of certain powers from the European to the indigenous authorities. He also noted that the management of the Native treasuries would pass, except for certain essential safeguards such as auditing, into the hands of the indigenous authorities, as from 1 July 1951 and commended the Administering Authority for this step.

The representative of Australia thought that it was appropriate for the Council to express its keen interest in the proposed revision of the Ordinance on the indigenous political organization and to encourage the Administering Authority to implement it fully.

The representative of the United States of America noted that the proposed reform of the indigenous political structure was expected to be enacted into law in the very near future. He felt that the Council would be interested in receiving, in the next annual report, detailed information with regard to this reform, particularly information on the steps taken to implement these proposals and on the developments resulting therefrom.

The representative of China stated that while his delegation would like to maintain its position that the indigenous political structure — granted that there were embryonic democratic elements in it — should be fitted for or transformed as early as possible into a modern governmental system, it was gratifying to note that the adoption of plans for the reform of the indigenous political structure was only a few weeks away. He would look forward to receiving further detailed information on the operation of the new system.

The representative of the Union of Soviet Socialist Republics noted that now as before the Administering Authority was encouraging and fostering the tribal system in the Trust Territory. That tribal system was incompatible with the progressive political development of the population of the Territory towards self-government or independence. He stated that, in view of the fact that the tribal system which now existed in the Territory and which was being encouraged by the Administering Authority, was incompatible with the progressive political development of the population towards self-government and independence, the Council should recommend to the Administering Authority that it take measures to ensure the transition from the tribal system to a system of self-government based on democratic principles.

The special representative of the Administering Authority repeated that the tribal system was unknown in Ruanda-Urundi.

Judicial organization

The representative of the United Kingdom commended the Administering Authority for modernizing the judicial structure of the Territory.

The representative of the Union of Soviet Socialist Republics stated that although the Administering Authority alleged that the Decree of 5 July 1948 had modified substantially the judicial organization in the direction of a separation of executive and judicial powers, its own report made it entirely clear that the judicial authority was also held by Belgian officials. The Resident and the Administrator enjoyed the right of presiding over the Territorial and Appeals Court and the judges of the police and the residency courts were officials of the Belgian administration.

The special representative of the Administering Authority recalled that as regards judicial power, there existed entirely indigenous judicial organs and that these organs had full power to settle all civil disputes between indigenous inhabitants, regardless of the importance of such disputes. The Residents and the Territorial administrators presided over the indigenous tribunals only on very rare occasions and exclusively in the very interest of the indigenous inhabitants.

Journey of the Bami to Europe

The representative of New Zealand considered that the visit of the two Bami and eight chiefs and notables to Belgium was a wise move and that further visits of this character would be of value in advancing political progress.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

The annual report for 1950 states that, despite a favourable economic situation, the very encouraging results recorded during the financial year and steady economic development, the Territory's economy is based on only a few products. The Administering Authority observes that the dangers inherent in this too primitive economy have not escaped its attention, and that the recently prepared ten-year plan contemplates not only the development of existing activities, but also and above all the creation of new resources and the Territory's industrial organization.

At its third session, these matters occasioned the Trusteeship Council much concern. It was of the opinion that economic conditions in Ruanda-Urundi required improvement, that economic benefits were not sufficiently directed to the interests of the indigenous population and that much remained to be done in this respect.

The Visiting Mission noted that Ruanda-Urundi presented difficult problems, and that its economic future did not seem likely, unless there were unexpected developments, to be spectacular or easy. It noted that the country as a whole was poor, the soil inadequate in quantity and often of poor quality, and that the density of the population, the number of low-grade cattle, the extreme irregularity of rainfall, deforestation and erosion were all major difficulties. The Mission also noted that the known natural resources, chiefly mineral, were neither enormous nor inexhaustible and that transport was difficult; the mining interests were wholly in the hands of Europeans and trade in the hands of Europeans and Asians. The Mission concluded that the fitting of Native society into these aspects of economic life was a difficult problem which had yet to be attacked.

The annual report for 1950 stated that the indigenous inhabitants were beginning to participate more directly in the country's economy by establishing themselves as retail merchants, cattle dealers and carriers, or by engaging in handicrafts. It also noted that features of the economic development of the past few years were an ever-growing increase in production, in exports and in imports of producer and consumer goods, as well as an extensive development of communications and the establishment of new activities; and that all this had led to a considerable betterment in the population's well-being.

At its ninth session, the Council adopted the following conclusions:

The Council commends the Administering Authority for the measures it has adopted against famine.

The Council notes that the Administering Authority fully recognizes the dangers inherent in the fact that the economy of the Trust Territory is based on only a few products.

The Council further notes with approval the steps taken by the Administering Authority during the two years under review to increase and diversify export production and to apply scientific methods to problems of conservation and expansion of production.

Agriculture

Ruanda-Urundi is primarily an agricultural country. In 1950, it was estimated that 1,318,014 hectares, or 24.3 per cent of the territory, were under cultivation. Of this total 1,283,200 hectares, or 97.4 per cent of the total area under cultivation, were used by the local population for growing foodstuffs.

Except in the case of coffee, agricultural production was below that of 1949. A plague of caterpillars and prolonged drought had spoilt what had looked like a promising harvest.

All adult and able-bodied inhabitants of a chiefdom are required to cultivate thirty-five ares of seasonal food crops and twenty-five ares of non-seasonal food crops. The object of these mandatory forms of cultivation is to forestall the danger of famine. The Administering Authority emphasizes that they are prescribed in the exclusive interest of the growers, who freely dispose of the crops.

Industrial crops, extension of which is encouraged by the Government, are not obligatory. The programme for coffee aims at achieving maximum production in the areas where the crop thrives, that is to say, the cultivation of fields of sixty to 125 coffee trees per farmer for about three-quarters of the indigenous inhabitants not employed in business undertakings. Non-indigenous coffee production is negligible (449 tons of marketable coffee in 1950 and 575 in 1949). The production by Africans of Arabian coffee was 15,675 tons of coffee beans in their parchment in 1950, as against 10,000 tons in 1949.

The 1950 cotton crop, all produced by indigenous inhabitants, amounted to 3,220 tons of cotton seed as against 3,737 in 1949.

The number of elacin palm trees (Tanganyika Lake area) increased from 571,000 in 1949 to 623,400 in 1950. Palm oil production amounted to 635 tons in 1949 and 664 tons in 1950, and that of palmetto nuts to 250 tons in 1949 and 236 tons in 1950. Most of the oil is produced by indigenous inhabitants.

The production of castor oil rose from 1,860 tons in 1949 to 2,390 tons in 1950, owing to the increase in demand and in the prices on the world markets. The production of pyrethrum by the *Régie du Ruanda-Urundi* (Ruanda-Urundi office) amounted to 120 tons in 1949 and 153 tons in 1950; the non-indigenous production amounted to 579 tons in 1949 and 850 tons in 1950.

The production of cinchona bark amounted to 103 tons in 1949 and 115 tons in 1950; it is produced mainly by non-indigenous planters.

The indigenous inhabitants are advised by the Administration's agricultural experts and are furnished with selected seeds from the experimental stations, which are administered by the *Institut national pour l'étude agronomique du Congo Belge* (Belgian Congo National Institute for Agronomic Studies) (INEAC).

With a view to increasing the area under cultivation, the Administration embarked on a works programme which has achieved the following results:

(1) The drainage of 6,970 hectares of marshland in 1949 and 2,546 in 1950, which brings the total area of land so reclaimed and made available for indigenous agriculture to 84,500 hectares.

(2) During the dry season, it was possible to cultivate 5,065 hectares of irrigated land in 1949 and 5,519 in 1950.

(3) As an anti-erosion measure, 16,000 kilometres of hedging and ditching made it possible to terrace 17,700 hectares in 1949. The figures for 1950 were 22,000 kilometres and 27,100 hectares, bringing the total length of hedges and ditches to 178,000 kilometres and the area of terraced land to 244,000 hectares.

The *Fonds du Bien-Etre Indigène* (Indigenous Welfare Fund) allocated 55,820,000 francs on its 1948-49 famine prevention programme. Under this programme, thirty storehouses are to be built with a capacity of 12,000 tons of foodstuffs. Six storehouses are nearly completed, and two of them already contain stocks.

The Visiting Mission was greatly impressed by the considerable efforts that the Belgian Administration had made with regard to agriculture in general and food crops in particular. It noted that, despite all the efforts of the Administration, the latter was the first to admit that the threat of famine remained, owing to the highly irregular rainfall. At its third session, the Trusteeship Council had already voiced its concern lest famine conditions should recur and had expressed the opinion that every possible measure should be taken to prevent such a disaster in the future.

At its sixth session, the Trusteeship Council noted with concern that the danger of famine remained a major problem in the densely populated territory of Ruanda-Urundi, noted the praiseworthy efforts of the Administering Authority to meet this situation, drew the attention of the Administering Authority to the need for further means to deal with this problem and recommended that the services of the Food and Agriculture Organization and the United Nations Educational, Scientific and Cultural Organization should continue to be used in that work.

The report for 1950 stated that the competent services in Ruanda-Urundi were carrying out the investigations, inquiries and surveys requested by the specialized agencies and were communicating the results to them; in 1950, surveys of the tilled areas, cattle and agricultural produce as well as research into forestry and other matters were carried out for FAO. The report also stated that the United Nations had not been asked to provide technical assistance for Ruanda-Urundi.

The Government of Ruanda-Urundi stated that it was fully aware of the valuable services which might be rendered by foreign experts in solving the problem of human and animal over-population. Two American pedologists had been invited to the Belgian Congo and to Ruanda-Urundi in 1948 to give their views on problems of erosion and soil conservation. An Inter-African Soil Conference had been held in late 1948 at Goma (Belgian Congo), on the frontier of Ruanda-Urundi.

With regard to industrial crops, the Visiting Mission had the impression that coffee production was beneficial to the Territory's economy and to the well-being of the indigenous inhabitants, for whom it provided a substantial income, and whose food crops it did not threaten. It noted that coffee cultivation had never been compulsory, but that it was possible that a certain indirect pressure had been used to develop it. In this connexion, the Mission recommended the Administration to see to it that over-zealousness did not occasionally become, in one form or another, disguised compulsion.

The Mission described the operation of the *Office des Cafés Indigènes du Ruanda-Urundi* (Native Coffee Bureau) which endeavours to regularize coffee transactions through an equalization fund, to improve the condition of coffee offered for sale on home markets and to standardize production by supervising the coffee offered for export; it noted that the Administration was studying a scheme for a co-operative system for producing and trading in Native coffee. The Mission recommended the introduction of co-operative principles, particularly with regard to coffee and cotton.

The report for 1950 stated that, since 1 December 1949, all the profits from the sale of cotton and its by-products were reserved for the indigenous planters; the part played by cotton companies is now confined to treating the cotton for the planters and transporting it to seaports, where a central selling organization disposes of the cotton on behalf of the indigenous inhabitants exclusively.

With regard to indigenous Arabian coffee, an Ordinance of 28 April 1950 made its purchase conditional on the obtaining of a licence issued only to persons furnishing certain guarantees of their ability to treat or store the coffee. These purchases have to be effected in certain specified markets.

At its ninth session, the Council adopted the following recommendation:

The Council commends the Administering Authority for having included two indigenous coffee growers in the management of the Office des Cafés Indigènes du Ruanda-Urundi, *and expresses the hope that the Administering Authority will consider giving similar representation to cotton growers in the cotton organization.*

Stock breeding

The cattle population amounted to 985,110 head in 1950, as against 973,658 in 1949. Cattle is superabundant and of indifferent quality. Livestock is owned exclusively by the indigenous population, and is considered as a sign of wealth. The stock-breeders usually possess one to five head of cattle; only 1 per cent own fifty or more. Cattle requires a considerable area of pasture land, which encroaches to a dangerous extent on land available for cultivation. The Veterinary Department is making great efforts to reduce the number and improve the quality of cattle.

There are also 1,362,236 goats (1,255,134 in 1949), 430,330 sheep (424,047 in 1949) and 42,152 pigs (35,073 in 1949) in the Territory.

The Visiting Mission stressed that the question of stock-breeding constituted the most thorny problem of Ruanda-Urundi. The Mission considered that the problem was political and social rather than economic, owing to the political, social and sentimental value which the indigenous population attach to the possession of cattle; it also noted the terrific pressure exercised by cattle on food crops, owing to the necessity of devoting to poor cattle a greater area of pasture land than the country could afford. The Mission recommended that the social implications of the question be considered more carefully and that a sociological study be made, possibly with the help of international experts or scientific organs.

The annual report of 1950 states that the question of indigenous stock-breeding in relation to the soil and pasture land had been debated at length at the agronomic meetings at Yangambi (Belgian Congo) in 1947, which were attended by about fifteen agronomists and by foreign experts. The Inter-African Soil Conference, held in 1948 at Goma (Belgian Congo) dealt particularly with questions of over-stocking, improvement of pasture land, moving of flocks, etc.

The Administering Authority stated that one of the main objectives of the ten-year plan would be to attempt to liberate the indigenous inhabitants from their obsessive conceptions of the importance of the cow.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that the cattle question remains one of the most urgent and difficult problems of the Territory, and noting that the Administering Authority is giving serious attention to it, urges the Administering Authority to continue to consider this matter as a major economic and social issue, and to continue to study the problems of overstocking and of placing cattle-raising on an economic basis.

Land tenure and European settlement

The report of the Administering Authority for 1950 states that the indigenous inhabitants own about 36,000 square kilometres of land. The government owns 126 square kilometres (posts and townships, airfields, etc.). A careful survey of the land occupied by non-indigenous inhabitants had shown that 220 square kilometres were so held in 1950, and not 253 square kilometres, the estimate given in the report for 1949.

The details are as follows: (*a*) Land owned by non-indigenous inhabitants, as freehold: 285 hectares of urban land and 8,470 hectares of rural land; (*b*) Land leased under contract by non-indigenous inhabitants: 99 hectares of urban land and 13,086 hectares of rural land, a total of 21,940 hectares, or nearly 220 square kilometres.

Under the legislation in force, only the Administration of the Territory may conclude contracts with the indigenous inhabitants for the acquisition or occupation of part of their land or for the transfer of their rights in respect of non-state land.

With regard to European settlement, the Visiting Mission considered that the Administration's declared policy to discourage European settlement seemed to be wise and indeed imperative in the interest of the indigenous inhabitants of that over-populated Territory. The Mission recommended that the Trusteeship Council maintain constant vigilance in this matter and support the Administration against the ever present possibility of pressure exercised by a European colonization centre in full process of expansion in view of the immediate proximity of the Belgian Congo.

At its sixth session, the Council, regarding as a matter of prime importance that uninhabited and uncultivated lands be reserved as a rule for the indigenous population, urged the Administering Authority to maintain its restrictions on the settlement of agricultural land by non-indigenous persons. In its report for 1948 the Administering Authority stated its policy with regard to European settlement: it discouraged large-scale agricultural settlement, allowed small-scale agricultural settlement, in so far as that did not interfere with the limits compatible with the best interests of the indigenous inhabitants, and welcomed commercial, artisan and industrial settlers. In its report for 1949, the Administering Authority stated that with regard to agricultural concessions, it had decided thenceforth only to grant concessions not exceeding five hectares, for residential purposes. In its report for 1950, it announced that the granting of agricultural or afforestation concessions, even over small areas, had been temporarily suspended by ministerial decision, with the exception of the conclusion of certain contracts for the occupation of agricultural land in respect of which the Government had previously undertaken to grant a concession.

In 1948, there were in all 152 European and seven Asian agricultural settlers, occupying 10,517 hectares.

In 1949, the Government acquired 497 hectares of land from the indigenous inhabitants, of which 207 hectares were intended for the township of Shangungu, 124 hectares for free concessions to religious missions for setting up educational establishments, ninety-six hectares for the establishment of a technical school for the indigenous inhabitants, fifteen hectares for the extension of the airfield at Usumbura, thirty-seven hectares for the military camp at Usumbura, eight hectares for the establishment of various commercial centres and seven hectares for settlement.

In 1950, the land acquired amounted to 387 hectares, of which 211 hectares were intended for townships and posts and 173 hectares for religious associations, for purposes of instruction and worship.

At its ninth session, the Council adopted the following conclusion:

The Council commends the Administering Authority for its decision to suspend the granting of concessions to non-indigenous agricultural settlers.

Mines

The exploitation of mineral resources in 1950 was entirely in the hands of six mining companies and twenty-five settlers.

Mining legislation guarantees the Territory the right of control, supervision and participation in profits through the allocation of a certain number of the mining companies' shares.

Since 1 June 1950, the general right to prospect, which had been suspended in 1941, was restored, and the Administering Authority reports that the Territory has embarked upon a new phase of intensive prospecting.

Output figures (in tons) are as follows:

	1949	*1950*
Gold	0.251	0.235
Cassiterite	2,267.420	2,340.287
Wolframite	199.979	164.631
Mixed ores	56.218	92.170

The value of this output was 165,728,457 francs in 1949 and 180,600,650 francs in 1950.

The average number of indigenous workers in the mining industry was 13,201 in 1949 and 13,935 in 1950.

The Visiting Mission, after considering the various advantages of the mining industry for the Territory, concluded that, in view of the complex nature of the system, the variety of taxes collected in different ways and in different localities and the impossibility of obtaining exact over-all statistics, it was not in a position to form

an opinion as to whether the participation of the Territory was adequate and represented a fair return to the Native populations for the exploitation and impoverishment of the sub-soil of Ruanda-Urundi. It suggested that the Trusteeship Council request full and exact details and statistics on the subject.

The report for 1950 stated that, apart from the indirect advantages which the population derived from the working of the mines (economic development of the region, social assistance, medical training, etc.), the Territory's budget derived a good deal of revenue from this development through export duties, personal tax, income tax, special war contributions, professional fees, shares in profits, fees for general and exclusive prospecting rights and income from the securities (i.e. shares in mining companies) held by the Territory.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that the mining industry is making a valuable contribution to the budget of the Territory, requests the Administering Authority to include in its future annual reports fuller information on the proportion contributed by the mining industry to the total budget, and on the relation of this contribution to the profits of the mining companies.

Communications

There are 7,873 kilometres of road in Ruanda-Urundi; 210 kilometres of new road were built in 1950 and fifty-three kilometres in 1949; in addition, there was the normal maintenance and improvement of the existing network.

The Visiting Mission took the view, with regard to new road construction, that working methods should be mechanized to a far greater extent and that the maintenance of the roads still relied far too much on the unpaid or ill-paid work of the Native communities. It was stated that some Africans had complained to the Mission with regard to alleged abuses in connexion with levies in the form of labour (*corvée*) and road work.

The Administering Authority has stated that no new road construction work would be undertaken unless the particular equipment needed was on the site and that, furthermore, unpaid Native labour for the upkeep (including cleaning, etc.) of roads had been completely abolished in 1949 and replaced by an annual tax of 7 francs per taxpayer. This tax was raised to 10 francs in 1950.

Foreign trade

Ruanda-Urundi is linked by a customs union to the Belgian Congo. Tariffs and export duties are identical for consignments to or from all countries outside the customs union, including Belgium.

The export and import trade is left to private enterprise. In actual fact it is still almost exclusively in the hands of non-indigenous inhabitants, though some indigenous traders import dried fish from Tanganyika. Trade in certain products such as coffee, castor oil, pepper and skins is controlled by the Government to ensure good quality in the products intended for export. Imports in 1950 amounted to 79,771 tons with a value of 1,175 million francs, as against 57,643 tons with a value of 805 million francs in 1949. Exports in 1950 amounted to 70,440 tons with a value of 1,083 million francs, as against 72,217 tons with a value of 731 million francs in 1949. The decline in the volume of exports is mainly accounted for by food products, the export of which is becoming increasingly difficult, for the cost of transport is too high in relation to the low value of the products.

The principal imports are cotton goods, cement, petrol, tools, agricultural and industrial machinery, vehicles, etc. The principal exports are coffee, cattle, skins, cassiterite, gold and cotton.

The Belgian Congo supplied, in 1950, 51 per cent of imports according to value. The other principal suppliers were Belgium, the United States of America, the United Kingdom, India, Kenya and Uganda. Thirty per cent of the exports, by value, were consigned to the Belgian Congo. The other principal customers were Belgium, the United States of America, Germany, the Union of South Africa and Finland.

In 1950, the *Office Belge du Commerce Extérieur* opened an office at Leopoldville (Belgian Congo) for the Belgian Congo and Ruanda-Urundi to promote trade.

Internal trade

Internal trade for the most part consists of the purchase of indigenous products and the sale of trading goods. One-sixth of the shops (210 establishments) are operated by Europeans, half (112) of whom are Greeks. Asians (Indians and Arabs) operate two-thirds (810 establishments). The remaining sixth of this trade (228 establishments) is in the hands of the indigenous inhabitants.

The Visiting Mission stated that some Africans had expressed a very keen desire to take up trade and transport and had complained of receiving no assistance from the Administration. The Mission concluded that more attention should be given to the question of encouraging Native trade.

The report for 1950 pointed to the rising numbers of independent indigenous traders. There were twenty-one in 1948; in 1949, there were fifty indigenous trading establishments; in 1950, this number rose to 228. Apart from traders properly so-called, more and more indigenous inhabitants were undertaking other activities such as transport, brick-making, carpentry and various crafts. The Administration reported that measures had been taken to accelerate this development by encouraging indigenous traders to settle in commercial and trading centres. Twenty new trading centres had been opened in Urundi, and the Administering Authority stressed the educational value of these centres, where only the Natives could trade, and where they were thus protected from the formidable competition of non-indigenous traders.

There was a commercial training section in the Léon Classe Institute at Kigali.

So far as the livestock trade was concerned, Native dealers had attained a very strong position as middlemen. They were offering keen competition to the European settlers engaged in the same trade.

At its ninth session, the Council adopted the following conclusion:

The Council commends the Administering Authority for the steps it has taken to increase the participation of indigenous merchants and artisans in the commercial activities of the Territory.

Industry

There are 782 non-indigenous industrial plants, distributed as follows:

Extractive industries	81
Agricultural and related industries	253
Mechanical industries	20
Construction and building	254
Textiles, clothing, footwear	10
Chemical industry	11
Electricity, water, energy	8
Foodstuffs industries	51
Transport	68
Miscellaneous	26

There are also 229 indigenous plants, 167 of which operated under the control of the chiefdoms of Ruanda-Urundi, and are concerned with construction and building, the remaining forty carrying on business as carriers.

It is pointed out that the ten-year plan contemplates the development of existing industries and the establishment of new industrial activities and crafts.

The Administering Authority considers that one of the best ways of bringing about this industrialization is to be able to supply cheap electricity. That is why a trust of Belgian corporations was set up on 27 December 1948 for the electrification of Kivu and Ruanda-Urundi, in particular through the exploitation of the waterfalls of Ruzizi, the natural water course from Lake Kivu to Lake Tanganyika.

Public finance; taxation

The data at the disposal of the Administration do not allow a satisfactory estimate of national income.

The budget of Ruanda-Urundi is prepared by the Territory's administrative services. It is examined by the Council of the Vice-Government-General of Ruanda-Urundi, and then communicated to the Governor-General of the Belgian Congo, who transmits it, together with his views, to the Minister of the Colonies at Brussels. The budget is then passed by the Belgian Parliament, after which it receives the Royal approval and is promulgated.

Revenue for 1950 was estimated at 277 million francs, as against 233 million francs in 1949. The provisional figures for revenue in 1950 are 351 million francs, the yield from indigenous taxes (poll, polygamy and cattle) being 90 million francs (25 per cent) and from customs duties 123 million francs (35 per cent).

Expenditure for 1950 was estimated at 325 million francs. A deficit of 48 million francs had been allowed for in the 1950 budget. It is probable, however, that on balance the ordinary budget will show a surplus. In 1949, the budget closed with a deficit of 51 million francs.

The Administering Authority estimates that 41.73 per cent of the ordinary and exceptional expenditure in 1949 was in the direct interests of the indigenous inhabitants. In 1948 and 1947, the percentages were 46.34 and 40.33 respectively.

These figures include neither the budgets of the indigenous treasuries of the two *pays* and the chiefdoms nor the contributions of the *Fonds du Bien-Etre Indigène*. In 1948, this fund contributed 50 million francs (anti-famine campaign) and, in 1949, 71 million francs (of which 30 million francs were for medical services and 21 million francs for grants for education). The fund's 1950 programme anticipates an expenditure of 54 million francs.

The extraordinary budget for 1950 estimates expenses of 160 million francs, chiefly in respect of work on roads and miscellaneous constructions. This expenditure will be covered by a reimbursable but non-interest-bearing advance from the Belgian State to Ruanda-Urundi.

The public debt of Ruanda-Urundi, which in 1944 stood at 175 million francs, had fallen to 20 million francs by 1947. This rapid reduction was explained by the Administering Authority as due to the shortage of supplies and the lack of personnel necessary to maintain services at a normal level during the war, as well as to the repayment to Ruanda-Urundi of its share of the expenses of the war. At its third session, the Trusteeship Council felt that it might have been advisable not to repay the public debt in such a short space of time and that it would have been preferable had the Administering Authority retained at least a part of the funds spent on paying off the debt to improve the economic, social and educational advancement of the inhabitants.

From 1947 to 1949, the public debt remained at the level of 20 million francs. In 1950, the new loan from Belgium raised it to 170 million francs.

At its third session, the Council also suggested that the Administering Authority review from time to time the system and incidence of taxation as it applied to the indigenous inhabitants, with a view to eliminating any possible sources of undue hardship.

On the subject of the possibility of sentencing defaulting indigenous taxpayers to imprisonment (not exceeding two months), the Council felt that every effort should be made to guard against any abuse of such a system.

The Visiting Mission expressed the hope that the Administering Authority would review the question of the poll tax with a view to adapting it more fully to individual and group incomes and abolishing imprisonment for non-payment of the tax.

The Administering Authority observed that the poll tax was so calculated that the least affluent Native was able to pay it without too much hardship. In 1950, 1,614 persons were imprisoned or subjected to distraint of property out of a total of 788,059 taxpayers. In 1949, the figure was 976.

The ten-year plan

During the years 1949 and 1950, the Government of Ruanda-Urundi prepared a ten-year plan, which has just been submitted to the Metropolitan Government for approval. The object of the plan is the economic and social development of the Territory and the study of all related factors likely to contribute to the accomplishment of the desired purposes, especially those concerning public health, hygiene, nutrition, housing and education.

At its ninth session, the Council adopted the following recommendation:

The Council expresses the hope that the ten-year plan will soon be formulated and adopted, and that it

will place special emphasis on increasing the participation of the indigenous inhabitants, on a more responsible level, in the economic life of the Territory.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of New Zealand felt that progress in the economic field was very satisfactory, considering the limited resources of the Territory.

The representative of the United Kingdom noted that, in the field of economic advancement, the Administration was still wrestling with the intractable problem of preserving the natural resources of the Territory and, at the same time, ensuring the indigenous inhabitants a greater reward for their efforts. He felt that the Administration had taken many wise steps during the period under review to maximize and diversify export production and to apply all the scientific resources with which Belgium was so well endowed to the problems both of conservation and of expansion of production.

The representative of the Union of Soviet Socialist Republics noted that the indigenous population lived on a primitive, natural economy and did not take any substantially active part in the economic life of the Territory. The situation prevailing in the economy of Ruanda-Urundi was such that European firms and companies played a controlling part in it.

Stock breeding

The representative of New Zealand noted that the prestige value attached to the ownership of cattle, and consequently the excessive number of cattle of poor economic quality, was one of the serious problems of the Territory. He noted with satisfaction that the Administering Authority was giving serious attention to it. He considered that the improvement of herds could bring about great economic progress in the Territory. He observed that the Belgian Government might feel a need to invoke expert assistance later, when the resources of the Territory had been developed under the ten-year plan.

The representative of the United States of America was gratified to learn that the two Bami and certain other indigenous leaders have been brought to an appreciation of the serious difficulties posed by the traditional indigenous attitude toward cattle. It was evident to him that the solution of the problem of overstocking could be the most important single contribution towards developing a sound agricultural economy. He considered that the placing of cattle-raising on an economic basis would be an important step towards meeting the basic problem of providing adequate food supplies for the dense population of the Territory.

The special representative of the Administering Authority stated that the Government had made many attempts at cross-breeding indigenous cattle with foreign breeds, but that the results had been disappointing because the breeds so obtained, although better milk producers, showed considerably less resistance to cattle diseases.

Land tenure and European settlement

The representative of the Union of Soviet Socialist Republics stated that, in view of the fact that the Administering Authority had not returned the alienated lands to the indigenous population, the Trusteeship Council should recommend to the Administering Authority that it return to the indigenous population the lands alienated from it in any way and that it should not in future allow the alienation of land belonging to the indigenous population.

Foreign trade

The representative of New Zealand noted that the margin between exports and imports was very precarious and that the measures for the development of products which would earn foreign exchange were deserving of the utmost encouragement. He noted with approval the attempts of the Administration to widen the range of export products.

The representative of the Union of Soviet Socialist Republics noted that all foreign trade was concentrated in the hands of European firms and companies, and, as the Administering Authority's report said, there were no indigenous inhabitants who specialized in foreign trade.

Industry

The representative of the Union of Soviet Socialist Republics pointed out that the Administering Authority had taken no steps towards the development of industry in the Trust Territory on the basis of local raw materials and resources. The minerals extracted by European companies were not processed in the Territory, but exported abroad in the raw state. The *Compagnie de la Ruzizi* enjoyed a monopoly of buying and ginning cotton, which it baled for export abroad. The Administering Authority had not established and did not anticipate establishing a textile industry in the Trust Territory. As a consequence, the Trust Territory was compelled to import cotton goods from the neighbouring Belgian Congo Colony to which raw cotton from Ruanda-Urundi was exported. Ruanda-Urundi therefore, played the role of a raw materials source for the Belgian Congo.

With regard to the monopoly held by the *Compagnie de la Ruzizi,* the representative of Belgium declared that it was not a monopoly on the purchase but on the processing of cotton. He pointed out that the cotton was purchased by Belgium, America or other countries, but that it was sold for the benefit of the producers and the profits accrued to the producers, not to the *Compagnie de la Ruzizi.*

Public finance; taxation

The representative of the Union of Soviet Socialist Republics noted that the head tax still existed in the Trust Territory. The Administering Authority had failed to take any measures thus far towards the introduction of an income tax system and, as a result of this, taxes are levied on indigenous inhabitants who have no resources whatsoever. At the same time, exemptions from the head tax were granted to chiefs and subchiefs, who are getting from 7,000 francs to 237,000

francs a year salary from the Administration. The Trusteeship Council should recommend to the Administering Authority to take steps to replace the head tax by a progressive income tax system, at least, by a system of an income tax taking due account of the property status and taxable capacity of the population.

The representative of Belgium observed that a progressive taxation of income existed in Ruanda-Urundi.

The ten-year plan

The representative of New Zealand expressed the hope that the ten-year plan for economic development would soon be formally adopted and put into operation.

The representative of Argentina felt sure that the ten-year plan would make it possible to overcome the difficulties created by the limitation of natural resources of the Territory and by the idiosyncrasies of the indigenous inhabitants which should be taken into account in the promotion of greater productivity.

The representative of Australia thought that it was appropriate for the Council to express its keen interest in the ten-year plan, and also to encourage the Administering Authority to implement it fully.

The representative of the United States of America noted that the recently prepared ten-year plan contemplated not only the further development of existing activities, but also, and especially, the development of new resources. He felt confident that the details of this plan and the specific information on the steps taken to implement it would be forthcoming in the near future.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Over-population, emigration, movement of labour

Ruanda-Urundi is actually the most densely populated country in Africa, and, in view of the poverty of the soil, the Administering Authority regards it as over-populated.

At its sixth session, the Trusteeship Council, considering that over-population in Ruanda-Urundi might in the course of time constitute a problem which could not be solved by internal measures, recommended that the Administering Authority continue to study the possibilities of migration of a part of the population to less populated neighbouring territories.

The annual reports point out that since 1937 the Belgian Congo has opened 37,000 hectares of high fertile ground north of Lake Kivu in the Gishari district to emigrants from Ruanda. At the present time, 25,000 Banyarwanda are settled there. The local authorities consider this figure very small, and are of the opinion that the economic consequences of this population movement are almost negligible. The possibilities of another immigration area in the Kivu, capable of supporting 30,000 families, are now being examined by specialists.

The Administering Authority considers that cattle are an obstacle to emigration on account of the pasturage they require and the part they play in Native society.

The Administration, together with the higher indigenous authorities, intends progressively to lessen the rights and obligations of the indigenous inhabitants with regard to cattle, in order to free them from a devotion to cattle and to bring about the occupation of the eastern and southern regions which are less densely populated. The Administration, however, considers that this movement of population will be slow because hundreds of thousands of cattle are implicated in customary legal obligations, which have to be unravelled. The Administration states that it is too much concerned with the welfare and morale of the indigenous people to contemplate any forcible transfer of population.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, considering that over-population and maldistribution of the population in the Territory is a problem of major importance and, recalling its previous recommendation on the subject, expresses the hope that the Administering Authority will continue to study the possibilities of migration from overcrowded areas into less heavily populated areas within Ruanda-Urundi or in neighbouring territories.

The emigration of workers seems still to be in two directions: one towards the Belgian Congo (and in this case the workers involved are chiefly those engaged under long-term contracts), and the other towards Tanganyika and Uganda (seasonal workers).

The number of workers emigrating to the Belgian Congo was 18,452 in 1948, 14,371 in 1949 and 11,294 in 1950. The apparent decline in the figures would seem to be due rather to a rectification of statistics than an actual decline in emigration.

The Visiting Mission suggested that a detailed report be requested on the working conditions, wages, etc. of such workers in the Belgian Congo, particularly those in the mines, together with detailed information on their health and adaptation to the climate, which is very different from that of Ruanda-Urundi.

The figures for workers emigrating to British territories were 31,621 in 1948, 27,596 in 1949 and 24,229 in 1950, up to 31 December of each year. According to the Administering Authority, this decline was due particularly to changes introduced in Ruanda-Urundi into the system of customary levies, and particularly into the system of levies in the form of labour, which were made compulsorily redeemable in 1949.

In 1948, the Governments of Ruanda-Urundi, Uganda and Tanganyika instituted a system of annual conferences at which matters relating to seasonal emigration were discussed and settled; the report stated that everything was done to provide the emigrants with the maximum guarantees of security, particularly by means of the control of recruitment, the building of transit camps and the provision of medical services.

Discrimination

The annual report points out that the enjoyment of human rights and fundamental freedoms is guaranteed to all sections of the population without distinction as to race, sex, language or religion under the Belgian Congo Government Act of 18 October 1908, which is applicable to Ruanda-Urundi.

The Visiting Mission noted certain instances of discrimination against Asians and expressed the view that a revision of the relevant legislation might be desirable.

At its fourth session, the Trusteeship Council adopted a resolution on petitions received relating to this subject. It recommended that the Administering Authority review all the legislation of Ruanda-Urundi involving racial discrimination, particularly the laws on residence, land tenure, alcoholic beverages, fire-arms and the penitentiary system. At its sixth session, the Council repeated these recommendations.

The Administering Authority stated that since 22 February 1951, the date of the ordinance promulgating in Ruanda-Urundi the Decree of 21 February 1950, there has been no discrimination as regards the legislation on firearms; that the penitentiary system, now in process of reform, would no longer contain any discriminatory provision of which the nationals of Members of the United Nations might complain; that the legislation on land tenure did not involve any discrimination; and that with regard to residence, the existence of separate European, Asian and indigenous quarters in urban areas was rendered necessary by the differences in the ways of life of the communities, and that there was absolutely no unilateral prohibition to prevent Asians from living in the European quarters. With regard to the regulations relating to alcoholic beverages, it was stated that the restrictions, so far as Asians were concerned, were not based on racial discrimination, but were merely the result of experience and of the desire to protect the indigenous inhabitants against the pernicious effects of alcoholism, and to prevent the local population from obtaining supplies of alcoholic beverages from Oriental residents. These provisions were, however, applied as liberally as possible, and the legislation provided that, in individual cases, non-Europeans might be placed on the same footing as Europeans if they could offer full guarantees against abuse. The annual reports added that a reform of the legislation was being studied with a view to eliminating discrimination as between Europeans and Asiatics.

In another connexion, the reports pointed out that under the existing immigration legislation, any person who was not an inhabitant of the Congo or a Native of Ruanda-Urundi and who, through lack of education, was unable satisfactorily to read and write a European language, was regarded as undesirable and could not enter Ruanda-Urundi. This provision did not, however, apply to a married woman accompanying her husband or proceeding to join him, or to children of fourteen years or under.

At its sixth session, the Trusteeship Council noted this provision and recommended that the Administering Authority study the possibility of replacing it by a measure free from any discriminatory character.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting with satisfaction that the Administering Authority has reviewed the legislation on fire-arms and has eliminated from it any aspect of racial discrimination; noting that the Administering Authority is at present considering a revision of the legislation on the penitentiary system and on alcoholic beverages, with a view to eliminating any aspect of racial discrimination; reiterates its previous recommendation, to the effect that the Administering Authority continue to review all legislation involving discrimination, namely legislation on residence and immigration.

Labour and manpower

The total number of workers in permanent employment rose from 59,515 in 1948 to 71,016 in 1949 and 80,293 in 1950. In 1950, industry provided employment for 27,463 workers (24,550 in 1949); agriculture for 10,271 (8,728 in 1949); commerce for 8,625 (7,571 in 1949); the missions for 14,641 (13,613 in 1949); and the administrative services for 14,702 (13,264 in 1949); while 4,591 were distributed over miscellaneous activities (3,290 in 1949).

The legislation governing indigenous labour is based on the Decree of 16 March 1922, which sets forth the rights and duties of employers and employees.

At its third session, the Trusteeship Council noted that no legislation existed which related specifically to conditions of child labour, and expressed the view that the Administering Authority should pass such legislation. Under an Ordinance of 12 May 1948, a Belgian Congo legislative provision prohibiting night work for indigenous children under eighteen years of age was made applicable to Ruanda-Urundi. The Administering Authority also mentioned that, under the 1922 legislation, only adults were permitted to enter into contracts of employment. A contract concluded by a non-adult is not, however, regarded as absolutely null and void, but merely as voidable on grounds of lack of consent.

Another aspect of labour legislation which has been the subject of a recommendation by the Council is the provision under which violations of that legislation can be treated as punishable offences.

The Visiting Mission considered that this excessively harsh attitude towards a purely civil contract should be discontinued at an early date. In its report for 1948, the Administering Authority explained that, in a country where the employees were far from having acquired a sense of professional duty or respect for commitments and where the need to work was not yet generally admitted, the abolition of the penal clauses would immediately cause social disturbances from which Native society would be the first to suffer, and that economic activities would become difficult, if not impossible. The Government affirmed that it was nevertheless studying arrangements to be incorporated in the legislation as the first stage of a reform directed towards the abolition of these penalties.

At its sixth session, the Council recommended that penal sanctions for breach of labour contract be abolished as soon as practicable.

The report for 1949 stated that the re-drafting of the legislation on labour contracts was part of the future programme in social matters.

A noteworthy provision of the projected legislation is that certain categories of indigenous workers — for instance, those who have had a certain amount of education and those who have had three years of service without having been prosecuted — should not in future be subject to any penal action for non-fulfilment of contract.

In 1948, the courts imposed 833 sentences for desertion from work and other derelictions of duty, and 286 minor offences were punished by non-judicial fines. In 1949, there were 981 sentences of imprisonment, 316 non-judicial fines and thirty-five acquittals. In 1950, there were 974 sentences of imprisonment, 206 fines

and eighty-seven acquittals. In 1950, proceedings were instituted against the employers in thirty-two cases, and seven fines were imposed; eight cases were suspended without further action, or ended in acquittal; seventeen cases were *sub judice*.

Since 1946, the indigenous trade unions, local workers' committees, indigenous labour and social progress commissions, collective labour disputes and collective stoppages of work have been governed by trade union legislation.

Regional and provincial labour and social progress commissions were established in 1949. One of their functions was to develop among the workers and their families a better understanding of their interests and social obligations and a higher sense of professional duty.

No serious disputes in industrial undertakings were reported in 1949 or 1950.

The Decree of 1 August 1949 concerning compensation for industrial accidents and occupational diseases in the case of indigenous workers was put into effect as from 1 July 1950.

With regard to wages, the Visiting Mission stated that the extremely low wage level constituted one of the bases of the economic system in Ruanda-Urundi, and urgently recommended that the Belgian Government consider the possibility of radically changing the wage system, particularly as it applied to unskilled labour.

In its report for 1948, the Administering Authority remarked that wage rates were following a constantly upward trend and that since 1938 they had risen in the proportion of one to four. Furthermore, the Administering Authority expressed the conviction that it was necessary to lower the cost of living rather than to pass a law providing for sharp wage increases, which were not justified by the law of supply and demand.

At its sixth session, the Trusteeship Council concurred with the observations made on wages by the Visiting Mission and recommended that the Administering Authority consider the problem with a view to raising the real wages in the Territory.

The report for 1950 pointed out that, taking into account the 1949 survey to determine the workers' cost of living, the Ruanda-Urundi Labour and Social Progress Commission had fixed the amount of the minimum wage. The report adds that, at its 1950 session, the Council of the Vice-Government-General of Ruanda-Urundi had given very serious consideration to the problem of indigenous labour from the points of view of stability, output, sanitary conditions, nutrition, occupational training and remuneration. The solutions contemplated will be set forth later in the ten-year plan.

The Administering Authority pointed out that since 1946, the average salary scale had gone up 50 per cent and that an Ordinance of the Vice-Governor-General dated 24 April 1951 had just increased the minimum salary scale by 40 per cent.

According to the statistics in the 1950 report, the average daily wage rates at Usumbura were from 10 to 12 francs for a labourer (7 to 9 francs in 1948) and 7 to 10 francs for an agricultural worker (6 to 8 francs in 1948); while for skilled workers they were higher — 40 to 100 francs, for example, for a driver (30 to 75 francs in 1948) and 25 to 150 francs for a typist (20 to 100 francs in 1948).

So far as the recruitment of labour was concerned, the Territory's authorities made it a condition for agencies authorized to recruit labour that at least 90 per cent of the workers hired must be married men and that these must be accompanied by their wives.

At its sixth session, the Council commended the Administering Authority for its efforts to enable recruited workers to be accompanied by their families.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting the fact that wages are very low; noting further that an Ordinance of 24 April 1951 has increased the minimum salary scale by 40 per cent; recalling its previous recommendation on the subject of wages; recommends that the Administering Authority continue to carry out studies of the standards of living and wages of the indigenous population with a view to raising the social level of the population in these respects.

The co-operative system

There is only one co-operative, the indigenous Nyanza dairy and cheese factory. In 1947, an investigation was conducted under Government auspices into the possibility of establishing a co-operative for the production of and trade in Native coffee.

The Visiting Mission expressed the hope that the Administering Authority would introduce as soon as possible co-operative principles into agriculture, industry and trade, particularly so far as coffee and cotton were concerned.

The report for 1948 remarked that there had been no sign yet of any initiative on the part of the indigenous inhabitants in setting up genuine co-operatives. While the Government had not abandoned its plan to create such organizations, it would seem that the present stage of mental development did not favour its immediate realization.

Indigenous co-operatives were organized by a Decree of 16 August 1949. Under this Decree, the Government might approve indigenous co-operatives, which in turn were empowered to obtain interest-free advances.

The Administration was planning to establish a co-operative of Native traders at Usumbura in 1951.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting with satisfaction that the ten-year plan will give priority to the development of co-operative enterprises, expresses the hope that more co-operative enterprises will be established in the Territory.

Public health

The total funds appropriated under the ordinary budget in 1950 amounted to 63,324,800 francs (48,191,000 francs in 1949). The contribution of the Native administrative treasuries and treasuries of the "*pays*" was 6,015,866 francs (8,556,252 francs in 1949). In addition, the Indigenous Welfare Fund contributed 9,750,000 francs in 1950 (34,384,000 francs in 1949); the organization for indigenous maternity and child welfare contributed 6,482,000 francs (1,588,000 francs in 1949) and private companies over 3 million francs (incomplete figures; 6,750,105 francs in 1949). A total of approxi-

mately 90 million francs was allocated to the medical service in 1950 as against 100 million francs in 1949. The figure for 1948 was approximately 42 million francs.

At its third session, the Trusteeship Council recommended that the number of medical practitioners be increased as far as possible and that the Administering Authority take all necessary steps to provide medical training for indigenous inhabitants, increase the numbers of auxiliary medical personnel and so meet the medical needs of the indigenous population.

The Visiting Mission considered that the Belgian Administration had achieved good results in the organization of medical services and was to be congratulated on the progress already made in this field. At its sixth session, the Trusteeship Council expressed a similar view.

In 1950, the Territory had thirty-five hospitals, ninety dispensaries, five maternity hospitals and one isolation hospital for sleeping-sickness cases, an increase of four rural hospitals and three mission maternity hospitals as compared with 1948.

The new Native hospital at Usumbura is nearing completion. Twelve dispensaries are under construction and nine others are planned. One sanatorium is being built and a second is planned; two maternity hospitals are under construction and a third is proposed. Eight ambulances are in service. The anti-tuberculosis mission will begin work in 1951. Plans for a mental hospital are under consideration.

At the end of 1950, the Government's European staff consisted of twenty-nine medical practitioners, one dentist, thirty-five medical assistants or health officers. In all, the Territory possessed fifty-four medical practitioners (fifty in 1948, thirty-five in 1947), two pharmacists (none in 1948), two dentists (two in 1948), eighteen midwives (six in 1948), thirty colonial nurses (twelve in 1948), twelve colonial welfare workers (twelve in 1948), thirty-seven medical assistants and health officers (nineteen in 1948). In addition to the European staff there were seventeen indigenous medical assistants, forty-seven certificated male nurses, 443 assistant nurses and sixty-seven assistant midwives.

The total number of consultations in 1950 was 7,515,676 for the indigenous population, 18,829 for Europeans and 4,010 for Asians.

Indigenous medical assistants are trained by the medical section of the Astrida School Group in a four-year course followed by two years' probationary training. A Government nurses' school has been opened at Usumbura and three more such schools will be opened in 1951. There are four schools for assistant nurses and three schools for indigenous assistant midwives.

The report for 1950 mentions a number of other developments relating to public health and hygiene — the campaign against the malaria-carrying anopheles mosquito and against the tick which causes recurrent fever; the expansion of infant clinics from forty-four in 1949 to forty-six in 1950; hygiene instruction in social clubs; the works in connexion with the water supply system at Usumbura and Astrida and the work carried out by the hydrobiological mission to improve water holes and to supply drinking water wherever possible.

There is a medical laboratory at Astrida and a veterinary laboratory at Kisenyi. The *Institut pour la Recherche scientifique en Afrique Centrale* (IRSAC) (Central African Scientific Research Institute) maintains a research centre at Astrida where, among other things, studies are being made of the nutrition of the indigenous population.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting with satisfaction that during the two years under review the number of hospitals, maternity centres and dispensaries has increased, and that more are under construction; noting further that there has been an increase in medical personnel; considering, however, that the medical services are still not commensurate with the needs of the population; reiterates its previous recommendation that public health services in the Trust Territory be further improved and expanded.

Penitentiary system and corporal punishment

The Administering Authority indicated, during the ninth session of the Trusteeship Council, that with regard to the treatment of juvenile delinquents, a decree had just been promulgated. This decree, which concerned the re-education of juvenile delinquents, would be applied in Ruanda-Urundi, as soon as studies were completed regarding the personnel and buildings required.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting that a new decree concerning the re-education of juvenile delinquents has recently been promulgated, expresses the hope that it will provide for the establishment of reformatory schools for juvenile delinquents, and for the separation of children and adults in penal institutions.

At its third session, the Trusteeship Council recommended that the Administering Authority introduce a system of payment for work performed by long-term prisoners to enable them to start a new life on discharge from prison.

In its report for 1948, the Administering Authority stated that a thorough study was being made of the regulations governing penitentiary establishments. Provision would be made for the payment, on discharge, of the earnings of prisoners held under long-term sentences.

In 1948, the Visiting Mission recommended that the possibility of segregating hardened criminals and adopting new measures in connexion with vocational training for long-term prisoners and their rehabilitation be studied.

At its sixth session, the Trusteeship Council recommended that solitary confinement be applied only to serious and exceptional cases, and that its duration be limited as much as possible.

In its report for 1950, the Administering Authority indicated that the studies in contemplation of prison reform were proceeding in the Department of the Ministry of the Colonies. It also reported that the use of chains in prisons, in any form, had been abolished by the ordinance of 12 July 1950 and that solitary confinement was used only in grave, exceptional cases, as the Council wished, and could not in any circumstances last more than one month.

With regard to corporal punishment, the 1948 Visiting Mission deplored the practice of illegal and arbitrary whipping to compel obedience and recommended that the Administering Authority take strong and effective measures to prevent it. It also recommended the abolition of legally permitted forms of whipping.

At its fourth session, the General Assembly adopted a resolution on social advancement in Trust Territories which, *inter alia*, recommended the adoption of strong and effective steps to abolish immediately the corporal punishment of whipping in Ruanda-Urundi.

At its sixth session, the Trusteeship Council noted the resolution and recommended that the Administering Authority consider the abolition of whipping and the substitution of other forms of penalties more in keeping with the letter and spirit of the Charter and the Universal Declaration of Human Rights.

In its report for 1948, the Administering Authority reported that whipping was no longer legal except as a disciplinary punishment in prisons (subject to certain restrictions), as a disciplinary punishment for recruits and as a judicial punishment ordered by an indigenous court. Whipping, as a penalty applicable to persons in the service of Native districts, and as applied by the indigenous authorities to persons under their administration, was no longer permitted. In addition, administrative instructions had been issued providing that the infliction of whipping, except in the three cases stated, would be prosecuted in a criminal court, whatever the rank of the person inflicting the punishment. The report added that the Government did not consider it possible, in present circumstances, to do more than it had already done in the matter of abolition, but stated that it would take every opportunity to reconsider the problem with the desire to conform to the view expressed by the Visiting Mission.

The report for 1950 stated that the Administering Authority had reviewed the problem of the progressive abolition of whipping in cases in which the practice continued to exist and that it was its firm intention gradually to abolish all forms of corporal punishment. Pursuing its policy of progressive abolition of corporal punishment, the Administering Authority on 30 May 1951 decided to eliminate the penalty of whipping as a punishment handed out by indigenous tribunals and, pending the completion of the penal reform schemes now under study, to reduce from eight to four the maximum number of lashes to be applied as a disciplinary measure in penal institutions.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting that the Administering Authority, on 30 May 1951, decided to suppress corporal punishment as a penal sanction pronounced by indigenous tribunals; noting nevertheless that punishment reduced to four strokes is still applicable in the Territory as a disciplinary sanction in prisons; recommends that the Administering Authority immediately abolish corporal punishment.

Miscellaneous

The Administering Authority reports that several important decrees have been promulgated recently with the object of protecting the family and the status of women: a decree establishing penalties for adultery, decrees on the protection of monogamous marriage, on the establishment of paternity and on the abandonment of the family. A decree forbidding polygamy adopted in the Belgian Congo on 4 April 1950, however, has not yet been made applicable to Ruanda-Urundi because of certain difficulties due to the existence of Arab and Waswahili groups among whom the right to practice polygamy is regarded as one of the elements of religious freedom.

In addition to the budget appropriations for social welfare, mention should be made of the funds provided by the *Fonds du Bien-Etre Indigène* and by private sources. The total for 1949-50 is 168 million francs, as against 44 million francs in 1948. These sums have been applied, *inter alia*, to the social welfare programme proper, to the construction of dwellings for the indigenous population, to irrigation works and anti-parasite campaigns, to the construction of hospitals and dispensaries, to the construction of schools, to the supply of drinking water, and to anti-tuberculosis campaigns, etc. Established by an ordinance of 1 July 1947, the Indigenous Welfare Fund has spent more than 175 million francs in Ruanda-Urundi for social advancement alone.

There are two social centres for which premises are under construction. The Government has also subsidized the building of the training centre for indigenous social leaders, founded and directed by the Usumbura Mission.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting with satisfaction the opening of two social service centres; noting the recent legislation; the object of which is the protection of the family and of the status of women; recommends that the Administering Authority continue to take measures with a view to improving the status of women in the Territory.

As regards housing for the indigenous population, the annual report for 1950 states that 1,730 houses have been completed and that 254 are under construction.

In 1950, the Government set up the *Office des Centres Extra-Coutumiers* at Usumbura with a view to solving housing and town planning problems in that area. So far, 162 dwellings of permanent materials have been built. A swimming pool for the indigenous population has been opened at Usumbura.

At its third session, the Trusteeship Council recommended that a more adequate system of vital statistics be introduced in the Territory.

In this connexion, the Administering Authority reported that the organization set up by the Ordinance of 5 March 1948 on the registration of births and deaths was being gradually brought into operation and that, by the end of 1950, it covered 65 per cent of the population. The individual card census had covered 389,462 men in Ruanda and 937,227 persons in Urundi.

The 1948 Visiting Mission considered it desirable that the standards of living among the Native populations should be studied and that the results should be given in future annual reports. The annual report for 1949 stated that some officials had been instructed to study the cost of living of the workers with a view to the establishment of a minimum wage. Also, in 1949, a thorough survey had been undertaken of the resources of indigenous inhabitants living in tribal communities, their needs and the possibility of increasing their purchasing

power. The results of the survey were expected during 1950 and the conclusions would be embodied in the ten-year plan.

Compulsory labour exists in Ruanda-Urundi. The only unpaid forms of compulsory labour consist in the burial of bodies, reafforestation and the maintenance of reafforested areas, the cultivation of foodstuffs in the exclusive interest of the population and, in general, any works to prevent famine. Other forms of compulsory labour exist, but these are paid for at the normal wage rates prevailing in the area; they include the construction of medical buildings, schools, courts, etc. The amendment of the legislation relating to these matters is now under consideration.

Observations of members of the Trusteeship Council representing their individual opinions only

Over-population, emigration, movement of labour

The representative of France felt that the crucial problem of Ruanda-Urundi was its over-population. He was of the opinion that the encouragement of emigration was an unavoidable necessity and that the way should be prepared for a greater effort in that field.

The representative of the United States of America, in regard to the acute problem of the maldistribution of the extraordinarily dense population of the Territory, was greatly interested in the efforts of the Administering Authority to break down the feudal ties which were holding large numbers of inhabitants to a given chiefdom, thus preventing those who lived in overcrowded areas from moving into under-populated areas.

Discrimination

The representative of China wished to register his disappointment with the failure of the Administering Authority to remove the discriminatory feature of the immigration law of Ruanda-Urundi prohibiting the admission of persons unable to read and write a European language. He requested the Council to reiterate its previous recommendation that this provision be replaced by a measure free from any discriminatory character.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was carrying out an anti-democratic policy marked by racial discrimination and a flagrant violation of the rights and interests of the indigenous inhabitants. This policy had been reflected in the legislation of the Trust Territory. In accordance with the Decree of 1926, as stated in the report of the Visiting Mission, there were separate settlements for Europeans in urban areas. In accordance with an ordinance of the Governor of Ruanda-Urundi, dated 11 September 1945, urban areas were divided into European, Asian and African districts.

There were no more than one or two beds per ward in European hospitals. In hospitals for indigenous inhabitants there were twenty-five to thirty beds per ward.

He noted that women enjoyed no rights at all in the Trust Territory. Women in Ruanda-Urundi had no right to own property. They were deprived of the right to inherit property. The report also stated that it was not deemed necessary to grant to women rights which they would not be able to enjoy or of which they could not avail themselves. This made it entirely evident that the allegations of the Administering Authority to the effect that human rights and fundamental freedoms were guaranteed to all elements of the population without distinction as to race, sex, language or religion, were false.

The Trusteeship Council should recommend to the Administering Authority to put an end to the anti-democratic policy pursued with regard to the local indigenous population, the policy marked by racial discrimination and wide violation of rights and interests of the indigenous population of Ruanda-Urundi.

The representative of Belgium denied that there was any racial discrimination due to the fact that in hospitals for Europeans there were two or three beds per ward, while in hospitals for indigenous inhabitants there were twenty-five to thirty beds per ward. In hospitals for indigenous inhabitants, there were also wards with few beds. There was no racial discrimination in the hospitals in Ruanda-Urundi, as there had been no class discrimination in certain countries where there had been, during the war, hospitals reserved for officers and other hospitals reserved for common soldiers.

He also stated that it was not accurate to say that women were denied all rights.

The special representative of the Administering Authority stated that the representative of the USSR had omitted any mention of the efforts made by the Administration to reduce racial discrimination.

Labour and manpower

The representative of New Zealand expressed the hope that something could be done to increase the productivity and the remuneration of labour. He noted that wages seemed to be somewhat low.

He expressed the hope that the Administering Authority would be able to continue progress in future years in the field of abolition of penal sanctions for the breach of civil contracts.

The representative of Argentina stated that the question of a minimum wage should be borne in mind and that the latter should be made commensurate with the needs of the people. Although an increase in the minimum wage was anticipated, he did not believe that the proposed increase would be sufficient to supply such needs.

The representative of the United States of America noted that one of the outstanding problems in the field of social advancement was that of how to increase the standard of living of the workers. While realizing that the conception of working for money wages was not yet fully accepted by the indigenous inhabitants, he believed that the Administering Authority should go forward with its plans for raising minimum wage rates to keep pace with the rising cost of living, particularly in the larger towns of the Territory. He felt that it would be desirable to carry out studies on that subject and to review the minimum wage rates periodically.

The representative of China believed that the Trusteeship Council should reiterate its previous recommendation on this matter as well as its recommendation to abolish penal sanctions for breach of labour contract as soon as might be practicable.

The representative of the Union of Soviet Socialist Republics remarked that the indigenous population of

the Trust Territory was living in wretched, miserable conditions. The wage of an indigenous worker did not enable him to lead even a half-starvation life. The daily wage of agricultural labourers, in 1949, would hardly cover the cost of a box of matches. He referred to the remarks of the Visiting Mission to the effect that the general standard of living of the indigenous population was still at a very low level and that exceedingly low wages constituted one of the foundations of the economic structure of Ruanda-Urundi.

With regard to the low scale of wages, the special representative of the Administering Authority observed that he was the first to recognize the necessity of raising this scale.

Public health

The representative of the Union of Soviet Socialist Republics stated that racial discrimination and an utter unconcern as to the needs and rights of the indigenous population were also shown in the field of public health. There was not a single indigenous physician in the Territory. In 1949, the Government maintained in Ruanda-Urundi seven hospitals, including four for the indigenous inhabitants and three for Europeans, although there were only 3,407 Europeans in the Trust Territory, while the total population amounted to 3,800,000.

The Trusteeship Council should recommend to the Administering Authority to set up a proper system of medical and sanitary services for the indigenous population of the Territory and to increase substantially budgetary appropriations for health services to that end.

The special representative of the Administering Authority observed that, when saying that there were eight government hospitals, including four for Europeans, the representative of the USSR had omitted to indicate that, in addition to those eight hospitals, there were thirty-one other hospitals all of which were reserved for the indigenous inhabitants, and that there were about ninety dispensaries, all of which were also reserved for the indigenous inhabitants.

Penitentiary system and corporal punishment

The representative of Argentina believed that the occasions for using the whiplash should be limited as far as possible and urged that such corporal punishment should be eliminated entirely in the near future.

The representative of the United States of America noted further reduction of the categories of cases in which corporal punishment might be imposed and that it would be applied only as a disciplinary punishment in penitentiary institutions, with the maximum number of lashes reduced to four. He felt sure that the Council would like to be kept informed with regard to the further steps toward the complete abolition of all forms of corporal punishment within the shortest possible time. The penitentiary reform being under study which presumably envisaged such steps, he hoped that further details on this reform would be included in the next annual report.

The representative of the Union of Soviet Socialist Republics noted that the legislation of the Territory provided for two types of penal and penitentiary régimes, one for detained Europeans and the other for detained indigenous persons. The medieval method of lashing or whipping was still used with respect to the indigenous inhabitants. The lashing was usually administered by chiefs, assistant chiefs or even European officials.

In particular, as the Visiting Mission reported, the corporal punishment was practised with respect to agricultural labourers and forced labour for the building of roads.

The special representative of the Administering Authority pointed out that the representative of the USSR had omitted any mention of the efforts made by the Administration progressively to abolish the penalty of whipping.

Penitentiary system (juvenile delinquency)

The representative of Argentina expressed his wholehearted support of the new programme for the re-education of juvenile delinquents and urged that it be implemented at an early date. He felt it essential to have reform schools for juvenile delinquents in which they could be re-educated. He was of the opinion that measures should be taken by the Administering Authority with regard to the separation of children and adults in penal institutions.

Miscellaneous

The representative of New Zealand felt that the social development was progressing at a satisfactory rate, although much remained to be done.

The representative of the United States of America considered the service centres for women, *les Foyers Sociaux*, which were located at Usumbura and Astrida and under the direction of trained social workers, to be particularly noteworthy in view of the importance of providing increased educational facilities for women. Among other achievements in the social field, he noted the programme of the *Fonds du Bien-Etre Indigène* to increase water supplies and public water outlets, the putting into operation of two film projection units and the promulgation in 1949 of a new law providing for workmen's compensation for accidents and illness.

He noted the increasing acuteness of the housing problem in Ruanda-Urundi and the fact that the Administering Authority had established an office to solve housing and town planning problems in the area of Usumbura.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

The Administering Authority states that the objects of instruction are: better primary education, the development and extension of post-primary, secondary and vocational education, and preparing for the establishment of higher education.

At its third session, the Trusteeship Council expressed the view that, although the Administering Authority had done much for education and had made progress, a great deal remained to be accomplished; it thought that the fact that education was almost entirely left to the missions revealed the inadequacy of the initiative both of the Administering Authority and

the indigenous population; the Council expressed concern at the inadequacy of educational facilities in the Territory and considered that the number of schools and teachers should be increased.

The Visiting Mission recognized that a good deal had been done, since the Administration estimated that nearly two-thirds of the population of school age attended elementary schools. Nevertheless, the Mission found many gaps: primary education still stopped at a rather low level and its first concern was moral and religious teaching; secondary education was practically non-existent, except for a very small minority; and the part played by the authorities in education was almost entirely indirect, education in Ruanda-Urundi being a *de facto* monopoly of the religious missions. The Visiting Mission thought that, conceivably, this indirectly jeopardized the complete freedom of conscience guaranteed by the Trusteeship Agreement, and took the view that the Administering Authority should participate more directly in education. The Mission made some recommendations concerning the Administration's plan with regard to primary schools, and expressed the opinion that some of these schools should be official and secular and that as many of them as possible should be second-grade primary schools with a five or six-year course; it also expressed the hope that, apart from the secondary Latin school at Costermansville (Belgian Congo), it would be possible to establish in Ruanda-Urundi three more full secondary schools, preferably official and secular, and a secondary Latin school. The Mission was also of the opinion that the Administering Authority should provide higher and university education for the indigenous inhabitants; it took note of the Administration's plans to increase vocational schools and considered it indispensable that the number of teacher-training establishments should be substantially increased and that a number of official and secular teacher-training schools should be established as well.

At its sixth session, the Trusteeship Council, noting that all primary schools in the Territory were in fact operated by religious missions, and concurring with the views set forth in the Visiting Mission's report, recommended that the Administering Authority consider establishing official secular schools, without prejudice to the help given to religious institutions engaged in educational activities.

At its fifth session, the Trusteeship Council, having considered a resolution adopted by the General Assembly at its third session concerning higher education, recommended that the Government of Belgium proceed as speedily as possible with its plan to establish a university centre in Ruanda-Urundi and that it consider the initial establishment of suitable preparatory institutions of higher education by 1952.

At its sixth session, the Trusteeship Council expressed the view that the Administering Authority ought to study measures for establishing a system of scholarships for indigenous inhabitants to enable them to complete secondary studies and to receive higher education.

The Administering Authority stated that if it had not yet established official secular schools, it was because it had not felt anywhere the need to do so. The Administering Authority considered that the indigenous inhabitants of Ruanda-Urundi were religious by nature and that the existing school perfectly met their needs. In view of the fact that not only Catholic missions, but also all Protestant sects, Indians and Moslems offered educational facilities, the Administering Authority wondered what additional benefits could be derived from secular schools. The Administering Authority pointed out that most of the teachers were laymen, since of nearly 8,000 teachers, less than 200 were religious personnel. These indigenous teachers had been trained in schools which had an official curricula and were inspected by Government officials according to official standards. The Administering Authority further pointed to another aspect of the question: missionaries of all faiths who dedicated themselves to teaching did so on the basis of high ideals; they contented themselves with very small pay and cost the Treasury far less than lay teachers, who would have to be recruited for secular schools. The Administering Authority wondered whether it was not preferable to use the money at its disposal in order to extend education throughout the Territory, rather than to set up now costly establishments for which the need was not yet at all evident. It added, however, that on the day there was need for secular institutions, it would not fail to establish them.

The position of education as stated in the Administering Authority's report for 1950 is as follows:

Primary education and the training of teachers is almost exclusively of the "subsidized free (i.e., denominational)" type, being in the hands of the religious missions. The new organization of subsidized free education for the indigenous inhabitants with the help of Christian missions was put into operation in January 1949. It involves a system of increased subsidies for the missionary societies which staff the educational establishments; in this way the missions are enabled to discharge the additional duties imposed upon them by the new agreement each mission has concluded with the Government. The school curricula are official, in accordance with the terms of those agreements. The guiding idea of this reorganization is to give the masses a steadily improving education and to ensure the highest possible development of the most gifted students.

As in the case of the 1938 system, instruction in religion is optional in all schools subsidized by the Government.

So far as the official education of indigenous inhabitants is concerned, there is an official school, that of the Astrida school group, which comprises two sections of primary education for boys and one section for girls, one section of secondary education for boys and special sections for the training of auxiliary medical, veterinary and agricultural personnel, candidates for chieftainship and secretarial clerks. The school is attended by 624 boys and 676 girls for primary education, 247 boys for secondary education and 125 boys in the special sections. The pupils are taught by fourteen European missionaries and fifteen indigenous "leaders" of both sexes. In addition, there are nine European lay teachers in the special sections. A boarding school is attached to the school group, and a separate home has been organized for Protestant pupils.

So far as the free (i.e. denominational) education of indigenous inhabitants is concerned, the Catholic missions gave primary education to 341,861 children (326,396 in 1949) in nursery schools, primary schools

and chapel schools in 1950. The Protestant missions have been providing primary education for 110,853 children (100,563 in 1949). Most of the children go to chapel schools (238,797 in the chapel schools of the Catholic missions in 1950 and 104,976 in those of the Protestant missions). The figures for 1949 were 217,429 and 92,169.

In 1950, the Catholic missions also trained 634 "leaders" (554 in 1949) in suitable schools or in schools for trainee-teachers, and the Protestant missions trained 261 (153 in 1949).

In 1950, the Catholic missions had fifty-one pupils in domestic science schools (sixty in 1949), 210 in craft apprenticeship workshops (eighty in 1949) and seventy-nine in schools for the training of assistants.

In the case of the Catholic missions, this education was given in 1950 by 108 European missionaries, thirty-four indigenous priests, 2,856 indigenous "leaders" and 2,589 catechists; in the case of the Protestant missions, it was given by thirty-six European missionaries, 198 "leaders" and 2,181 indigenous catechists. Moslem schools are attended by 841 indigenous Moslem children as against 1,013 in 1949; in 1950 the instruction in these schools was given by twenty-three indigenous "leaders".

With regard to the non-indigenous inhabitants, there is an official primary school for Europeans (ninety-five pupils), an official primary school for Asians (150 pupils) and two subsidized free Catholic schools (209 pupils).

With the exception of a few schools not yet in receipt of subsidies, the education given by the Catholic and Protestant missions is absolutely free of charge and, thanks to the generous governmental subsidies, school books and equipment are supplied free to the pupils.

In 1949, the Department of Education received 22,464,870.84 francs, or 6.86 per cent of the total expenses of the regular budget, 20,112,811.40 francs being accounted for by subsidies to religious missions. In addition, 21,260,000 francs were contributed by the *Fonds du Bien-Etre Indigène* for the building of schools, 5,500,000 francs for the building of the vocational school at Usumbura, and approximately 3 million francs for miscellaneous expenses. A total amount of approximately 52 million francs was spent on education in 1949, as against 23 million francs in 1948. The 1950 expenses cannot yet be determined accurately; they have been estimated at 56 million francs, but will probably be found to be even higher.

The reports for 1949 and 1950 refer to the construction and opening of many primary schools; in addition, two new schools for the training of "leaders" have been completed, two others are under construction, as well as four new centres for trainee teachers.

A vocational school is being completed at Usumbura; two new domestic science schools have been opened. The construction of a college for classical studies will be begun in Ruanda in 1951. In the meantime, approximately fifty Ruanda-Urundi nationals are attending the secondary Latin school at Kivu (Belgian Congo), near the Ruanda-Urundi frontier. The intermediate school at Astrida which has been split in two, is gradually becoming a secondary scientific institute which, like the secondary Latin school, will prepare pupils for higher education. The first pupils admitted to the general secondary schools will not be ready for higher education until 1954. In 1950-59, it is proposed to set up a university centre which will include institutes for medicine, veterinary surgery, agriculture, pedagogy and administrative and commercial studies. For the first time and as an experiment, a student from Ruanda-Urundi was sent to Belgium to study in 1949. He is successfully attending courses at the University for the Overseas Territories at Antwerp; he pays his own tutorial fees, but the Government pays the expenses of his air travel for annual vacations.

At its ninth session, the Trusteeship Council adopted the following conclusions and recommendations:

The Council commends the Administering Authority for the increase in budgetary allocations for education during the two years under review.

The Council, noting with satisfaction that approximately 450,000 children or two-thirds of the school-age children in the Territory attend schools; noting, however, that approximately 75 per cent of these children attend chapel schools or simple reading schools which are neither subsidized nor inspected by Government officials; requests the Administering Authority to provide in future annual reports further information on chapel schools and simple reading schools, and recalling its previous recommendation on this subject, recommends that the Administering Authority establish secular official primary schools, providing for a full six-year course preparing the children for secondary education.

The Council noting the plans of the Administering Authority for expansion of secondary education, and creation of a university centre in the Territory; expressing its continued concern over the small proportion of students qualified for education above the primary level; recommends that the Administering Authority further examine the possibility of granting scholarships for secondary and higher education and of enabling students to study overseas.

The Council, noting that the teacher-training programme still appears inadequate at this stage, urges the Administering Authority to place the greatest possible stress on this programme, not only at the primary level, but at the secondary and vocational level as well.

The Council, noting with interest the emphasis placed by the Administering Authority upon the education of girls, requests the Administering Authority to include detailed information on that subject in future annual reports.

Adult education

The Administering Authority states in its report that many missions are organizing afternoon courses for illiterate adults and refresher classes for persons whose school education ceased at the elementary primary stage. Evening courses are being planned for townships, trading posts, central schools and workers' settlements.

Study groups are being formed everywhere for more advanced Natives, and at Astrida and Usumbura the Government has set up centres for them at its own expense; these centres consist of assembly rooms, libraries, cinemas, etc. Two mobile cinema groups travelled through the Territory in 1950, and exhibited its films

at 123 performances attended altogether by about 97,000 spectators.

In 1950, thirteen new libraries were added to the four which have existed since 1947. The Administering Authority states that they are not yet frequented regularly by the indigenous inhabitants, for whom reading is an intellectual effort which they are still reluctant to make.

At its ninth session, the Trusteeship Council adopted the following conclusion:

The Council, considering the importance of adult education, notes with satisfaction the increase in library facilities, the use of two mobile cinema units, and the imminent opening of a radio system, as well as the measures contemplated in the ten-year plan to combat illiteracy.

Information concerning the United Nations

The Visiting Mission stated that it would be glad to see in some of the school text books a brief explanation of the Trusteeship System and its basic objectives and a brief sketch of the United Nations, and that all schools should devote part of their curriculum to the teaching of these ideas.

The General Assembly, at its fourth session, adopted a resolution on the same lines concerning all the Trust Territories.

The Administering Authority stated that at the beginning of 1950, the directors of school establishments had been provided with a typed notice outlining the organization of the United Nations and the objectives of the Trusteeship Council in regard to the Territory and that they had been called upon to inform the students of their schools about these matters. In October 1950, the Bulletin *Pedagogie* had published an article for the use of the teachers of Catholic missions. Finally, at the beginning of April 1951, the Government had distributed to the schools 20,000 copies of a notice on the same subject for insertion in school textbooks used in and after the fourth grade.

In view of the speed at which oral information was diffused in the Territory, the Administering Authority considered that all indigenous inhabitants now capable of taking an interest in the political future of their country were aware of the existence and objectives of the Trusteeship System.

It was further pointed out that, in January 1950, a compilation of the legislation of Ruanda-Urundi had been published which had been acquired by numerous literate indigenous inhabitants and which contained in its first pages the Chapter of the Charter of the United Nations relating to the Trusteeship System and the full text of the Trusteeship Agreement for Ruanda-Urundi.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of New Zealand noted that some 450,000 children were attending schools and that this number represented about two-thirds of the school-age children in the Territory. He considered that this was worthy of commendation.

He expressed the hope that the Administering Authority would be able even to improve on that figure in the forthcoming years and to make greater progress with regard to secondary and higher education.

The representative of Argentina commended the work of the Administration in the educational field and in particular the increase in the number of pupils.

The representative of the Union of Soviet Socialist Republics noted that the overwhelming majority of the indigenous population continued in a state of illiteracy. The Administering Authority had not taken appropriate measures for the setting up of a system of primary, secondary and higher education in Ruanda-Urundi.

The schools existing in the Territory were almost entirely in the hands of religious missions. Only the first two grades were taught in the majority of schools. It was evident that a two-grade education could not ensure proper literacy. Therefore, even those inhabitants who had completed such two-grade schools remained virtually illiterate and ignorant.

The Trusteeship Council should therefore recommend to the Administering Authority to set up a system of lay primary, secondary and higher education and that budgetary appropriations for these educational needs be increased.

Primary education

The representative of Argentine recommended the establishment of new secular primary schools. Although he realized that there were various financial advantages to be gained from missionary and chapel schools, the representative of Argentina stressed the need of having a greater number of official primary schools providing for a full six-year course, which would enable the child to proceed with his studies in the secondary school.

Secondary education

The representative of Argentina expressed his satisfaction with the curricula and the setting up of new services to expand secondary education facilities.

The representative of the Union of Soviet Socialist Republics stated that the comments of the United Nations Educational, Scientific and Cultural Organization on the report of the Administering Authority of Ruanda-Urundi for 1949, indicated that the Administering Authority was determined to hamper the development of education by deliberately failing to set up proper secondary educational facilities in the Territory.

With regard to education, the special representative of the Administering Authority stated that he could only regret that the representative of the USSR had deemed fit to impute to the Administration an affirmation which had come from UNESCO or which, at the most, might have been stated by an isolated official, which could not commit the Administering Authority.

Higher education

The representative of Argentina was pleased with the plans to set up a university centre in Ruanda-Urundi in the near future.

With reference to higher education, the representative of the United States of America suggested that the Administering Authority consider the possibility of sending at least a few of the best qualified students overseas. Although such students might not be fully qualified for entrance into a European university, the

experiment might do much to help speed up the process of developing trained indigenous leaders with a modern outlook.

The representative of the Union of Soviet Socialist Republics recalled that the report of the Visiting Mission had noted the statements made by the representatives of the educational services of the Belgian Congo to the effect that it was the policy of the authorities to restrict the number of the future *élite* — as they called them — instead of encouraging the graduation of too many young men and endowing them with diplomas which they would find useless. In 1949-50, only one student from the Trust Territory was getting a higher education abroad.

Adult education

The representative of Argentina considered that the establishment of schools for adults was of tremendous importance and supported the est iishment of courses for adults, which were contemplated in the ten-year plan, as a means to combat illiteracy and raise the educational level of those who have received only rudimentary schooling.

Chapter III

SOMALILAND UNDER ITALIAN ADMINISTRATION

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

Somaliland under Italian administration is a strip of territory extending over a distance of 1,900 kilometres on the extreme northeast coast of Africa. Its area is approximately 500,000 square kilometres. It is bounded on the north, east and south by the Indian Ocean; on the west by Kenya; and on the west and north by Ethiopia and British Somaliland. The northern part of the Territory, a plateau area of broken surface which reaches a maximum elevation of 2,200 metres, is covered by stunted scrub. The adjoining area to the south extending to the Ouebbi Shebelli River is a sterile plateau area which nowhere exceeds an elevation of 600 metres. The region enclosed by the Ouebbi Shebelli and Juba Rivers is an alluvial plain covered by acacia and euphorbia. It is the area best suited for agriculture. Finally, the area lying west of the Juba River presents a richer flora and fauna in consequence of heavier rainfall.

The climate is distinguished principally by the monsoon winds which prevail during eight or nine months of the year. The mean annual temperature at Mogadiscio is 27.4 degrees centigrade. Rainfall varies according to latitude and distance from the sea and is heaviest in the south. However, much of the Territory is semi-arid and in some districts rainfall does not exceed 90 millimetres per year.

The estimated indigenous population at the end of the year totalled 1,242,199 persons. Of these, the great majority are Somali, a nomadic and semi-nomadic people. Along the Ouebbi Shebelli and Juba rivers are Negroid agriculturalists.

The non-indigenous population is composed of approximately 23,000 Arabs, about 1,000 Indians and Pakistani, and 4,235 Italian residents.

Mogadiscio, located on the coast, is the seat of government. For administrative purposes the Territory is divided into six provincial units (*Commissariati Regionali*) and these, in turn, into twenty-seven residencies.

General considerations

At its ninth session, the Council adopted the following conclusions and recommendation:

The Council commends the Administering Authority for its achievement in the short period covered by the annual report and urges the Administering Authority to continue its efforts for the development of the Territory in every field in order that the Territory may be prepared for independence within the time-limit prescribed by the Trusteeship Agreement.

The Council, recalling its resolution 310 (VIII) of 23 February 1951 on the question of the full participation of Italy in the work of the Trusteeship Council, noting that the policy followed by the Administering Authority in the Territory is in full agreement with the Charter and the Trusteeship Agreement, regrets that Italy has not yet been admitted to membership in the United Nations.

Adoption and ratification of the Trusteeship Agreement

The Trusteeship Council adopted a draft Trusteeship Agreement on 27 January 1950 and on 22 February 1950 the Government of Italy undertook to assume the administration of the Territory subject to the reservation of the ratification of the Agreement. The transfer of powers from the Government of the United Kingdom to the Government of Italy took place on 1 April 1950. The General Assembly adopted the draft Trusteeship Agreement on 2 December 1950 and it is from this date that the ten-year period of administration by the Government of Italy commences. The ratification of the Trusteeship Agreement by the two chambers of the Italian Parliament had not been effected by 31 March 1951.

The Somali Youth League in a petition[193] dated 4 September 1950 had requested the General Assembly of the United Nations to reconsider its decision to place the Territory under the trusteeship of Italy and to place it instead under the collective trusteeship of several States. In the event that this request could not be fulfilled, the petitioners requested that in order to safeguard the interests of the population, the Trusteeship Agreement should specifically provide that the Italian Government should administer the Territory through functionaries drawn from the Ministry of Foreign Affairs and that those persons who served in the Territory under the pre-war colonial régime be removed, and that the United Nations Advisory Council be invested with greater powers so as to enable it to ascertain, by means of direct investigation when necessary, the veracity of the protests and claims submitted by the population.

The special representative of the Administering Authority pointed out at the fifth meeting of the *Ad Hoc* Committee on Petitions on 13 June 1951 that the text of the petition was submitted to the Fourth Committee of the General Assembly (A/AC.4/183) with the object of inducing the Assembly to modify the provisions

[193] T/PET.11/14, pages 9-10.

of the Trusteeship Agreement for Somaliland, but that the Assembly had decided not to modify the Agreement.[194]

At its ninth session, the Council adopted the following conclusion:

The Council, noting that the Italian Parliament has not yet ratified the Trusteeship Agreement, welcomes the statement of the representative of the Administering Authority that the Italian Parliament is likely to ratify it shortly.

Observations of members of the Trusteeship Council representing their individual opinions only

General considerations

The representative of Argentina felt that Italy's achievement as Administering Authority had been outstanding. He shared certain doubts with regard to the time in which progress and the achievement of independence were to be carried out. He was of the opinion that Somaliland under Italian administration might serve as an example to be followed in connexion with other Trust Territories and territories still under the colonial system.

The representative of New Zealand considered that the Administering Authority had made an admirable commencement in a most difficult and onerous task. He considered further that in order to achieve independence within the time-limit prescribed by the Trusteeship Agreement the development in every field must be accelerated to the very maximum.

The representative of the Union of Soviet Socialist Republics stated that the information at the disposal of the Trusteeship Council made it possible to conclude that the Administering Authority was carrying out a policy directed toward the re-establishment of a colonial régime in the Territory.

Ratification of the Trusteeship Agreement by the Italian Parliament

The representative of Iraq noted that the Italian Parliament had not yet ratified the Trusteeship Agreement and expressed the hope that this ratification would be forthcoming as soon as possible.

The representative of New Zealand noted that the Trusteeship Agreement had not been ratified yet and expressed his gratitude for the assurance given by the special representative that the Trusteeship Agreement might be expected to be ratified shortly.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General situation

In the Annual Report[195] it is stated that the establishment is being studied of a proper juridical organization for the Territory. Pending the conclusion of this study, no organized law defining the status of the Territory has been enacted. In this connexion the special representative pointed out to the Council that the Administering Authority was actually wondering whether there was a need of an organic law to define the status of the Territory, inasmuch as the Trusteeship Agreement and, particularly, the Declaration of Constitutional Principles, once ratified, would become the law of the land and so would provide automatically such an organic law. By a proclamation issued upon the assumption of Italian administration, legislation in force on 31 March 1950 was to remain in effect with the exception of that relating solely to wartime conditions as well as legislation which required modification in order to bring it into conformity with the Charter of the United Nations and the Trusteeship Agreement.

According to the Annual Report, the Administering Authority during the period under review, has concerned itself principally with the establishment of political and economic stability in the Territory. The Administering Authority states that in accordance with the terms of the Trusteeship Agreement it has also taken the first steps toward the development of a foundation for the future independent Somali State. To this effect, Residency Councils and a Territorial Council were established in the Territory in the course of the year. The establishment of municipal councils was also being contemplated. A School of Political Administration has been established at Mogadiscio for the purpose of preparing the Somali people to assume gradually administrative functions.

At its ninth session, the Council adopted the following conclusion and recommendation:

The Council commends the Administering Authority on the establishment of a Territorial Council and of Residency Councils and for its plans to establish municipal councils in the Territory and recommends that the Administering Authority take further measures to increase the participation and the representation of the indigenous inhabitants in these organs of government and that the powers and competence of these bodies be constantly extended as a means of developing the political experience of the inhabitants required for the establishment of the future independent state.

National status of the inhabitants

The Administering Authority states that it is studying the question of the national status of the indigenous inhabitants in preparation for the drafting of appropriate legislation in respect of which it will seek the opinion of the Advisory Council and of the Territorial Council once the Government of Italy has ratified the Trusteeship Agreement. Pending the conclusion of such study the national status of the indigenous inhabitants has not been defined.

A status of citizenship will also be provided for the population of the Territory. In a petition of the Somali Youth League it is claimed that the Somali are forced to state their tribal identity.[196] In its observations the Administering Authority stated that no such identification was required.[197]

[194] Resolution 365 (IX).
[195] T/902.
[196] T/PET.11/14.
[197] T/908 and resolution 365 (IX).

Application of treaties, conventions and other agreements

Since the Trusteeship Agreement has not been formally ratified by the Government of Italy, no international treaty, convention or agreement can be regarded as formally applying to the Territory. However, the Administering Authority considers applicable the international treaties, conventions and agreements which before the last war applied to the Italian colonies, as well as those to which Italy has adhered since the war in so far as these are in the best interests of the population and not incompatible with the principles of trusteeship.

Political parties

There are two principal political groups in the Territory, the Somali Youth League and the group of parties comprising the Conference Party.[198] The special representative of the Administering Authority informed the Council that all parties were more or less in favour of expediting the development of the Territory toward independence. The programme of the Somali Youth League might be regarded as more progressive in this respect than that of the Conference Party and it emphasizes the need to hasten the disappearance of the tribal system. He further stated that the attitude of the Somali Youth League toward the Administration had developed from unyielding opposition at the time of the transfer of authority to its present position of constructive opposition. The policy of the Conference Party, he stated, was that independence should be achieved through close co-operation with the Administering Authority.

At its ninth session, the Council adopted the following conclusion and recommendation:

The Council notes with satisfaction that the relations between the Administering Authority and the political parties in the Territory have improved, urges them to continue to collaborate within the constitutional framework of the Trusteeship Agreement, and expresses the hope that the Administering Authority will continue to promote the participation in the various councils of all parties which responsibly represent public opinion within the Territory.

Maintenance of public order

The Administering Authority states that immediately following the transfer of power, there were outbreaks of violence in certain localities such as Kismayo, Margherita, and particularly Baidoa, between political groups holding divergent views. The police promptly re-established order without having to adopt unusual measures. Those responsible for the disorders were placed at the disposal of the judicial authorities but judicial proceedings were brought to a halt by the amnesty granted by the Administrator, on the occasion of the holy fasting month of Ramadan, to all those who had committed political offences up to 17 July. After Ramadan the situation improved and the Administration was able to furnish full assurances to those who had left their communities during the disturbances and to assist them in returning to their homes.

In respect of the above-mentioned incidents a number of petitions have been received from the Central Committee of the Somali Youth League and branches of the League at Bardera, Lugh Ferrandi, Gardo, Schushuban, Tarbeh (or Torba), Hafoun and Bargal.[199] In this group of petitions it is claimed that certain officers of the Administration created dissension among the Somali and favoured certain political parties, and that they have instigated armed attacks by Somali elements (the Hisbia Dighil Mirifle Party is identified in this connexion in the petition of the Central Committee) against members of the League and other Somali in various localities. It is alleged that following these attacks only those persons opposed to the Administration, namely, members of the Somali Youth League, were imprisoned. Their homes and shops were sacked and all members and sympathizers of the League were forced to flee from the Upper Juba *Commissariato*.

It is stated in the petition of the Central Committee that despite an amnesty accorded by the Administrator to political prisoners, a considerable number of members of the Somali Youth League were still in prison and political arrests continued to take place.

In its observations on petitions the Administering Authority stated that the incidents which took place between Hisbia Dighil Mirifle and Somali Youth League elements resulted from the provocative attitude toward and the abusive treatment of the former by the latter over the last few years.[200] It asserted that prompt intervention by the authorities prevented more serious consequences. The occurrence of arbitrary arrests, the distribution of firearms, and the intervention in political affairs by the authorities was denied. It pointed out that the 500 persons who fled from Baidoa have returned there with the assistance of the Administration. It also pointed out that the Administrator had received on 1 May 1951 a telegram from parties involved in the incident, including the Somali Youth League branch of Baidoa, assuring him of their collaboration. Furthermore, the special representative informed the Council that since May 1950 no political incidents had occurred.

In the report of the Advisory Council covering the period 1 April 1950 to 31 March 1951, mention is made of a declaration of the President of the Somali Youth League on 27 January 1951 to the effect that he considered settled the question of the indemnities to the Baidoa refugees.

In the period under review conflict broke out also between the Darot and Averghidir groups in the Mudugh area over grazing lands and water holes and a certain amount of pillage took place. The Administering Authority states that these disturbances required the intervention of police. At the same time it undertook to eradicate the causes of inter-tribal conflict and to settle the numerous outstanding disagreements between the various ethnic groups. These efforts were brought to a conclusion by the convening of numerous assem-

[198] These are the *Unione Nazionale Somala*, the *Hisbia Dighil Mirifle*, the *Unione Africana in Somalia*, the *Associazione Gioventù Abgal*, the *Comitate Progresso Somalo*, the *Lega Progressista Somala*, the *Hidaiet Islam Scidle Mobilen* and the *Unione Bimalia*.

[199] T/PET.11/14, T/PET.11/16, T/PET.11/17, T/PET.11/18, T/PET.11/27, T/PET.11/29, T/PET.11/30, T/PET.11/31.

[200] T/908.

blies of chiefs and representatives of the populations concerned where the principle of peaceful settlement of future conflicts and of compensation for losses suffered were agreed to, pasture lands reserved for particular ethnic groups were delimited, and, in some instances, transhumance—the seasonal movement of stock—was regulated.

The Administering Authority states that order and public security have thus been re-established throughout the Territory.

In three resolutions[201] on petitions relating to the incidents at Baidoa, the Council expressed the opinion that the peaceful atmosphere then prevailing in Somaliland indicated that in general the Baidoa incidents had been satisfactorily settled, and noted that subsidies had been granted by the Italian Administration to the Baidoa refugees. In a resolution[202] on a petition concerning incidents at Bardera the Council expressed the opinion that these had been caused by the generally tense atmosphere prevailing at the time of the transfer of power from the British to the Italian administration and expressed the hope that in view of the peaceful atmosphere then prevailing in Somaliland, such incidents would not recur. The Council recommended that the Administering Authority ensure that the victims of these incidents who might still have rightful claims in this respect had the possibility of submitting them to the competent authorities, and it recommended, further, that the necessary steps be taken to ensure that any claimants understood the procedure involved. In a resolution[203] concerning the incidents which occurred at Kismayu and Margherita, the Council considered that the situation of political unrest prevailing at the time of the transfer of power to the Italian administration, in April 1950, during which these incidents occurred, had been substantially improved and expressed the hope that in view of the peaceful atmosphere then prevailing in Somaliland such incidents would not recur.

Structure of the Administration

At the head of the Territorial Administration is the Administrator who represents the Administering Authority. He possesses powers of legislation and is head of the Executive within the Territory. He is assisted by a Secretary-General who may act in his behalf and by an administrative staff divided into sixteen departments, the organization of which is based in part on the requirements of the future Somali State. The departments are as follows: the Office of the Administrator, the Office of the Secretary-General, the Security Corps Headquarters, the Department of International Affairs, the Department of Internal Affairs, the Office of Personnel and General Affairs, the Department of Finance, the Department of Agriculture and Animal Husbandry, the Department of Industry, Internal Trade and Labour, the Department of Currency and Foreign Trade, the Department of Law and Justice, the Department of Education and Public Health, the Department of Public Works and Communications, the Department of Information and Statistics, the Printing Press Office, and the Department of Accounts.

[201] Resolutions 359 (IX), 363 (IX) and 365 (IX).
[202] Resolution 366 (IX).
[203] Resolution 361 (IX).

The six *Commissariati Regionali* and the twenty-seven Residencies are under the administration of Regional Commissioners and Residents respectively, who are appointed by the Administrator. They are responsible for the direction of the political, economic and social life in the units which they administer in accordance with the existent laws and the directives and instructions of the Administrator.

Of the 4,426 persons in the employment of the Administration 3,641 are Somali, 760 are Italian, and twenty-five are of other ethnic origin. Regulations concerning the juridical status and the general conditions of service for Somali personnel are being studied at the present time. No Somali as yet occupies a post on a high level in the administrative services.

The Somali Youth League stated in its petition[204] that all Somali holding responsible positions in the administrative services prior to the transfer of powers to the Italian Administration had been arrested and imprisoned, dismissed or discharged from service. It is further claimed that over 300 persons had been discharged since the transfer of powers. In its observations on petitions the Administering Authority stated that for some time the Administration had pursued a policy of gradually increasing the number of Somali in civil and military posts and that in certain departments Somali were occupying responsible posts and that the programme of the School of Political Administration would increase the number of Somali qualified for higher administrative posts.[205]

At its ninth session, the Council adopted the following recommendation:

The Council, noting with approval that a School of Political Administration has been established, recommends that the Administering Authority make every effort to build as rapidly as possible a strong and efficient indigenous administration, utilizing technical and educational facilities both within and outside the Territory.

Legislative authority, Advisory Council

In accordance with article 4 of the Declaration of Constitutional Principles,[206] the legislative authority is normally exercised by the Administrator after consultation with the Territorial Council, until such time as an elective legislature has been established.

Moreover, in exercising this power the Administering Authority, in accordance with article 8 of the Trusteeship Agreement, is required to keep the United Nations Advisory Council informed on all matters relating to the political, economic, social and educational advancement of the inhabitants of the Territory, including legislation appertaining thereto. The Advisory Council may make to the Administering Authority such observations and recommendations as it may consider will be conducive to the attainment of the objectives of the Trusteeship Agreement. This provision of the Agreement also stipulates that the Administering Authority shall seek the advice of the Advisory Council on all measures envisaged for the inauguration, development and subsequent establishment of full self government for the Territory, particularly regarding: (*a*) the estab-

[204] T/PET.11/14, pages 7-8.
[205] T/908 and resolution 365 (IX).
[206] Annexed to the Trusteeship Agreement.

lishment and development of organs of self-government; (*b*) economic and financial development; (*c*) educational advancement; (*d*) labour and social advancement; and (*e*) the transfer of functions of government to a duly constituted independent government of the Territory.

During the period under review only those legislative provisions which were indispensable for the functioning of the Administration were enacted. Those of fundamental importance were postponed until the Territorial Council began functioning.

At its ninth session, the Council adopted the following conclusion:

The Council expresses its appreciation for the work of the United Nations Advisory Council, notes with satisfaction that all members of the Advisory Council are now permanently represented in the Territory, and notes further the spirit of co-operation which characterizes the relations of the Advisory Council and the Administering Authority.

Territorial Council

A Territorial Council was established by ordinance at the end of the year under review. The Territorial Council is intended to be a central consultative and representative organ for the entire Territory where Somali can discuss problems relating to all aspects of government with the exception of foreign affairs and the defence of the Territory.

Before establishing the Territorial Council the Administering Authority wished first to ascertain the opinion of elements which were considered to be representative of the population as a whole. For this purpose consultations on a broad scale were organized with tribal and political organizations and a referendum held. The Administering Authority notes, however, that the results of the referendum cannot in all instances be considered as representative since a portion of the population has shown no real understanding of the issues involved. It further notes that divergent views were expressed in respect of tribal, territorial and political party representation. Nevertheless, all of those consulted ruled out the idea of suffrage as a means of selecting members of the Territorial Council and in general the prevailing opinion was to leave the nominations to the representatives of the Residency Councils meeting in regional assemblies.

The results of the referendum were then communicated to the Advisory Council with a request for its advice in this question. The Advisory Council expressed the opinion that the organization of the Territorial Council should be based on the following principles: (1) that the Territorial Council should, in its overwhelming majority, be composed of Somali; (2) that membership should be between twenty-five and thirty-five; (3) that no more than three-fourths of the indigenous representation should be nominated through tribal gatherings; (4) that seats should be granted to representatives of the major indigenous political groups; (5) that seats should be granted to representatives of the Italian, Arab and Indian-Pakistani communities; (6) that Italian officials and Italian members of the security forces should neither be electors nor candidates for election; (7) that officials of the Administration should not have *ex-officio* seats with voting rights but should be able to attend meetings of the Council as assessors; (8) that at this stage representation should be given to agriculture, trade and commerce, including representation for progressive Somali elements; (9) that as soon as practicable representation should be given to employees and wage-earners; (10) that members should be appointed for a period of one year; (11) that two or three annual sessions should be held in Mogadiscio, unless the Council decided to convene elsewhere in the Territory; (12) that a small permanent committee of the Council with membership elected by the Council should be set up in order to represent the Council between meetings; and (13) that in view of the number of languages and dialects spoken in the Territory the Administrator should not apply a language qualification in appointing members. Somali, Arabic and Italian should be considered the official languages of the Council.

The Administering Authority states that in taking its decision on the composition and [illegible] election of members of the Territorial Council it t[illegible] into consideration the results of the referendum an[illegible] advice of the Advisory Council.

The Territorial Council as now constituted consists of thirty-five seats, of which twenty-eight are to be held by Somali. Twenty-one are held by tribal representatives, seven by Somali political parties (four seats are assigned to the Conference Party and three to the Somali Youth League), two by economic groups, two by the Italian community, two by the Arab community and one by the Indian and Pakistani communities. The nomination of members is made by the Administrator from lists containing twice the number of names as there are seats.

Members serve a one-year term and may be re-elected. There will be three plenary sessions yearly and a Permanent Committee will function between sessions in order to prepare the work to be dealt with at each session. The Administrator presides at meetings and administrative officials may be asked by the Assembly to comment on matters under review. Members of the Council enjoy immunities in the sense that they cannot be prosecuted or arrested without the previous authorization of the Administrator, except in the case of persons found in the act of committing a crime.

In a petition the Secretary of the Somali Youth League of Alula protested that five persons (presumably those representing the district in which Alula is located) seated on the Territorial Council had not been chosen by the League.[207] The petitioner claimed that they were selected from the *Lega Progressista Somala* and that their selection did not satisfy the Somali Youth League. Two other petitions from branches of the Somali Youth League claimed that no member of the League was invited to attend the Territorial Council.[208] In another petition, it was asserted that three representatives on the Territorial Council had been selected by the Administration from among members of a party established by the Administration.[209] In its observations on petitions the Administering Authority stated that all representatives on the Territorial Council were selected by representatives of the Residency Councils which, in turn, had been freely chosen by the people.[210]

[207] T/PET.11/22.
[208] T/PET.11/28 and 30.
[209] T/PET.11/31.
[210] T/908.

In a resolution[211] on one of these petitions,[212] the Council considered that in view of the conditions then prevailing in the Territory, the tribal structure could not be arbitrarily ignored, and a fully representative political system could not be established immediately. The Council invited the Administering Authority to continue to introduce gradually a more democratic political system in which the non-traditional elements of the Territory would be encouraged to make their voices heard.[213]

Residency Councils

Residency Councils have been established in each Residency of the Territory. By means of these regional consultative organs, the Administering Authority expects to be able to devote closer attention to the wishes and needs of the population and to enable the chiefs and notables to discuss questions of interest to an entire district. Each Council is composed of all district chiefs and notables, as well as village chiefs, market supervisors, section secretaries and, in Mogadiscio, the presidents of the legally recognized political parties and eminent outstanding notables. The Resident convenes the Council which may express its opinion in respect of all matters affecting the interests of the district, particularly regarding agriculture, animal husbandry, transhumance, public works, taxation, and public education.

The members may request the Resident to convene a District Council in order to discuss questions of particular importance. Members serve a term of one year.

Municipal councils

A commission has been set up for the study of the establishment of municipalities in all of the principal communities. The Administering Authority states that it intends to establish municipal councils in the near future and these will directly assume the responsibility for local finance.

Indigenous political structure

The *rer*[214] and the tribe are the units of indigenous political organization. The tribal chief is selected by an assembly of the tribe (*chir* or *scir*) and the nominee proposed by this group is ratified by the Administration. He is responsible to the Resident for the direction of tribal affairs and for the communication and enforcement of all administrative acts concerning the tribe. He assists the Resident in the maintenance of order and security and he keeps the Resident informed of the periodic population movements which are characteristic of the Territory.

In a petition the Somali Youth League alleged that the Administration had imposed illiterate chiefs.[215]

In its observations on petitions the Administering Authority stated that the tribal chiefs are elected according to indigenous custom by tribal assemblies and that the Administration simply accorded formal recognition in each case.[216]

Suffrage

The Administering Authority states that a system of suffrage has, in the true sense of the term, not as yet been introduced. A first experiment along the lines of elections was the election of Regional Assemblies by the Residency Councils and the election by the Assemblies of the members of the Territorial Council. A gradual extension of this principle awaits the establishment of municipalities and a civil register.

Judicial system

The administration of justice is based on the Italian Penal and Civil Codes and the Somaliland Judiciary Rules. Koranic and customary law are recognized in civil cases and, to the extent that they do not conflict with the general principles of law, in penal cases when the parties concerned are of the Moslem faith. Cases in which one or more of the parties concerned is not a Moslem are adjudicated by the Italian courts. No distinction as to race or sex is contained in the legislation. However, the application of Koranic law and customary law requires the observance of certain rules of procedure and of substance according to which women are considered to be of subordinate status.

In civil matters, litigation concerning Italians and foreigners comes within the jurisdiction of the Courts of the Residents, the Courts of the Regional Commissioners, the Judge of the Territory, the Court of Appeal in Rome, and the Court of Cassation. Litigation between indigenous persons and foreigners having the same status is within the jurisdiction of the Kadis, the Kadis' Courts and the Administrator.

Penal cases involving foreigners are within the jurisdiction of the Courts of Residents, the Courts of the Regional Commissioners, the Judge of the Territory, the Court of Assizes, the Court of Appeal in Rome, and the Court of Cassation. In cases concerning indigenous persons and foreigners having the same status, the Kadi, the Kadis' Courts, the Regional Commissioners' Courts, the Administrator, the Judge of the Territory, the Court of Assizes, and the Court of Cassation are competent.

In a petition the Somali Youth League maintained that it seemed that the carabinieri were invested with full powers to arrest persons at their discretion and to release them hours or days later after subjecting them to ill-treatment and humiliation, in violation of paragraph 2 of article 9 of the Declaration of Constitutional Principles.[217] The judicial decisions were determined by the reports and recommendations of the police and Italian lawyers appointed for the defence did not adequately defend the accused, particularly when he was presumed to be "anti-Italian". Houses were allegedly searched without a warrant in violation of paragraph 3 of article 9 of the Declaration of Constitutional Principles.

In its observations on petitions the Administering Authority stated that there was strict compliance with the provisions of the Italian Penal Code according to

[211] Resolution 370 (IX).
[212] T/PET.11/22.
[213] See also resolutions 374 (IX) and 375 (IX).
[214] The *rer* comprises a group of families tracing their descent from a common ancestor. The tribe comprises various *rer*.
[215] T/PET.11/17.
[216] T/908 and resolution 367 (IX).
[217] T/PET.11/14.

which those arrested without a judicial order must be brought before the judicial authorities within twenty-four hours and the search of houses was subject to certain rules.[218]

In another petition it was stated that there were military officers in the judiciary of the Territory who tried cases involving Somali. The petitioners requested that these be replaced by civilians and that Somali soldiers be judged also by civilians.[219] In its observations on the petition the Administering Authority stated that only one post, that of examining magistrate and public prosecutor, was occupied temporarily by a member of the military magistrature who, however, did not render judgments.[220]

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of Iraq, noting that the question whether either an organic law or various laws relating to diverse subjects should be promulgated was a matter still under study by the Administration, stated that the Advisory Council would do well to advise the Administering Authority as to which of these two alternatives should be followed. He thought that the promulgation of various laws appeared to be of more immediate necessity and that this did not necessarily exclude the promulgation of an organic law at a future date. A review of all Italian pre-war legislation and British proclamations was highly desirable. He suggested that the Trusteeship Council recommend to the Administering Authority that its decision in respect of this matter should be communicated to the Council in the next annual report.

The representative of Thailand noted that the achievements in the political field were striking. Since only nine years remained before the Territory would achieve its independence, the most important problem was to build as quickly as possible a strong and efficient indigenous administration. He stated that it would be necessary to send students abroad for education in order to provide adequate staff in the future.

The representative of the United Kingdom noted that the political institutions of the Territory were still in a formative stage but were working at all levels. He was glad to note that there was no intention of making a sudden break with the traditional organization of the people, particularly that of the nomadic people of the interior of the country.

The representative of Argentina pointed out that everything possible should be done to prepare the inhabitants to achieve political independence and the betterment of their life through their own efforts.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority did not carry out those legislative and other measures which would guarantee the participation of the indigenous population in the legislative, executive and judicial organs of the Territory. In this way the Administering Authority delayed the progressive development of the Trust Territory and thus violated the purposes and principles of international trusteeship established by the Charter of the United Nations.

The special representative of the Administering Authority stated that at the time the transfer of authority took place, there was not one Somali taking part in the political and administrative life of the Territory. At the present time, there were 900 participating in the various fields and in the executive branch not including the employees of the Administration who numbered approximately 3,500.

He stated further that the Administration of the Territory could hardly be charged with having pursued an anti-democratic policy, since it had established Municipal Councils and Residency Councils without having been required to do so by any stipulations of the Trusteeship Agreement, it conducted a referendum to determine the views of the population before choosing the members of the Territorial Council, created a permanent committee of the Territorial Council so as to be in permanent contact with representatives of the population, recognized all parties in the Territorial Council, and guaranteed freedom of association, expression and assembly, without distinction as to race, religion or party.

The representative of the Union of Soviet Socialist Republics observed that laws dating from the period of fascist colonial occupation were in force in the Territory. He cited the judicial system of the Territory as an example.

He stated that the Administering Authority had established in Somaliland a military and police régime and that the arbitrary acts of the police were in no way limited. He cited an *aide-mémoire* on Somaliland under Italian trusteeship by the International Ethiopian Council for Study and Report in which it was indicated that Italian troops had fired on a peaceful Somali demonstration at Galalio. Two weeks later there were cases in which Italian troops opened fire on people in Baidoa, Margherita and Kismayo. He stated further that the Administration maintained a large number of military units and a numerous police force. As indicated in the annual report of the Administering Authority on page 29, for the period 1 April to 31 December 1950 the expenditure for local police forces amounted to 3,461,697 somalos, not including expenditures for Italian personnel, officers and carabinieri.

The special representative of the Administering Authority stated that the expenditures for the military forces were dropping very sharply. There had been a decrease in the size of the Corps from about 5,000 on 1 April 1950 to about 1,500 at the present time; it was expected that there would be a further decrease of 500 by September.

Maintenance of public order

The representative of the United States of America noted the various steps taken by the Administering Authority to restore public order and to enlist the co-operation of all elements of the population within the Government. He felt that this constituted a tribute to the Administration.

[218] T/908 and resolution 365 (IX).
[219] T/PET.11/26.
[220] T/908 and resolution 373 (IX).

The representative of the Union of Soviet Socialist Republics observed that in numerous petitions facts were given concerning discrimination against and persecution of members of the Somali Youth League against which, as was pointed out in the petitions themselves, Italian officials were waging a struggle by means of police raids, arrests and beatings, as well as by the creation and financing of various so-called political parties consisting of pro-Italian elements.

Structure of the Administration

The representative of the Union of Soviet Socialist Republics observed that persons who had held colonial administrative posts under the pre-war fascist régime had been appointed to responsible posts in the administration of the Territory. For instance, the Secretary-General of the Italian Administration was Gorini, who previously served in the Italian fascist government in Ethiopia. The structure of the territorial administration was similar to that which existed under the fascist régime. All power and authority were vested in the Administrator and, on a local level, in the Regional Commissioners and the Residents.

He stated that the Administering Authority was not bringing Somalis into the real government of the Territory. All important posts in the central administration were occupied by Italians and indigenous persons were used only as auxiliary and service personnel. The same was true in the local administration where even auxiliary posts were held by Italians. Instead of granting the indigenous population a progressively increasing participation in the various organs of government, the Administration had removed many Somalis even from the secondary posts which they had held under the former British military administration, and had replaced them by Italians.

The special representative of the Administering Authority denied that certain officials of the Administration were not inspired in their activity by the principles of the Charter and the Trusteeship Agreement.

He also cited statistics in the annual report which showed that there had been an increase in the number of Somali personnel and a decrease in the Italian staff. The absence of Somalis in the highest posts was the consequence of the low educational level prevailing among the Somalis.

Territorial Council

The representative of the United States of America, welcoming the setting up of the Territorial Council, suggested that the Trusteeship Council might wish to take note of the significant statement of the special representative that since 1 January no legislative ordinances had been promulgated without having first obtained the advice of the Territorial Council.

The representative of New Zealand pointed out the difficulties of holding early elections to the Territorial Council and to the subsidiary regional and local bodies, which involved such problems as the stabilization of nomadic tribes, the level of general education, the taking of a census, the gradual supersedence of the tribal chief system by the more direct and democratic means of expression of the wishes of the people, the development of political parties, and the increasing allocation to the Somali representative institutions of responsibility for various community matters.

The representative of the Dominican Republic noted with interest that the Somali Youth League was represented in the Territorial Council and that it had become an organized, systematic and loyal opposition.

The representative of the Union of Soviet Socialist Republics stated that the Territorial Council, appointed by the Italian authorities, could not be considered as a body in which the indigenous population of the Territory was really represented. The majority of the members were tribal leaders who were paid officials of the Administration and the remaining members were also appointed by the Administration. He referred to the petition from the Central Committee of the Somali Youth League (T/PET.11/40, pp. 6-7) in which it was stated that almost all members were illiterate pro-Italian elements. In this connexion, he proposed that the Trusteeship Council recommend that the Administering Authority should establish legislative organs and carry out legislative and other measures which would ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory, and that the Administering Authority should promote the formation of local indigenous organs of self-government.

The special representative of the Administering Authority, referring to page 42 of the annual report dealing with the composition of the Territorial Council, recalled that all the major parties actually participated in the work of that body. All the representatives of those parties had co-operated in the two sessions held in January and April 1951. It was also provided that in the intervals between sessions there should be a smaller committee which should sit permanently. It was an interim committee of ten persons, including two members of the Somali Youth League.

Residency Councils

The representative of Belgium felt that the Trusteeship Council might wish to express its satisfaction on learning of the rapidity with which the Administering Authority had established Residency Councils and the Territorial Council.

Municipal Councils

The representative of the United States of America stated that the Administering Authority should be encouraged to proceed with its programme for the establishment of Municipal Councils in the Trust Territory, since in these bodies democratic government might be fostered and established in ways not possible under the existing tribal system.

Tribal system

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority encouraged and reinforced the tribal system in the Territory. The tribal system now prevailing in the Territory was incompatible with the progressive development of the population towards independence. He stated that the

Trusteeship Council should recommend to the Administering Authority that it take measures to secure the transition from the tribal system towards a system of self-government based on democratic principles.

The special representative of the Administering Authority denied that chiefs had been removed from office. All chiefs who had been in office at the time of the transfer of authority had been confirmed. Furthermore, chiefs would not be replaced without calling a meeting of the tribes and without the tribes having expressed a desire for such a change.

He stated further that it would be an error to seek to destroy the tribal system all at once, even though it might represent one of the most backward stages of human organization. Instead, the Administering Authority should hasten the evolution of the tribal system toward a territorial political structure and encourage the development of the village, rather than the tribe, as a focus of social activity. Thus, the Territorial Council, the Residency Councils and the Municipal Councils might be regarded as the first elements of this new form of organization.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

The indigenous economy of the Territory is of a pastoral-agricultural type. The majority of the inhabitants are nomadic or semi-nomadic pastoralists and the relatively small group of sedentary agriculturalists is confined principally to the banks of the Ouebbi Shebelli and Juba Rivers. The greater part of the productive effort of the indigenous people is devoted to the satisfaction of their immediate wants and a relatively small part is devoted to production for distant markets. Large numbers of stock may be accumulated by the individual but these are usually regarded as fixed capital, a source of prestige, and are not destined to be exchanged for other forms of wealth.

It is said in the annual report that the indigenous inhabitants do not seek employment on the European plantations except during the dry season when their lands are too dry to cultivate or they are suffering from a shortage of food. During the rainy season they prefer to cultivate their own lands even if their income from plantation work might be greater. The Administering Authority states that in order to overcome this fluctuation in the supply of agricultural labour incentives have been offered as, for example, loans, bonuses, housing, and the use of irrigable land together with agricultural machinery.

The Administering Authority states that during the period under review it has devoted much attention to the economic reconstruction and development of the Territory and that by the end of 1950 a noticeable improvement could be observed in relation to trade and agriculture.

As a means of solving the problem of unemployment a programme of public works was undertaken. This measure, together with a minimum increase of salaries of 25 per cent, resulted in an increase in the amount of money in circulation which, the Administering Authority states, had a beneficial effect on trade. A successful harvest resulted in a considerable reduction in the prices of grains but this was succeeded by a poor crop and increased prices owing to drought. Other increases in prices led to the establishment of a Price Control Committee by the Administering Authority.

The value of exports for the period 1 April to 31 December 1950 was 18,816,107 somalos as compared to 12,740,954 East African shillings for the same period in 1949.[221] Imports for the same period were in 1950, 43,632,289 somalos, as compared to 20,744,852 East African shillings in 1949. The extraordinary increase in imports has considerably increased the monetary deficit in the Territory and, thus far, this deficit has been borne by the Administering Authority.

The Administering Authority during the latter part of the year undertook the study of plans for the economic development of the Territory. Two agricultural experts of the Economic Co-operation Administration made a survey of the Territory and presented recommendations in respect of livestock, ground water resources, fisheries, indigenous labour and farm mechanization, as well as in respect of certain other questions.

In order to stimulate agricultural and industrial development, agricultural and industrial machinery has been exempted from the payment of import duties until 30 June 1954 and new workshops are exempted for a period of ten years from the payment of income tax.

In relation to agriculture the question of mechanization has been the subject of particular study as a means of solving the labour shortage and of increasing the area of land under cultivation. According to the annual report steps have been initiated for the establishment of irrigable farms to be managed and administered on a co-operative basis by indigenous persons. An experimental station for animal husbandry is also being established at Hortacaio. A programme of hydraulic research, which will aid development in relation to stock raising, is in preparation and funds have been allocated for the construction of 100 new wells in 1951. The Economic Co-operation Administration will participate in a programme for the increased utilization of water resources.

A technical assistance programme for fisheries has been approved by specialists of the Economic Co-operation Administration.

The construction under private initiative of a large reservoir is under consideration for the agricultural district of Genale. The Administering Authority reports that a modern plant for the weaving of cotton textiles will be established shortly.

The Administering Authority is considering a plan for the extension of credit, particularly in relation to agriculture, as well as a decree which would be designated to attract foreign investment.

The policy of the Administering Authority as stated in the annual report is to assist the Somali to develop more productive forms of agriculture, in particular, the cultivation of cotton, the cultivation of peanuts, and the establishment of irrigable farms. Similarly, Somali are

[221] The rates of exchange of the somalo and the East African shilling are identical. 20 somalos = 20 East African shillings = £ stg.1 = U.S.$2.80.

being encouraged to invest in industry and to increase their participation in commerce.

The Administering Authority, stressing the need for the investment of large sums of capital for the development of the Territory, expresses the view that under the circumstances private capital will be reluctant to provide the necessary sums. As alternatives it suggests that aid be provided by international organizations or that a guarantee for a period exceeding that of the trusteeship administration be given to Italian or foreign capital.

At its ninth session, the Council adopted the following recommendations:

The Council, noting that the deficiency in natural resources, the primitive economic organization and the very slow rate of economic development of the Territory may hamper the achievement within a period of ten years of the aims set forth in the Trusteeship Agreement, noting that the aid of the Technical Assistance Administration of the United Nations and of the specialized agencies has been requested by the Administering Authority in the formulation of plans for the economic and social development of the Territory, noting that political independence would be better ensured if it were accompanied by a certain degree of economic development, recommends that the Administering Authority, with the help of the pertinent international agencies, draw up a plan for the economic development of the Territory and report on this matter to the Trusteeship Council, at the earliest possible opportunity.

The Council, noting with approval that the Administering Authority is desirous of encouraging further private and public investment in the Territory, noting that further capital investment is required for the development of local industries and other purposes, and noting that certain difficulties have been experienced in attracting capital, urges the Administering Authority to take all appropriate steps to encourage both public and private investment, and recommends in addition that in conjunction with the United Nations Mission for Technical Assistance which is about to visit Somaliland, the Administering Authority study all aspects of this question and in particular the methods which might be adopted to extend adequate guarantees to external private investors, and that, in consultation with the International Bank for Reconstruction and Development, the Administering Authority consider the measures which might be taken to augment the available resources for public investment in the Territory.

Agriculture and stock raising

The main wealth of the Territory is in the form of stock—principally camels, cattle, and sheep—from which most of the population derives its subsistence. In general it is not raised for commercial purposes but rather represents capital and the owner derives considerable social prestige from the ownership of stock. In those areas of the Territory where agriculture is difficult owing to sparse rainfall, stock raising is the sole economic activity. The limited number of wells and the scarcity of rain frequently lead to a concentration of cattle in restricted areas, giving rise to conflict over water holes and grazing lands.

The Administering Authority is of the opinion that the desirable over-all economic pattern for the indigenous inhabitants is one combining agriculture and stock raising in which the farms would be strictly delimited whereas the grazing lands would not be. The first step to be taken in this direction would be the extension of cultivated lands by means of the introduction of diversified, drought-resistant crops. It is estimated that 40 per cent of the area of the Territory is uncultivable, 50 per cent is pasture land which in part can be used for the cultivation of certain crops, and 10 per cent is cultivable or cultivated land. A deterrent to the expansion of agriculture is the system of values prevailing among the indigenous inhabitants whereby farming is regarded as an undignified occupation.

During the period under review there was a food deficiency in the Territory amounting to 6 million somalos. Corn, flour, rice, coffee, spices, butter, sugar, and canned food were particularly in short supply.

The principal crops are sorghum, maize, beans, peanuts, bananas, sesame, sugar cane, cotton and rice. Native farming is based on hoe tillage and mechanized farming is encountered solely on the European plantations.

In respect of the marketing of commercial crops, an increase is noted by the Administering Authority in the frequency of a contractual arrangement between farmers and Europeans whereby the latter provide the farmer with selected seed in return for which they reserve the right to purchase the harvested crop at a price agreed on between the two parties.

At its ninth session the Council adopted the following recommendations:

The Council recommends that the Administering Authority take all possible steps to encourage the production of basic food crops in the Territory in order to achieve a reasonable degree of self-sufficiency.

The Council, noting that prolonged droughts are characteristic of the Territory, noting with satisfaction the steps taken by the Administering Authority to explore the possibility of increased water supplies and to store foodstuffs as a means of minimizing the effects of drought, recommends that the Administering Authority continue these efforts and report on the progress achieved in the next annual report.

Industry

Industrial development has been very limited. The principal establishment is the sugar refinery of the *Società Agricola Italo-Somala.* There are two large saw-mills, several tanneries, plants for the extraction of oils from peanuts, cottonseed and sesame, and some machine shops. The Administering Authority states that it is studying the question of obtaining foreign capital for the development of industry in the Territory. It seeks to encourage industrial investment by the Somali but at the present time direct financial aid by the Administering Authority to industry is not contemplated. Mention has been made elsewhere of the customs exemption on industrial machinery and of the ten-year exemption from income tax of all new industries as a means of stimulating industrial activities.

A school for the training of persons in proper methods of skinning and preparing hides is to be established in the near future. It is the opinion of the Administering Authority that the dissemination of improved methods throughout the Territory will increase the value of Somaliland hides on the world market.

Mining

Prospecting and exploration before the last war revealed the presence of some tin, lead, and iron, of lignite, and of geological formations suggesting the presence of oil. An Italian mining company has been granted permission to engage in prospecting for tin, lead, iron, titanium and lignite in the Midjertein area and for iron along the upper Juba River. The Administering Authority does not intend to grant mining concessions until new legislation, which will take into account the provisions of article 14 of the Trusteeship Agreement, has been enacted.

Fisheries

Five applications for fishing concessions were received and permits will be granted covering a period of nine years. Three firms now operating on the basis of temporary permits are, according to the annual report, well equipped for the canning of fish.

Public finance, taxation

The ordinary and extraordinary expenditures of the civil administration for the period under review were more than double the amount of the receipts. The deficit was eliminated by a subsidy from the Government of Italy. Receipts within the Territory were 25,380,130 somalos and the expenditure for the civil administration was 55,907,454 somalos; the contribution of the Government of Italy was 30,527,324 somalos.

The Government of Italy assumed also all obligations relating to the Security Corps charging these to the metropolitan budget.

For the year 1950-51, the Administering Authority states that it is contributing 114,324,797 somalos toward the expenses of the civil administration and the Security Corps.

The local sources of revenue are customs duties, taxes on the manufacture of sugar and alcohol, the revenues from the monopoly on tobacco and matches, income tax, hut tax, business and trade taxes, postal revenues, port fees and sanitation and hospital fees.

The system of taxation is based essentially on indirect taxes such as customs duties, taxes on the manufacture of sugar and alcohol, the Government monopoly of tobacco and matches, and business taxes. Income and hut taxes are the sole direct taxes levied in the Territory. The Administering Authority states that it is seeking to increase revenue through improved organization of the system of tax collection.

Income taxes are levied on all taxable income above 2,400 somalos and the rate of taxation increases progressively. Tax rates on income derived from professional services or labour are 4 per cent on that portion comprised between 2,400 somalos and 9,600 somalos and 8 per cent on income exceeding 9,600 somalos. For other sources of income the rates increase progressively from 6 per cent on that portion of income between 2,400 somalos and 3,600 somalos to 20 per cent for all income exceeding 10,800 somalos.

The hut tax applies to all indigenous adults over 18 years of age and to each dwelling place belonging to them. There are three different rates, which vary according to region, of 5, 7.50 and 10 somalos per year. Exemption from this tax may be granted on the basis of poverty, ill health, and other reasons. Portable huts and temporary shelters are not subject to this tax.

In a petition the Somali Youth League has alleged that gifts made to pro-Italian chiefs, sheiks and leaders of pro-Italian parties by the Administration and the expense of their pilgrimages to Mecca was a burden on the territorial budget.[222] The petitioners claimed that this was an attempt to render such persons docile and to divert the Somali from their goal of independence.

At its ninth session the Council adopted the following conclusion:

The Council suggests for the consideration of the Administering Authority that in preparing future budgets for the Territory details might be presented separately for (a) *those initial and recurrent charges borne directly by the Administering Authority, which will not form a subsequent charge on the resources of the independent Somali State, and* (b) *those capital and recurrent charges which will ultimately be borne by the revenues of the future State.*

Trade

A few Arab, British, Indian, Italian and Somali concerns are engaged in the export and import trade. Most of the small traders are Somali. The Administering Authority states that it has accorded special facilities to indigenous persons engaged in foreign trade and is anxious to develop to the fullest extent particular forms of foreign trade which are traditional among the inhabitants, i.e., maritime trade in small sailing vessels and overland trade with Kenya, Ethiopia, and British Somaliland.

Internal trade consists principally in the exchange of grains, butter, oil, seeds, and livestock. The principal imports are cotton goods, spices, tea, coffee, petroleum and household goods.

Co-operatives

During the second half of 1950, about ten co-operative societies were established. Their membership is largely indigenous and they are active in the fields of agriculture, trade and transport.

Land

It is estimated that 40 per cent of the surface of the Territory is uncultivable, 50 per cent is pasture land which in part can be used for the cultivation of certain crops, and 10 per cent is cultivable or cultivated land.

In accordance with the pre-war legislation, which is still in force, all lands occupied by indigenous groups

[222] T/PET.11/14, page 9.

are regarded as not disposable by the Administering Authority. Under customary law, individual rights to land are limited and are based on an individual's membership in a community. Thus, a person on severing his ties with the community, also relinquishes his right to the use of land.

Under the colonial régime before the last war, commissions were established to determine which lands which were not directly occupied or exploited were disposable. Conflicts over communal land are in the jurisdiction of customary law. Legislation relating to the ownership and alienation of land by non-indigenous persons is to be modified so as to conform with article 14 of the Trusteeship Agreement.

Under the present legislation, concessions are grante ' from disposable land for the purpose of intensive agriculture and are of three types:

(*a*) Concessions granted in perpetuity for the development of land with payment of an annual rent or the investment of a certain amount of capital; failure to develop the land results in the abrogation of the concession;

(*b*) Concessions in which a transfer of ownership takes place with the payment of a fixed price. A clause requiring development is included; having discharged all obligations the grantee has free and absolute ownership of the land;

(*c*) Temporary concessions for which an annual rent is paid and in which the terms of the return of the land upon the expiration of the concession and of the type of cultivation are stipulated in the contract.

Since the Territorial Council had as yet not been established, no concessions in agricultural lands were granted during the period under review.

All lands occupied or exploited by the indigenous tribes are regarded as their property. Ownership of land by non-indigenous persons is as follows: Arabs 1,500 hectares, Indians 5 hectares and Italians 72,842 hectares. According to the annual report land in the possession of non-indigenous persons represents about 2 per cent of the cultivable or cultivated lands. These concessions were granted before March 1941.

Corporations operating in the Territory

It is stated in the annual report that there are numerous indigenous, Italian and foreign corporations operating in the Territory. A list of the most important of these shows seven corporations concerned with agriculture with capital ranging from 50,000 to 6 million somalos, nine engaged in commerce with capital varying between 12,000 somalos and 1,143,000 somalos, four corporations which are primarily industrial, three principally engaged in transport and ten concerned with insurance.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of Iraq stated that the Trusteeship Council should recommend that an economic survey of the Territory be undertaken by the Administering Authority in order that a permanent policy for the over-all sound economic development of the Territory might be formulated.

He felt that the Trusteeship Council should recommend also that the Administering Authority solicit the assistance of the United Nations specialized agencies and considered that the investment of private capital in the Territory was desirable and that measures should be studied to attract it.

The representative of Belgium expressed the belief that no doubt could exist as to the right, and even the duty, of the Administering Authority to grant concessions of normal length. Under the terms of the Trusteeship Agreement the Administering Authority assumed the obligation of promoting the economic advancement and self-sufficiency of the inhabitants, and therefore it had the full right and duty to legislate in the field of concessions after having requested the opinion of the Advisory Council and submitted the question to the Territorial Council.

This applied not only to concessions but also to loans. It was possible that the Administering Authority might consider it advisable to develop the salt deposits as a national enterprise and not as a concession granted to foreign capital. This could be done only if a loan were obtained, and it would be quite absurd to say that the Administering Authority had not the right to make such a loan to develop a resource in the direct interest of Somaliland.

If the Administering Authority found that, in spite of the fact that it had passed appropriate legislation and was offering concessions of reasonable length, for mining development, for instance, no offer to engage in prospecting was made for lack of safeguards, then, and only then, it would be for the Administering Authority, after having obtained the opinion of the Advisory Council and the Territorial Council, to come back to the Trusteeship Council and to ask that other measures be taken.

The representative of New Zealand expressed his apprehension as to the possibility of achieving the economic viability of the Territory at the end of the ten-year period. The Territory was supplying at present less than one-third of the funds required for its administration. Every endeavour should be made to develop secondary industries and mineral resources, to improve stock raising and to increase food supplies and the agricultural export crops which could earn foreign exchange. This would require irrigation, improvement of roads and transport communications, improvement of the land tenure system, control of prices, etc. Some means must be found to encourage the flow of capital to this area.

The representative of the United Kingdom thought that the future Somali State must be given a firm economic basis to enable it to exist as an independent entity. Therefore, it was essential to establish a nine-year plan of development which would provide for sufficient resources for the Territory to maintain itself. He expressed the hope that in the next annual report the Administering Authority would submit such a plan.

He felt that the first aim of economic policy should be to make the Territory reasonably self-sufficient in the production of its basic foodstuffs. It would certainly be unwise to stimulate the production of export

crops at the cost of producing adequate foodstuffs for the Territory. It would also be wise to study the problem of storage of foodstuffs from year to year in order that the disaster of drought be minimized, if not avoided.

Great attention should be paid to maximizing the export of cotton, hides, sugar and bananas which could earn foreign exchange.

In order to stimulate the economic development of the Territory the ingredients of skill and capital were essential. It was encouraging to see how the specialized agencies were being brought into the picture. The Administration should produce the juridical and administrative framework which would make beneficial the investment of capital in the Territory.

The general economic intra-structure of the country should be strengthened by means of public investments. The Italian Government by itself, or by stimulating local saving, could not expect to produce the amount of capital required for public investment in the Territory. It was to be hoped that the Administration would pay particular attention to the elaboration of loan-worthy projects in the field of public investment and that it would interest such institutions as the International Bank in the possibility of financing public development.

The representative of Argentina pointed out with respect to concessions that if a new State should decide to carry out a certain economic policy it should be subject to an adequate indemnity to the concessionaires. Complete respect for acquired rights should be assured within the standards of the national sovereignty.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to take measures essential for the restoration and development of the economy of the Territory, an economy which was ruined by the war and which even before the war was exceedingly backward as a result of the half century of activity of the Italian colonizers in the country.

The special representative of the Administering Authority wished to give the assurance that it was its intention to build up a supply of foodstuffs if climatic conditions would allow it. He stated that in relation to economic planning the services of the Administration were collecting all useful data and expressed the hope that the United Nations Technical Assistance Mission expected in August would arrive at that time, so that a positive economic plan might be established with its advice and co-operation. He also stated that it was urgently necessary to obtain an influx of investment capital into the Territory, including private capital.

Agriculture and stock raising

The representative of China felt that the Administering Authority should pay particular attention to such important problems as irrigation, farm mechanization and the labour shortage in order to increase agricultural production.

The representative of the Union of Soviet Socialist Republics noted that drought and starvation were affecting the Territory and stated that the Administering Authority had sought to increase and encourage the growing of crops for export instead of concentrating attention and resources on food production. This had further worsened the situation of the indigenous population. The encouragement of exports had taken place at the expense of the standard of living of the Somali people.

The special representative of the Administering Authority stated that if there were a decrease in production of crops intended for domestic consumption, this was not on account of the increase in export crops. The fact was that there had been considerable drought in the Territory. It was because of this that production had dropped. As to the increase of exports, he thought that this was an asset to the economy of the Territory. In addition to this increase in exports there was an even greater increase in imports.

Industry

The representative of the United States of America noted that sugar could be produced on a remunerative basis in Somaliland and that the construction of another factory would not only fully satisfy the internal requirements, but might also permit exportation to the neighbouring territories. He felt that it would be in the best interest of the Territory if the Administering Authority, failing to find private capital, would make every effort to finance this project either through its own or through international banking and development facilities.

He noted that the Administering Authority had endeavoured to establish a school for training the inhabitants in better methods of preparing hides and skins for the world market. He felt that the Council might wish to take note of this project and to be kept informed of the results.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to take measures for the establishment and development of industry in Somaliland. He noted that there was no meat industry in the Territory, despite the fact that the greater part of the population was engaged in cattle raising.

Public finance, taxation

The representative of the United States of America, expressing his concern over the very high contribution of the Administering Authority towards the budget of the Territory, stated that although such grants were initially necessary the guiding principle should be the achievement of budgetary self-sufficiency within ten years. He felt that the Administering Authority should thoroughly explore the possibility of reducing administrative costs, without impairing the quality of governmental services, and of increasing the share the inhabitants should bear for their own governmental institutions. This should be linked with the general problem of increasing the level of economic activity in the Territory.

The representative of the Union of Soviet Socialist Republics stated, in reference to the hut tax levied on every indigenous person 18 years of age or older, that the Trusteeship Council should recommend that the Administering Authority take measures to replace the tax on huts by a progressive income tax system, or at least

by a system of income tax taking due account of the property status and taxable capacity of the population.

Trade

The representative of the Union of Soviet Socialist Republics stated that all trade was under the control of foreign concerns and, as it was stated in the petition (T/PET.11/40), the Administration had sought to destroy the few Somali trading companies which had managed to subsist.

The special representative of the Administering Authority stated that not a single company haited its activity in the period under consideration. On the contrary, twelve new Somali companies were established and from 1 April 1950 to the present 731 new licences were issued allowing indigenous inhabitants to carry on commercial activities.

Land

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to restore to the indigenous inhabitants lands alienated from them prior to the establishment of trusteeship over the Territory and continued to pursue the colonial policy of alienating land from the indigenous inhabitants. He made reference to petitions voicing complaints of land alienation (T/PET.11/33, T/PET. 11/38, T/PET.11/39, T/PET.11/40). He stated that the Trusteeship Council should recommend that the Administering Authority return to the indigenous inhabitants of the Trust Territory lands alienated from them in any way and prevent any future alienation of lands belonging to the indigenous population.

The special representative of the Administering Authority stated that fear of alienation in favour of foreigners was unfounded. The Administration had not carried out any new land concessions since it took over the administration of the Territory. Furthermore, article 14 of the Trusteeship Agreement provided that no alienation of land to non-Natives could be carried out without the consent of two-thirds of the Territorial Council. No leases had been given to non-Natives and a bill regulating this subject would be submitted to the Advisory Council of the United Nations as well as to the Territorial Council. Of the 10 per cent of the surface of the Territory which represented arable land, only 2 per cent was in the possession of European agriculturists.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

Nomadism and semi-nomadism of a large proportion of the inhabitants of the Territory resulting from periodic movements to new grazing lands and water supplies is one of the fundamental problems hampering the advancement of the population. As a result of these movements schools remain empty, as in the case of those opened recently at Lugh Ferrandi, the economy is uncontrolled, medical and health programmes are not implemented, municipal services lack any real purpose, and civil registry offices are of dubious value. The Administering Authority is of the opinion that a stable pattern of settlement must replace the present system of seasonal movements which prevails in the Territory. This might be achieved through increased emphasis on agriculture in combination with herding, improvement and conservation of grazing lands, sinking of new wells, and through development of sources of wealth other than stock raising. The Administering Authority considers that a sedentary pattern of settlement is essential for the political advancement of the people, for the establishment of adequate social and educational services and for the development of the economy.

At its ninth session the Council adopted the following recommendation:

The Council, noting that one of the fundamental problems hampering the development of the Territory is the nomadism of the indigenous inhabitants, recommends that the Administering Authority make a full study of this problem and report thereon to the Council in its next annual report.

Standard of living

It is stated in the annual report that the standard of living of the inhabitants has improved in consequence of the increase in salaries, the increased income derived by farmers from the cultivation of cotton, increased agricultural and industrial activity, the public works programme which reduced the number of unemployed, and the back pay provided former employees of the pre-war Italian Administration. Drought affecting wide areas has resulted in a number of deaths.

According to the annual report, a preliminary study of the living standards of a group of indigenous residents of Mogadiscio showed that on the basis of an index of 100 representing expenditures during the month of April, the indices for the month of December were as follows: food 107.60, clothing 104.19, housing 166.66, fuel and lighting 121.21 and miscellaneous 150.00. The weighted index taking into account the relative importance of various items of expenditure was 112.53 for the month of December.

Freedom of movement

The Administering Authority states that the movement of the inhabitants within the Territory is unrestricted. In respect of this question, it was charged in three petitions that persons were sometimes forced to settle in areas other than those where they had customarily resided.[223] In its observations on the petitions the Administering Authority stated that expulsion had occurred only in cases involving beggars and vagabonds, who were sent back to their original communities in accordance with British Military Proclamation No. 19 of 1943, which was still in effect.[224]

Immigration

The admission of immigrants, including Italian citizens, is regulated by the Administering Authority and only those persons who can contribute usefully to the economic development of the Territory are ad-

[223] T/PET.11/14, T/PET.11/16, T/PET.11/29.
[224] T/908 and resolutions 365 (IX) and 366 (IX).

mitted. During the period under review entry permits were granted to 113 Arabs, 84 Indians, 1,233 Italians (including personnel of the Administration and their families as well as the families of military personnel), eleven Europeans, and two miscellaneous.

The Somali Youth League stated in a petition that in view of the very limited resources of the Territory and in order to safeguard the interests of the indigenous inhabitants, the Administering Authority should not permit the immigration of aliens.[225] A proclamation issued to this end by the Administering Authority was allegedly applied only to the Somali inhabitants of neighbouring territories and not to Arabs, Indians and Italians. The petitioner claimed that there was a continuous flow of Italians to the Territory. In its observations on this petition the Administering Authority stated that there was strict control over immigration and as of 30 April 1951, 270 entry permits had been granted to Italians, 205 to Arabs, and 139 for Indians and Pakistani. The figure for Italians did not include those serving with the Administration, and military personnel and their families.[226]

Human rights and fundamental freedoms

It is stated in the annual report that in accordance with the Italian Penal Code of Procedure, which is applied in the Territory, no one may be arrested without a judicial order. The sole exceptions made to this rule are cases of a certain gravity or of persons found in the act of committing a crime; in such instances a police officer may arrest a person without a judicial order but such persons must be immediately brought before the judicial authorities concerned.

According to the Administering Authority the right of petition is recognized and the protection of the individual and of property is guaranteed without distinction for all inhabitants. Virtually all of the indigenous inhabitants are of the Moslem faith and the Administering Authority notes that in view of this no measures designed to safeguard the indigenous religion have been necessary.

Press

Only one daily newspaper is published in the Territory; this is *Il Corriere della Somalia,* published by the Administration and of which 2,500 copies are printed daily. The Administering Authority is planning the establishment of a broadcasting station at Mogadiscio which will broadcast programmes in Somali.

Labour

It is stated in the annual report that the qualitative and quantitative output of labour in the Territory is unsatisfactory. The worker is found to be deficient by Western standards in terms of assiduousness, steadiness and a sense of responsibility. The Administering Authority considers the irregularity in attendance disquieting and attributes it to the preference of the indigenous worker to remain in employment only until he has earned enough to satisfy his minimal needs; he shows no foresight or desire to improve his living standards. The Administering Authority states, however, that it is studying measures, particularly those relating to sanitation, whereby improvement in the quality and quantity of labour might be achieved. In its opinion these measures should lead to progress in this field but it is recognized that a patient and constant educational process is required.

No labour code applying to the indigenous inhabitants exists in the Territory. The various separate legislative provisions which exist regulate only certain aspects of labour. In addition the numerous regulations adopted by the pre-war colonial administration in respect of its employees gradually became established as customary norms regulating private labour. A new body of social legislation in which provision is made in relation to labour is in preparation.

No provision is made in the laws of the Territory for compulsory labour.

Labour relations

The right to strike is recognized in the Italian Constitution. During the period under review there were two requests for permission to constitute organizations of indigenous workers. These are being examined by the Administering Authority.

Medical and health services

There are three hospitals at Mogadiscio and four secondary hospitals in the interior. There are four general dispensaries, four maternity and pediatric dispensaries, and twelve infirmaries elsewhere in the Territory.

There are thirty-seven Italian doctors and the addition of eight more is contemplated. Male nurses total 207 and female nurses twenty-six; there are forty-six student nurses who receive their training in the hospitals of the Territory. The Administering Authority states that it intends to continue to develop all forms of medical assistance so as to eventually have a network of medical centres throughout the Territory.

For the year 1950-51, 8,105,474 somalos were allocated for medical and public health services.

At its ninth session the Council adopted the following recommendation:

The Council, noting with approval the measures taken by the Administering Authority in the field of health and hygiene, recommends that the Administering Authority take further steps to extend these services and give particular attention to the training of medical personnel and to the increase of the number of physicians.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of China expressed the opinion that a more stable pattern of settlement must be established among the nomadic and semi-nomadic Somali before other forms of modern life could be brought into play. To this end, the number of wells must be

[225] T/PET.11/14, page 6.
[226] T/908 and resolution 365 (IX).

increased and the Somali should be encouraged to combine cultivation with herding and to improve and conserve grazing lands. He felt that the plans of the Administering Authority for the development of the Territory would be rewarded with greater success if fundamental problems posed by climatic conditions and the Somali way of life were first dealt with.

Human rights and fundamental freedoms

The representative of Iraq stated that the Trusteeship Council should recommend that every effort should be made to improve the status of women and to give them their proper place in the community. To this end, the education of women should receive as much attention as that of men and they should have every benefit of modern education and progress.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority carried out an anti-democratic policy in respect of the indigenous population, permitting racial discrimination and crude violation of its rights and interests.

The special representative of the Administering Authority stated that he could not take the reference to the anti-democratic policy of the Administration seriously, as it was not based on proven or exact facts. The quotations given by the representative of the Union of Soviet Socialist Republics were taken from petitions. The Administering Authority had commented on those petitions which had reached it in good time and the Council should take those comments into account in preparing its report. In reference to the other petitions, which were received later, the special representative did not think the Council would wish to consider them at the present session and would prefer to wait until the Administering Authority had had time to submit its observations.

Press

The representative of Iraq thought that it might be appropriate for the Trusteeship Council to recommend that the Administering Authority should encourage the establishment of a second newspaper even though this might require the disbursement of some money.

Medical and health services

The representative of Iraq stated that the steps taken in the field of health and hygiene by the Administering Authority were commendable and expressed the hope that the physicians who were expected to arrive in the Territory and who had been unable to do so thus far would soon commence their task there.

The representative of the United States of America felt that physicians should be sought among displaced persons for service in the Territory. With regard to the training of medical personnel, the Administering Authority should be urged to proceed as rapidly as possible with its plans to establish a school for the training of indigenous inhabitants as medical practitioners and nurses. The early date fixed for the independence of the Territory made this even more compelling.

The representative of the Union of Soviet Socialist Republics stated that data contained in the petitions and in the annual report indicate that the situation regarding health was entirely unsatisfactory. There were not enough hospitals and other facilities nor were there indigenous physicians. Italian physicians were insufficient in number and all of them were concentrated in the large population centres. As it was stated on page 151 of the report of the Administering Authority there were no higher education facilities in the Trust Territory and there were no indigenous inhabitants at present whose educational level would warrant admission to advanced medical courses. He stated that the Trusteeship Council should recommend that the Administering Authority increase appropriations for health services.

The special representative of the Administering Authority stated, as evidence of the Administering Authority's efforts to develop health facilities, that the number of hospital beds had increased from sixty-two to 102 at Kisimayo, from sixty-two to seventy-two at Baidoa, and from fifty-two to sixty-two at Belet Uen. The number of doctors had increased from twenty-one at the time of the transfer of authority to forty. Several more had arrived, among them a specialist for school health services, and more were expected. He pointed out that expenditure for health services had increased from 2,289,834 somalos in 1949-50, to 8,105,474 somalos in 1950-51.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Educational policy

The stated policy of the Administration in the field of education is determined by the ethnic homogeneity of the population, the primitive cultural conditions prevailing throughout the Territory, the low population density which is slightly over two persons per square kilometre, the relative poverty in natural resources, and the prevalence of nomadism. The Administering Authority states that in the light of these conditions it is its policy to increase the number of indigenous teachers by means of special courses; to increase the number of elementary schools; to establish courses for adults throughout the Territory; to establish an arts and crafts school, a nursing school, a school for mechanics, and other similar training centres; the development of primary schools for the Somali with the establishment also of evening courses; and the establishment of a school of political administration.

Education in the Territory is under the direction of the Department of Health and Education. The Department directly supervises the schools in Mogadiscio. Elsewhere in the Territory supervision is exercised by the Regional Commissioners who carry out the directives of the Department. Each Commissioner is assisted by a teacher who is serving as a school director.

A central Educational Council has been established. It serves as a consultative organ and is charged with the study of all problems relating to the development of education. Five of the thirteen members are indigenous persons.

In all of the administrative centres of the Residencies, Educational Committees have been formed to

aid needy students and to follow educational development.

Education is free of charge in all Somali schools and in the Italian primary schools. School fees in the Italian secondary schools are the same as those applying in similar schools in Italy.

In a petition the Somali Youth League claimed that no real educational programme exists in the Territory.[227]

At its ninth session the Council adopted the following recommendation:

The Council, recognizing that the preparation of the inhabitants for independence in ten years requires a vast educational effort in the intervening period, recommends that the Administering Authority take all possible steps to expand educational facilities and raise the standard of education by increasing the budgetary appropriations for education, expanding facilities for the training of teachers, increasing the number of schools, and other appropriate measures.

Language of instruction

Italian and Arabic are the languages of instruction in the schools. Somali is not employed in written form. The oral use of Somali, however, is permitted in order to facilitate the work of students in Italian and Arabic.

In order to determine which of the two languages, Somali or Arabic,[228] should be used together with Italian, the Administering Authority sought the views of the inhabitants of the Territory and the advice of the United Nations Advisory Council. Both favoured the use of Arabic. The Advisory Council also recommended that the Administering Authority seek the assistance of UNESCO for the purpose of developing a written form of Somali.

Schools

There are two main types of schools: Italian schools and Somali schools. The former follow the curriculum of the metropolitan schools and Somali students are admitted following an entrance examination.

Somali schools are sub-divided as follows: (*a*) Primary schools, of which there are seventy, offer a six-year course divided into two periods of three years each. During the first years the Somali language is employed; it is followed by instruction in Arabic and Italian in the remaining years of primary school; (*b*) the Arts and Crafts School offers a three-year course in which students may specialize in carpentry or mechanics; (*c*) the secondary school course covers three years and instruction is in Arabic and Italian; there are eleven secondary schools; (*d*) the School of Political Administration offers a programme of three years with the purpose of preparing persons for service in the Administration.

[227] T/PET.11/14. See also resolution 365 (IX).

[228] Somali is the sole language spoken by virtually the entire population. It varies among the different regions and has never been developed as a written language. The use of Arabic is restricted to the educated elements and coastal trade centres. However, all official and private records, such as the judgments pronounced by Kadis and business contracts, are in Arabic.

In addition, the Administering Authority is planning to equip several trucks to serve as mobile schools for nomadic groups.

Students

The enrolment of students for the academic year 1950-51 was as follows:

A. *Somali schools*	
Primary day schools	3,286
Primary night schools for adults	3,219
Arts and Crafts Schools	30
Secondary schools	82
Teacher training course	64
School of Political Administration	37
TOTAL	6,718
B. *Italian schools*	
Primary schools	357
Secondary schools (lower course)	137
Secondary schools (upper course)	267
TOTAL	761

The annual report notes that this number represents but a small part of the school-age population, and that the attendance of students during the year was noticeably lower than the enrolment figures.

In a petition the Somali Youth League claimed that before the transfer of powers there had been in Mogadiscio five special classes for Somali girls. Since the transfer took place only one of these Arabic classes was maintained and the girls were entrusted to Catholic sisters who teach them the Italian language. This, the petitioner claimed, constituted a threat to the Moslem beliefs of the girls.[229] In its observations on the petition the Administering Authority stated that in the girls' schools at Mogadiscio the number of classes had increased from four to six and the number of students from 130 to 195. There were four Somali, two Italian and two Arab teachers for these classes.[230]

The Somali Youth League branches of Schushuban,[231] Hordio,[232] Hafun,[233] and Bargal,[234] complained that these localities were denied all educational facilities.

In its observations on these petitions[235] the Administering Authority stated that pupils were admitted without discrimination to all schools in Somaliland, and that a new school had been opened in 1951 in Schushuban.

Teachers

There were in the Government schools of the Territory twenty-two Italian secondary school teachers, three Italian teacher-training teachers, forty Italian primary school teachers, sixty-two Somali and thirty-seven Arab and Libyan primary school teachers. In addition there were thirty-one Italian missionaries teaching in primary schools supervised by the Administration.

[229] T/PET.11/14, page 8.

[230] T/908 and resolution 365 (IX).

[231] T/PET.11/27.

[232] T/PET.11/28.

[233] T/PET.11/30.

[234] T/PET.11/31.

[235] T/908 and T/AC.41/SR.6, page 10. See also resolutions 374 (IX) and 375 (IX).

Thus the total number of teachers in primary schools was 170. Of the Italian teachers, forty-five were certificated and twenty-six were uncertificated. Of the Arab teachers all but three were uncertificated. None of the Somali teachers were certificated.

All Somali teachers in service at the time of the transfer of powers were required to take special courses following which they were examined in respect of their knowledge of general culture and the Italian and Arabic languages. Under the present teacher-training programme, students are given a one-year course. The establishment of a teacher-training institution for Somali which would grant diplomas similar to those obtained by Italian teachers is under consideration.

Expenditure

An expenditure of 1,065,257 somalos is provided for educational services in the 1950-51 budget.

Buildings

Much of the effort in the field of education is related to the repair and construction of schools. A sum of 500,000 somalos was spent during the period under review on buildings. Not all schools are adequately equipped and the Administering Authority expects that this situation will be remedied within two years.

Higher education

The Government of Italy has decided to grant eighteen scholarships each year to students who wish to attend institutions of higher learning in Italy. A certain number of these will be reserved for Somali. The local Administration also will grant similar scholarships to Somali students.

Adult and mass education

Recognizing that illiteracy is almost universal, the first efforts in the field of adult education have been carried out on the primary school level. Thus far, these are confined to a few of the populated centres. The Administering Authority hopes that the sinking of new wells will stabilize the nomadic population and thus enable them to be reached by schools. Despite the shortage of teachers the Administration plans to extend adult education to other centres of population and to the farming villages. A radio station under construction at Mogadiscio will carry educational programmes. Under the Point Four programme, the Administration has requested trucks with radio receiving and moving picture apparatus in order to carry out a mass education programme. The aid of UNESCO has been requested in order to set up a programme for long-term improvement of indigenous education.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of New Zealand noted that less than one-half of one per cent of the total population of about one and one-half million was receiving education. He thought that a great and continuous effort should be made in this field.

The representative of the United States of America was of the opinion that educational development coming exclusively from the top would be unsound. He was gratified therefore to note the establishment of the Central Educational Council with substantial indigenous representation as well as residency educational committees. Such local committees should be encouraged to assume material responsibilities in regard to the building and equipping of schools.

Language of instruction

The representative of Belgium stated that he felt some concern regarding the value of the referendum by which the population was said to have manifested its desire to receive even elementary education in a language other than its native tongue. It should be realized that a referendum carried out in an almost completely illiterate population did not have the same meaning as a referendum carried out in a more advanced country. Illiterate individuals could not realize the difficulties of providing even elementary education in a foreign language. It was possible that if they had realized the scope of such a decision the results of the referendum might have been different. He noted that in Zanzibar, under Arab rule, the local indigenous language, Swahili, had been used as the means of communication with the masses. He was of the opinion that when the problem of writing Somali was solved, the Administering Authority might have to provide at least elementary education in the national language. In addition to training an *élite* to govern the country it was necessary to develop education among the masses in order that they might play their part in an independent country and not be merely an instrument in the hands of a small *élite*, exclusively trained, which would have a monopoly on education.

The representative of China, noting that Somali was the only language spoken by virtually the entire population of the Territory, expressed the belief that the development of a written form of Somali might advantageously be explored.

The representative of New Zealand noted that Somali was the language most common to the whole of the population but the absence of a written alphabet and the ever-pressing limitation of the ten-year period presented quite a unique problem. He would not venture to disagree with the conclusions of the Administering Authority, the Advisory Council and the Territorial Council, although he wished it were possible to have come to some other conclusion.

The representative of the Dominican Republic believed that education should be administered efficiently and rapidly and that basic education should be given in the same language in which the child was taught his first words. If the people were to overcome illiteracy, the ideal language for elementary education was the indigenous language. With regard to the possibility of adopting a type of script for the Somali language, the representative of the Dominican Republic favoured the Latin script.

The representative of Argentina felt that neither the United Nations nor the Administering Authority could

proceed to use a language which was not the local language unless there was the full agreement of the indigenous inhabitants. The problem of the language must be left to the free discretion of the people of Somaliland when they were in a position to judge and to choose for themselves.

The representative of the United States of America stated that he was not prepared at this stage to pass definitive judgment on the question of the language of instruction. He expressed his concern, however, over the possible consequences of a decision to omit from the languages of instruction the native tongue of the inhabitants. The representative of the United States thought that the Administering Authoriy would not overlook the cultural value of the indigenous language as well as its importance as a unifying element in the indigenous social structure.

The representative of the Union of Soviet Socialist Republics stated that instruction was in Arabic and Italian instead of in the Somali language which was spoken by the entire indigenous population.

The special representative of the Administering Authority stated that he wished to renew the assurance already given concerning the use of the Somali language. The Administering Authority would follow the advice of the Advisory Council in this field and it was hoped that the assistance of UNESCO could be secured.

Schools

The representative of Thailand noted with regret that the programme of study for secondary schools of Somali type was not the same or as complete as that of the Italian secondary schools.

The representative of the Union of Soviet Socialist Republics stated that petitions received by the Council indicated an unsatisfactory situation in regard to education and that the few schools in the Territory were concentrated in the Mogadiscio area.

Teachers

The representative of the United States of America considered that the fundamental need of the Territory was that of trained teachers. No final solution could be found in a territory of a million and a quarter people through an increased recruitment of Italian teachers. The only effective solution must lie in a greatly expended indigenous teacher-training programme. An increase of sixty or seventy teacher-trainees in a territory of probably more than 200,000 children of school age was far from adequate. The Council might wish to urge the Administering Authority to place even greater emphasis on expanding this programme.

Expenditure

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to establish minimum opportunities for education of the indigenous population and that expenditures for police services were seven times as large as expenditures for the construction of schools. He felt that the Trusteeship Council should recommend that the Administering Authority increase budget appropriations for educational and other cultural needs.

Higher education

The representative of Thailand welcomed the decision of the Italian Government to grant eighteen scholarships for higher study in Italy and commended it for the establishment of the School of Political Administration as a pre-university training institution.

Chapter IV

CAMEROONS UNDER BRITISH ADMINISTRATION

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

The Cameroons under British administration is located in West Africa between approximately four and twelve degrees north of the equator. It consists of two mountainous strips of land extending along the eastern frontier of Nigeria from Lake Chad to the Atlantic Ocean, which are separated by a gap of some forty-five miles near the Benue River, with no direct connecting road. The total length of the Territory is about 700 miles, its average width is fifty miles, and total area is 34,081 square miles.

In 1950 the estimated indigenous population was 1,050,000. The main tribal groups are the Kanuri, Shuwa Arabs and the Fulani in the north, where the Moslem influence is strong, and in the southern section, the Tikar and Chamba groups, and a large number of semi-Bantu or Bantu groups. In the north and central parts of the Territory, which have a total population of approximately 500,000 and an area of over 17,000 square miles, some 107,000 non-Moslems referred to as pagans live in unsettled districts having a total area of 1,150 square miles. The administration of these districts, which lie in rocky hills inhabited by primitive tribes, does not differ from that of other areas but no persons are permitted to enter an unsettled district except those indigenous to it, public officers and persons authorized to do so. The Administering Authority states that the reason for this is that some of the inhabitants are still prone to indulge in inter-village warfare during the dry season.

General considerations

At its sixth session, the Council commended the Administering Authority for the measure of progress made in the Territory during the year under review.

At its ninth session the Council adopted the following conclusions and recommendation:

The Council commends the Administering Authority on the progress achieved during the period under review. While noting with satisfaction that the Administration realizes the vast amount of work remaining to be done, the Council urges the Administering Authority to intensify its efforts to accelerate the rate of progress.

The Council congratulates the Administering Authority on the form of the annual reports for 1949 and 1950 and, in particular, the full and explicit manner in which these reports have dealt with the recommendations of the General Assembly and the Trusteeship Council.

Frontier questions

The Visiting Mission of 1949 received some twenty-three petitions and heard other complaints in the northern and southern parts of both the Cameroons under British and the Cameroons under French administration against restrictions arising from the existence of the international frontier between the two Trust Territories. Requests that the Territories should be unified under a single administration were also contained in these complaints.

At its sixth session the Council endorsed a recommendation made by the Visiting Mission that the frontier regulations should be eased. It requested the Administering Authority to simplify as far as possible the requirements for passports and similar formalities not only by means of a tolerant attitude with regard to the application of existing regulations but also by the adoption of less strict regulations. The Council recommended further that the Administering Authority should consult whenever necessary with the Administering Authority of the Cameroons under French administration to that end.

The Administering Authority responded that it was fully in sympathy with the Council's view that there should be easy access to the Territory for inhabitants of the Cameroons under French administration, and that it would consult with the other Government to that end whenever necessary. It reported that there was already a steady coming and going between the southern parts of the two Territories. There were over 2,000 workers from the Cameroons under French administration employed on the plantations and there were certain frontier concessions for goods exported from and imported into the Cameroons under French administration.

At its ninth session the Council considered petitions from Mr. Joseph Ngu[236] and the French Cameroons Welfare Union.[237] The latter referred to a previous petition[238] addressed to the Visiting Mission by the Union and stated that immigrants from the Cameroons under French administration were inadequately represented in the Native Authority Councils and Native Courts of Victoria Division, were excluded from political participation under the new Nigerian Constitution, were discriminated st in appointments to the public service and that their children were discriminated against in the granting of scholarships. As taxpayers, they claimed the right to vote, and requested

[236] T/PET.4/70.
[237] T/PET.4/71 and T/PET.4/71/Add.1.
[238] T/PET.4/19-5/8 and resolution 172 (VI).

that the French Cameroons Welfare Union be constituted as a primary electoral unit, with allocated seats in the Divisional Electoral Meeting proportionate to their numbers. They protested against the frontier between the two Cameroons and requested the Council to conduct a referendum at an early date to ascertain the wishes of the indigenous population regarding abolition of frontier control and unification of the Cameroons. Mr. Ngu claimed that the French Cameroons immigrants had strongly protested against their exclusion from voting, and he requested that the Government revise the electoral procedure.

The special representative of the Administering Authority stated[239] that these immigrants shared similar civic rights with the indigenous population. The status of British protected person or citizen was a necessary qualification for voting under the new Nigerian Constitution. The former status could be acquired only by birth or descent, the latter by naturalization. The Administration planned to publicize among the immigrants the naturalization procedure which required five years' residence before application. The creation of a special electoral unit for them was considered impractical, as the immigrants were scattered.

The Council adopted a resolution[240] on these petitions requesting the Administering Authority to furnish, in its next annual report, additional information on the status of immigrants from the Cameroons under French administration and urging the Administering Authority to make every effort to ensure that the petitioners understand the procedure for acquiring naturalization and the right to vote. The Council further decided to re-examine these petitions at the session at which the requested information was available.

Observations of members of the Trusteeship Council representing their individual opinions only

Land and people

The representative of New Zealand expressed the hope that the area of "unsettled districts" would be considerably reduced in the next few years.

General considerations

The representative of New Zealand commended the Administering Authority on the slow but sure progress made in the Territory during the period under review. He considered that the policies pursued by the Administering Authority were basically sound and were resulting in progress in many fields.

The representative of the Union of Soviet Socialist Republics stated that an analysis of the information submitted by the Administering Authority led to the inevitable conclusion that the Administering Authority had failed to comply with the objectives of the Charter as regards the principles and purposes of the International Trusteeship System.

The special representative of the Administering Authority stated that the Administration was pursuing an effective and deliberate policy for the balanced improvement of the lot of the inhabitants, in all spheres of life and in all parts of the Territory.

Frontier questions

The representative of Thailand considered that the question of unification of the two Cameroons, as requested by the Cameroons National Federation and the Cameroons Federal Union, deserved careful and serious study.

Outline of conditions and recommendations adopted by the Trusteeship Council

II. POLITICAL ADVANCEMENT

Policy and general

The Cameroons continued throughout the period under review to be administered as an integral part of Nigeria, sharing with this adjoining British protectorate a common Constitution, common budget and common administrative and technical services. The Administering Authority takes the view that because of the geographical separation of the Trust Territory into two parts, its generally mountainous and difficult terrain, and its wide variety of ethnic and linguistic groups, its administration as a separate unit, distinct from Nigeria, is impracticable; and it states that this fact is recognized by the Trusteeship Agreement.

The various parts of the Cameroons fall within the constitutional and administrative structure of Nigeria as a whole. This structure has as its base local indigenous administrations, known as Native Authorities, which are derived from tribal, clan or other customary organizations, and function under the supervision and guidance of administrative officers in the field. Normally one such administrator, or district officer, is responsible for a division, or a smaller unit known as a district, containing one or more Native Authority areas; the divisions and districts are grouped into provinces, each under a resident; and the provinces are grouped into three regional organizations [the Eastern, Western and Northern Provinces] for the whole of Nigeria, each under a chief commissioner. At this level there are regional branches of the technical departments of the Nigerian Government, which also have officers functioning in the provinces. These regional administrative organizations are responsible to the central government at Lagos, headed by the Governor as chief administrator and including the heads of the technical departments.

The indigenous inhabitants are associated with the structure of government at the regional and central as well as at the purely local levels. Each of the three regions has a House of Assembly which has consultative powers in respect of legislation and also power to examine and make recommendations on the regional budgets, and each of these Houses of Assembly has an African majority mainly made up of representatives of the Native Authorities. These Houses also provide, from among their own members, most of the members of the African majority in the central Nigerian Legislative Council, which the Administering Authority states has complete control of expenditure and legis-

[239] T/L.200.
[240] Resolution 383 (IX).

lation, subject only to the Governor's reserve powers, which in practice have never yet been used. The Legislative Council consists of the Governor, thirteen other officials and twenty-eight unofficial members, of whom four are elected by the towns of Lagos and Calabar in Nigeria, six are appointed by the Governor, and eighteen are elected by the unofficial members of the regional councils. There is also an Executive Council which is advisory to the Governor and which has a majority consisting of senior government officials.

The place of the Cameroons in the structure is not as a single administrative sub-unit of Nigeria but as a number of parts. The southern portion consists of two self-contained provinces which form part of the wider regional organization known as the Eastern Provinces of Nigeria. The remainder of the Territory consists of a part of one of the divisions of the Benue Province, two parts of one of the divisions of the Adamawa Province, and a self-contained division of the Bornu Province, all of these provinces forming part of the regional organization known as the Northern Provinces of Nigeria.

In recognition of the special status of the Trust Territory, a Commissioner of the Cameroons was appointed in 1949 who is responsible directly to the Governor for trusteeship matters affecting the Territory as a whole, but whose administrative responsibility is confined to the Cameroons and Bamenda provinces in the south, for which he is answerable to the Chief Commissioner of the Eastern Provinces of Nigeria. The remainder of the Trust Territory falls under the Chief Commissioner of the Northern Provinces. The Visiting Mission of 1949 pointed out that the appointment of a Commissioner of the Cameroons did not change the basic principle of the administrative integration of the Territory with Nigeria.

As parts of these two Nigerian regions, the various parts of the Trust Territory have representation on the regional Houses. In the case of the Regional House for the Northern Provinces, which is a bicameral one, the Emir of Dikwa and the Lamido of Adamawa are members of the House of Chiefs by virtue of their status as first-class chiefs. In the House of Assembly, the other chamber of this northern House, the Cameroons is represented by a member of the Lamido's Council and the Wali Bornu.

The southern section of the Cameroons has representation in the Eastern House of Assembly, the regional House for the Eastern Provinces. The eighteen unofficial members of this House include two chiefs, one each from the Bamenda and Cameroons Provinces. The Resident, or provincial administrator, of the latter province is one of the official members of the House.

In the case of the central organs of government, the Cameroons is not directly represented on either the Executive or the Legislative Councils of Nigeria.

The constitutional and administrative structure of Nigeria into which the Cameroons is thus integrated is at present undergoing reforms designed to give the inhabitants of the two territories combined a more responsible part in the management of their affairs. These reforms were worked out during 1949 and 1950 in discussions beginning at the level of villages and ending in a general conference for the whole of Nigeria and the Cameroons, in which the Administering Authority states that the Trust Territory was represented at all stages. As summarized in the 1950 report, the final proposals took the following lines:

(*a*) A great increase in regional autonomy within a united Nigeria;

(*b*) The grant to Nigerians of a full share in the shaping of government policy and direction of executive government action in a Central Council of Ministers and regional executive councils; and

(*c*) The creation of larger and more representative regional legislatures with increased powers.

The proposed larger northern regional council will include, in the House of Assembly, at least two members for each province indirectly elected through provincial electoral colleges. There is no specific provision for representation of the northern parts of the Cameroons, although the provinces to which they belong are thus to be represented. The special representative of the Administering Authority informed the Council that the Trust Territory would be represented in the Northern House of Chiefs. In the proposed new Eastern House of Assembly, about eighty members are to be elected indirectly through divisional electoral colleges; there are to be at least two members for each administrative division and there are at present six of these divisions in the southern Cameroons. The special representative of the Administering Authority informed the Council that the total number of elected members from the Southern Cameroons would be thirteen, and that at least one of these would be required to be placed on the new Eastern Regional Executive Council. In the case of the new Nigerian central legislature, to be known as the House of Representatives, it is envisaged that there will be 148 members in all, of whom 136 will be elected. The Administering Authority states that the only specific provision affecting the Trust Territory is that at least four of the thirty-four representatives of the Eastern Region should be selected from that part of the Cameroons which lies in the region. The proposed new Council of Ministers, replacing the existing Executive Council, is intended to have an African majority and to be responsible for formulating policy and directing executive action. The only recommendation specifically affecting the Trust Territory is that among four ministers from the Eastern Region there should be one from the Cameroons.

These reforms envisage that the Cameroons would continue to be administered as an integral part of Nigeria, sharing with the latter the same executive, legislative, judicial and budgetary organization, and in this sense sharing the political progress represented by the reform of the constitution of Nigeria.

Administrative integration of the Territory with Nigeria

The Trusteeship Council has examined the integration of the Trust Territory with Nigeria as part of its study of the question of administrative unions. In addition, the Council has in the past made recommendations upon certain aspects of the situation of the Cameroons in relation to Nigeria, and it has also examined a number of petitions on the subject.

At its fourth session the Council expressed concern over the difficulty which it faced in performing its supervisory functions because of the degree of integration of the Territory, extending to the lowest levels of administration, and the absence of adequate statistics and data for the Territory. It recommended that pending a final solution the Administering Authority should take steps or institute measures such as budgetary autonomy for the Territory.

Subsequently the Visiting Mission of 1949 noted in the Cameroons, and especially in the southern part, requests from a number of groups and individuals that the Territory should have a greater degree of autonomy, on a regional basis and with the same associations that the existing regions of Nigeria itself enjoy with the constitutional structure of the country as a whole. The Mission noted that an impression existed that the development of the Trust Territory had been hindered by its administration as a number of integral portions of Nigeria and that the Cameroons could be a financially self-supporting region in its own right if it received its full share of tax revenues, development grants and profits from the Cameroons Development Corporation. The Visiting Mission formed the belief that the administrative integration of the Territory had reached its maximum and was to some extent being modified in the opposite direction through the proposed constitutional reforms and by such administrative changes as the appointment of a Commissioner for the Cameroons. At the same time, it expressed the opinion that the way should clearly be left open, irrespective of the new constitutional proposals then being formulated, for a careful and separate examination between the people of the Cameroons on the one hand and the Administering Authority on the other of the desirability and practicability of some administrative, legislative and budgetary autonomy being established for the Trust Territory.

The Administering Authority has stated the view that for geographical and ethnical reasons it would be impossible, and for financial reasons undesirable, to create a separate region as a single administration unit for the whole of the Cameroons or for the southern provinces alone.

In connexion with the demand in some quarters within the Territory for regional autonomy, the Administering Authority also reported that the Cameroons' provincial conference on the proposals for constitutional reform adopted resolutions which included a demand for complete regional status for the Trust Territory. When in July of 1949 this went before the wider Eastern Regional Conference in Nigeria, however, a select committee of the conference showed that the position of the Cameroons as a separate region would be financially unsound and politically most difficult to organize in view of the position of that part of the Trust Territory administered as part of the Northern Region of Nigeria. The conference suggested that the aspirations of the southern Cameroons might satisfactorily be met by special provision for representation of the Territory on the Nigerian organs of government. The Administering Authority, in its observations on the Visiting Mission's report, stated that subsequently, at a general conference for Nigeria as a whole, the representative of the southern Cameroons eventually supported the final recommendations on which the proposed reforms described above have been based.

The recommendation of the Council at its fourth session also included a request that the Administering Authority should in future provide precise and separate data on all services common to the Trust Territory and Nigeria. The Administering Authority assured the Council that further efforts were being made in this direction, and the Council took note of this assurance at its sixth session.

In the course of its 6th and 8th meetings, the Standing Committee on Administrative Unions examined the various aspects of the participation of the Cameroons under British administration in the administrative union with Nigeria. The Standing Committee studied the memorandum[241] containing information relating to paragraph 7 of resolution 293 (VII) of the Trusteeship Council concerning administrative unions and examined the relevant parts of the annual reports on the administration of the Territory for the years 1949 and 1950.

At its ninth session, the Council adopted the following conclusions: [241(a)]

With regard to the new Constitution for Nigeria and the Cameroons, the Council:

(a) *Notes that a new Constitution for Nigeria and the Trust Territory has been promulgated.*

(b) *Further notes that the basis for the new Constitution was established after a Select Committee of the Nigeria Legislative Council had consulted the indigenous inhabitants including those of the various sections of the Trust Territory.*

With regard to the safeguards enumerated in subparagraph 7 (a) *of the Trusteeship Council's resolution 293 (VII), the Council:*

(a) *Notes that the annual reports on the administration of Cameroons under British administration for 1949 and 1950 contain separate data on the population of the Trust Territory, details of government officials employed solely within the Trust Territory, their basic salary, details of Native Authorities staff wholly or partly employed in the Trust Territory, separate data on justice and penal administration, estimated revenue and expenditure from or incurred in respect of the Trust Territory, its estimated capital position, revenue and expenditure of Native Authorities in the Trust Territory, several data on taxation rates in different provinces of the Trust Territory, imports and exports through Cameroons ports, some data on production in the Trust Territory, some data on labour in Cameroons and Bamenda provinces and northern areas, retail market prices of local foodstuffs in Victoria, Buea and Tiko and separate data on public health and education.*

(b) *Further notes the statement of the Administering Authority made in the annual report for 1950 that the Administering Authority has improved and will endeavour to improve further the statistical and other data on the Trust Territory in order to give the*

[241] T/C.1/L.6.

[241(a)] The same conclusions appeared originally in the fourth report of the Standing Committee on Administrative Unions, document T/918.

Council a full and accurate picture of local conditions and that a number of revisions have been made to this end in the statistical tables annexed to the report.

With regard to the safeguards enumerated in subparagraph 7 (b) of the Trusteeship Council resolution 293 (VII), the Council notes that the Visiting Mission to the Trust Territory of Cameroons under British administration visited Yola, Nigeria, on 7 November 1949 and Lagos, Nigeria, the seat of government of the Cameroons under British administration, from 27 November to 29 November 1949.

With regard to the safeguards enumerated in subparagraph 7 (c) of the Trusteeship Council resolution 293 (VII), the Council notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained.

With regard to the safeguards enumerated in subparagraph 7 (d) of the Trusteeship Council resolution 293 (VII), the Council:

(a) *Notes that according to the information contained in the annual report for 1950 the estimated revenue from the Trust Territory of Cameroons under British administration amounted to:*

1946-47	*1947-48*	*1948-49*
£240,870	£300,690	£518,510

and the total expenditure on the administration, welfare and development of the Trust Territory amounted to:

1946-47	*1947-48*	*1948-49*
£471,450	£541,080	£646,910

Therefore expenditures on the administration, welfare and development of Cameroons under British administration for the three fiscal years 1946-49 were not less than the total amount of public revenue derived from the Trust Territory.

(b) *Further notes that the estimated revenue from the Trust Territory in the year 1949-50 amounted to £1,053,240, of which £614,550 came from taxes collected from the Cameroons Development Corporation and other companies. The annual report for 1950 states that in 1949-50 substantial sums in respect of earlier years were collected from these companies.*

(c) *Notes in this connexion that the annual report for 1950 states:*

"The most striking economic development of the year was the great improvement in the financial situation of the Territory which for the first time showed a surplus of revenue over expenditure. This surplus amounted to £310,000. In assessing future prospects it is necessary to remember that the 1949/50 surplus was exceptional since it included a non-recurrent item of no less than £165,000 in the shape of arrears of tax collected. Such high returns of revenue as those for 1949/50 can therefore scarcely be expected to be repeated in 1950/51. Revenue for the next few years, however, seems certain to be maintained at figures far above those of 1948/49."

The total estimated expenditure on the administration, welfare and development for the year 1949-50 amounted to £742,960.

Constitutional reform

At its fourth session the Council recommended that the Administering Authority should consider the possibility of establishing, as soon as practicable, democratic reforms designed eventually to give the indigenous inhabitants of the Cameroons the right of suffrage and an increasing degree of participation in the executive, legislative and judicial organs of government preparatory to self-government or independence.

In response, the Administering Authority drew attention in its annual report for 1949 to the development of the proposals for constitutional and local government reform. At its sixth session, the Council reiterated its previous recommendation and recommended further that modern democratic processes, particularly an elective system, should be introduced in the Territory as soon as practicable. The Administering Authority responded by giving details of the proposed methods of election of the proposed new regional Houses of Assembly, showing that there will be primary elections in which all adult taxpayers may vote in order to elect divisional electoral colleges.

The Council also recommended at its sixth session that in the adoption of the projected reforms due attention should be given to representation from the Trust Territory on the various legislative and executive councils concerned with the government of the Trust Territory. The Administering Authority replied that in all the reform proposals full attention had been paid to the need for adequate representation of the Trust Territory, and that under the arrangements now contemplated the Territory would probably have increased representation in the northern Houses and certainly in the Eastern House, together with at least two representatives (from the south) in the central Nigerian legislature and one in the Council of Ministers.

At its ninth session the Council adopted the following recommendations:

The Council, considering that the establishment of the new Constitution for Nigeria and the Cameroons is a development of fundamental significance, and noting that it makes specific provision for representation of the Trust Territory in the Nigerian Eastern House of Assembly, Eastern Council of Ministers, Northern House of Chiefs, Central House of Representatives and Central Council of Ministers, and also for the opportunity of representation in the Northern House of Assembly, expresses the hope that the Administering Authority will make every effort to explain to the inhabitants the procedures and significance of the elections in which they will be entitled to participate and will take special precautions to ensure that the interests of the Trust Territory are not prejudiced nor submerged by those of Nigeria.

The Council, noting that under the electoral system applying to the Cameroons, the Territory's representatives in the Nigerian Central House of Representatives are to be elected not by the representatives of the Southern Cameroons in the Nigerian Eastern House of Assembly alone but by the elected members as a whole, requests the Administering Authority to give careful consideration to the need for ensuring that the members of the Nigerian Central House of Representatives who represent the Territory truly reflect the wishes of the inhabitants.

Local administration

Within the framework of the administrative structure of Nigeria and the Cameroons as a whole, the administration of the southern part of the Cameroons is headed by the Commissioner of the Cameroons. Under him there is a resident (or provincial administrator) in each of the Cameroons and Bamenda Provinces. The Cameroons Province is divided into three divisions, each administered by a district officer and an assistant district officer; Bamenda, previously administered as a single large division, was also divided into three in 1950, each under a district officer and with one assistant district officer in addition at Bamenda itself.

One (Dikwa) of the three parts into which the northern Cameroons is divided has the status of an administrative division, with a district officer posted to it; the other two parts belong administratively to divisions whose headquarters are in Nigeria.

The various parts of the Cameroons receive technical services from the regional branches of the Nigerian Government Departments, which have officers operating in the field from the various provincial headquarters.

Under the supervision and with the assistance of these administrative and technical officers, responsibilities and functions of purely local government devolve upon the Native Authorities. In the Cameroons these institutions vary from a few relatively strong hereditary chiefs, with councils of elders and other traditional leaders, in the north and in Bamenda, to a comparatively large number of clan councils in the south. They are given statutory power to make and apply local rules and also, under guidance, to prepare and execute local budgets whose revenues are derived mostly from indigenous taxes and grants from the central government.

The Administering Authority considers that the Native Authorities in the Cameroons Province are still unsatisfactory, possessing small resources and mostly showing little wish to pool them by federation. They tend to be guided by the more narrow-minded sections of the population and to be out of sympathy with the younger and better educated elements that form the Cameroons National Federation.

The inadequacy of the Native Authorities of the Nigerian Eastern Provinces as a whole led a select committee of the regional assembly in 1948 to recommend reforms aimed at replacing the system by one of elected local government councils. In 1950 enabling legislation was passed for establishing councils on more modern lines as a means of giving increased responsibility to the people in their local affairs. The legislation covers also the southern Cameroons, but has not yet been applied there; the Administering Authority states that its success will depend mainly on the emergence in sufficient members of a responsible and well-informed literate class prepared to devote itself to local public affairs. It adds that from the nature of things it would be unreasonable to hope for immediate and spectacular results.

The Administering Authority reports that the four newly-federated Native Authorities in the Bamenda province began to function in 1949, with new councils containing traditional rulers, progressive and educated elements and women. They made progress in consolidation during 1950, but there was a recurrence of long-standing animosity between the members of one of them—the South West Federation—and the independent Bali Native Authority, headed by a strong traditional chief, which occupies an enclave in their midst.

The most important Native Authorities in the north are those headed by the paramount chiefs of Adamawa (with headquarters in Nigeria) and Dikwa. The Administering Authority has continued its efforts to broaden the base of these largely hereditary structures by the creation and development of more representative committees and councils.

At its sixth session the Council, noting the recommendations for the reform of Native Administration in the Eastern Provinces which have been mentioned above, recommended that the Administering Authority, in consultation with the inhabitants of the Territory, should introduce basic reforms in the system in order to accelerate the development of local government units along democratic and progressive lines.

The Administering Authority responded by referring to the developments already outlined.

At its ninth session the Council adopted the following conclusion:

The Council notes with approval the Man-o'-War Bay scheme for training potential leaders in community development, and considers that such a scheme should assist in developing among the inhabitants a more constructive and responsible community spirit and should promote more rapid progress in the field of local government. The Council will await with particular interest information on the results of this scheme and as to whether this experience will result in the extension of such training centres.

Civil service

The most important changes in the administrative and technical staffing reported in the Trust Territory in 1949 and 1950 were the appointment of the Commissioner of the Cameroons and an increase over 1948 in the number of other officers posted to the Territory.

The latter increase included, in 1949, the appointment of a Resident to Bamenda, and the addition to the staff in the Bamenda and Cameroons Provinces of five administrative officers, a co-operative officer, a geological survey officer, two produce officers, one medical officer and two cattle control officers. The number of staff actually stationed in the northern parts of the Territory is smaller, these areas being otherwise served by the staffs of the Nigerian provinces to which they belong.

Besides the central government staff, each Native Authority has its own technical and administrative staffs which are composed completely of Africans, normally possessing lower qualifications and receiving lower rates of salary than those in the civil service. It is the declared policy of the Administering Authority to appoint Africans to senior posts in the civil service as quickly as qualified candidates can be found, and it has endorsed a number of policy principles recommended by a Commission of Inquiry appointed in 1948, the most important being that no non-Nigerian should be recruited for any government post except where no suitable and qualified Nigerian is available. It states, however, that in the Cameroons Africans do not yet

and for a considerable time will not be able to fill the highest administrative and technical posts, for only a few individuals in the Cameroons have the necessary educational qualifications. In 1950 one was appointed to the senior service and nine others were selected for various scholarships and training schemes.

At its sixth session, noting with satisfaction the appointment of the Commissioner of the Cameroons, the Council recommended that the Administering Authority should take all possible steps to increase the number of administrators and technical officers to advise the indigenous inhabitants and train them progressively to assume increasing responsibilities in the Administration.

The Administering Authority replied that it was fully in sympathy with the Council's point of view, and that this end was ensured not only by the provision of local administrative and technical staff, but also by the selection of Cameroons inhabitants for scholarships and training schemes, by technical education such as that which would be provided at a new trade centre in the south near Victoria, and by appointments to important positions, for example, on the board of the Cameroons Development Corporation.

At its ninth session the Council adopted the following recommendation:

The Council notes that there are two indigenous inhabitants of the Territory in the senior branch of the civil service; notes with approval that the various scholarships provided have enabled twenty-one Cameroonians to pursue higher education; and expresses the hope that an expanding scholarship programme will result in an increasing number of Cameroonians in the senior service.

Political organizations

The Administering Authority has stated that in the southern part of the Territory there was during 1949-50 a noticeable strengthening and mobilization of literate opinion, whose development was vital to political and social progress. The main motive force appeared to have come from the leaders of the Cameroons Development Corporation Workers' Union, who in 1949 successfully combined the numerous associations of literate and semi-literate young men into a body called the Cameroons National Federation. The activities of the Federation promise to be a potent factor in the development of political consciousness.

At its ninth session the Council adopted the following recommendation:

The Council, considering the formation of the Cameroons National Federation to be a political development of importance, expresses the hope that this and similar organizations will be given every encouragement to play a constructive role in the political life of all parts of the Territory.

Judicial organization

Judicial organization in the Territory takes two forms: (1) the judicial system of Nigeria, which administers the laws of the Territory and English law through the Nigerian Supreme Courts and magistrates' courts, and (2) the indigenous tribunals, forming the judicial branch of the Native Authorities, which primarily administer local indigenous law and custom and in practice handle the great majority of cases involving Africans only.

Administrative officers have access to the indigenous courts and power of review over them. They are often also appointed as magistrates of the second or third grade for areas not readily accessible to professional magistrates.

The Administering Authority reports that a comprehensive inquiry into the working of indigenous courts in Nigeria and the Cameroons is being carried out under the chairmanship of a former puisne judge of the Supreme Court.

Differences between the north and south

At its fourth session the Council noted that the northern parts of the Trust Territory were notably less developed than the southern provinces, and recommended that the Administering Authority should take such measures as would rapidly develop the northern provinces.

The Administering Authority responded by stating that acceleration of the rate of progress in the north depended primarily on the establishment of road communications with these isolated areas. It drew attention to progress made during 1949 in this formidable task and to important developments in the field of public health, including the beginning of work on the first hospital to be established in the north.

At its sixth session the Council reaffirmed its previous recommendation and requested that the Administering Authority should intensify its efforts for the rapid development of the northern section.

The Administering Authority replied that it fully appreciated the desirability of bringing the level of development in the north nearer to that in the south; it emphasized, however, the difficulty arising from the fundamental differences of geography, pointing out that ports and road and river facilities had given the south an economic advantage which has led to greater economic, social and educational development than has been possible in the north. It drew attention to further progress in the north during 1950.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of the Union of Soviet Socialist Republics stated that the political situation in the Cameroons was characterized by an utter lack of rights of the indigenous inhabitants. There were no organs of local self-government based on democratic principles in which indigenous inhabitants were entitled to participate.

Administrative integration of the Territory with Nigeria

The representative of Thailand expressed concern at the administrative integration of the Territory with Nigeria and the problems which it would raise when the time came to reorganize the Cameroons as a single

entity. He hoped that the Administration would take into account the desire, expressed in petitions from the Cameroons National Federation, the Cameroons Federal Union and others, not for complete separation from Nigeria, but for the creation of a distinct administrative region for the Cameroons, which according to the report of the Visiting Mission represented a genuine trend of feeling.

The representative of New Zealand, while appreciating the advantages accruing to the Territory through its integration with Nigeria, called attention to certain problems such as that of providing exact figures and clear details on many matters, which made it difficult to discover, for example, the exact extent to which the administration of common services was applicable to the Territory.

The representative of the Union of Soviet Socialist Republics stated that the division of the Cameroons into various regions and their integration with Nigeria had rendered impossible the advancement of the Trust Territory towards self-government or independence and its independent political, economic, social or educational development as a separate unit.

He stated that this policy violated the provisions of the Trusteeship Agreement and the General Assembly resolution of 18 November 1948. The Trusteeship Agreement did not justify the dismemberment of the Territory and its unification with a neighbouring colonial territory. The Cameroons had no legislative, administrative, judicial or budgetary autonomy. The Council should recommend that the Administering Authority establish in the Trust Territory legislative and administrative organs that would not be subordinate to any organs set up on the basis of the union of the Territory with Nigeria. To that end the Administering Authority should carry out legislative and other measures in order to ensure the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

The special representative of the Administering Authority recalled, with regard to the suggestion that the administrative integration of the Territory with the Protectorate of Nigeria was incompatible with the provisions of the Charter and of the Trusteeship Agreement, that the Council at its sixth session had urged the Administration to consider the adequate representation of the Trust Territory people in the various organs of the new Nigerian Constitution. For geographical and social reasons it was recognized through the period of the Mandate that it was only by integration with Nigeria that the mandatory Power could effectively discharge its obligations to the people of the Cameroons. When the Trusteeship Agreement was under consideration it was made clear by United Kingdom representatives that the obligations of Trusteeship could in practice be discharged in no other manner than by the continuance of this policy of integration. This view was accepted by the General Assembly; article 5 (*a*) of the Agreement called upon the Administering Authority to administer the Territory "in accordance with the Authority's own laws as an integral part of its Territory".

He noted that it had been asked whether the identity of the Trust Territory could not be further promoted by administering it as a whole, as a separate region of Nigeria. This suggestion had been seriously considered by the Administration. If such a step were practicable, to take it would deprive the people of the Territory of the opportunities for political education and advancement now offered to them through their participation in the work of the large and progressive Nigerian regions to which they at present belonged. The step did not appear to be practicable, however. The geographical and social configuration of the northern half of the Territory made it impracticable to transfer administrative headquarters from the traditional centres of the three northern Provinces concerned to places within the Trust Territory.

Constitutional reform

The representative of Thailand noted that the recent constitutional reform had endeavoured to extend the degree of participation of the inhabitants of the Cameroons in the governmental organs of Nigeria. He considered that the election system adopted, although indirect, would afford to the inhabitants some experience in the legislative process, and the opportunity of voicing their opinion and defending their interests through their representatives. He noted with satisfaction that the Southern Cameroons was to send thirteen elected members to the Eastern House of Assembly, at least one of whom would occupy a seat in the Regional Executive Council. Noting that arrangements would be made for participation by the northern part of the Territory in the election of the provincial electoral colleges which would elect members to the Northern House of Assembly, he expressed concern that, as a result of administrative integration, the population in the north might not have adequate representation in the House of Assembly. He suggested that the Administering Authority should readjust the composition of the Central Council of Ministers so as to include representatives from the northern part of the Territory.

The representative of China, while noting with interest the increased participation of the Territory in the central and regional organs of the new political structure of Nigeria, considered that the total effect of such reform might be to accentuate the integration of the Territory with Nigeria. He considered that the electoral system, as envisaged under the new Constitution, was imperfect, one of the defects being that the Cameroons representatives in the Eastern House of Assembly were not elected by the inhabitants themselves, and that similar shortcomings would appear later, when it would be the responsibility of the Administering Authority to examine and rectify them.

The representative of New Zealand supported the suggestion of the representative of Belgium, and suggested that the Administering Authority might consider measures designed to ensure that Cameroonians themselves would actually take seats in Nigerian Central House of Representatives.

The special representative of the Administering Authority referred to the question of the representation of inhabitants of the Trust Territory in the various organs of the new Constitution of Nigeria and the Cameroons. This representation would be adequate, with a satisfactory numerical representation of the Trust Territory people. They had received a guarantee, unique in the Constitution, of representation in the Council's Ministers in the eastern region and the centre.

The Central Legislature was to be composed of representatives elected to it by the regional legislatures. Of the representatives from the Eastern Regional Legislature, four at least must be Trust Territory representatives. It had been suggested that it would also be advisable that these four must be elected by their Cameroons colleagues alone and not by a vote of the regional legislature as a whole. The guarantee was that the Trust Territory representatives sent to the Central Legislature must be four *at least*. If successful men came forward in the Cameroons, the number of Cameroons representatives chosen by the Eastern Regional Legislature to go to the Central Legislature could be higher than this figure. He was confident that the Cameroons representatives sent to the Central Legislature would in fact be those selected by their own Cameroons colleagues. At the same time the existing arrangement offered to the Cameroons people the opportunity of securing an even higher representation at the Centre than the one guaranteed to them as an irreducible minimum. Finally, every Cameroons representative at any level in the Government would be one chosen by his own people in a free election.

Local administration

The representative of New Zealand, noting with interest the efforts of the Administering Authority to encourage the growth of local government, appreciated the difficulties encountered, and expressed assurance that the Administering Authority was fully aware that there could be no better training to develop a sense of responsibility in managing local affairs than by allowing the indigenous inhabitants themselves to assume the responsibilities and to discharge the functions of local government.

The representative of the Union of Soviet Socialist Republics stated that in order to govern the indigenous population and, particularly, to levy taxes, British officials had resorted to the assistance of tribal chiefs whom the Administration called "Native Authorities". In view of the fact that the tribal system now prevailing in the Trust Territory and encouraged by the Administering Authority was incompatible with the progressive development of the inhabitants towards self-government or independence, the Council should recommend that the Administering Authority adopt measures which would ensure a transition from the tribal system to the system of self-government based on democratic principles.

The special representative of the Administering Authority stated that the establishment of local government councils under the new legislation applicable to the Eastern Region of Nigeria and Southern Cameroons envisaged the establishment of a three-tier system of councils: county councils, urban and rural district councils, and local councils, in that order of importance. In the composition of these councils, sufficiently flexible to reflect varying local conditions, elected representatives would predominate. The functions of the councils, which would include the power to impose rates and handle their own budgets would resemble the functions of the local government organs of the United Kingdom. The legislation passed had not established these councils throughout the area. It was enabling legislation which made it possible to establish such councils as the areas concerned became ready for this development. The question of timing was of great delicacy, in order to avoid radical interference with the traditional systems of the people. He felt, however, that it would be practicable to introduce this system into the Territory at a date earlier than had been previously thought likely.

Civil service

The representative of the Union of Soviet Socialist Republics stated that all key posts in the Administration were held by United Kingdom officials and that the Administering Authority did not allow indigenous inhabitants to participate in the actual governing of the Territory. It was represented to the Commission of Inquiry appointed in 1948 that in view of the importance of building up an improved system of Native administration and local government, Africans should not be encouraged to enter the administrative service. This was a pretext designed to cover up the unwillingness of the Administering Authority to permit indigenous inhabitants to occupy responsible posts in the Administration.

The special representative of the Administering Authority stated that, with regard to the view suggested to the Nigerianization Commission that the increasing African intake for the senior service should be steered into other Departments and local government rather than into the Administrative Service, this argument had not been accepted by the Commission or by the Government, which had pressed on with the recruitment of Africans to the administrative service. Considerable numbers were included each year; and one African administrative officer had already served in the Trust Territory. As a result of energetic measures taken by the Administration, 15 per cent of the existing senior service posts were already held by Africans in Nigeria and the Cameroons as a whole.

Differences between the north and south

The representative of New Zealand expressed concern at the uneven political development and drew attention to the fact that all of the southern provinces were wholly within the Trust Territory while none of the northern provinces were. He suggested that the Administering Authority might consider a possible readjustment of administrative units in the northern provinces to create, if feasible, either by amalgamation or otherwise, administrative divisions lying wholly within the Territory. He further suggested that the Administering Authority give earnest consideration to the rapid promotion of political, social and economic development in the northern provinces, in order to reduce the gap now existing between the two parts of the Territory.

The special representative of the Administering Authority considered that the most significant problem, in nearly all fields of administration, as it had emerged from the Council's discussion, was the difference in the relative degrees of progress achieved as between the north, which had very much less advanced medical and educational facilities, and the south. However, he believed that evidence had been presented to the Council of the beginning of a very considerable change in this situation in the northern provinces. The recent stabilization of the financial position of the Territory made it

possible for the Administration to embark upon the comprehensive scheme of road construction which was the only means by which a radical change in the rate of progress in the North could be brought about.

III. ECONOMIC ADVANCEMENT
Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

Economic policy, the Administering Authority states, aims at raising the general standard of living and encouraging every form of economic development among the indigenous inhabitants who, it is intended, will play an increasing part in directing the course of the economy of the Territory

To illustrate the application of this policy, the Administering Authority cites the establishment in 1947 of the Cameroons Development Corporation, a statutory public enterprise established to operate for the benefit of the Trust Territory plantations seized from German owners at the outbreak of the Second World War. It states that in due course the operations of the Corporation, on whose board of directors there are now three Africans from the Cameroons, will be taken over and carried on by the selected representatives of the people themselves. In addition the operations of the statutory Nigerian Marketing Boards which are responsible for the marketing of cocoa, palm produce, cotton and groundnuts also cover the Cameroons. These Boards have been set up to ensure orderly marketing and stable prices for the produce which they handle and to provide funds for research and development in the producing industry and for the economic benefit of the people in the areas of production.

The Administering Authority states that the measures which it has taken in the economic field are fully in accord with the spirit of the first and second paragraphs of General Assembly resolution 322 (IV) in which, first, the Assembly expressed full support of all steps leading to a greater participation of indigenous inhabitants in the profits and management of entities engaged in the exploitation of natural resources or in the production of or trade in raw materials and basic commodities, and, secondly, it reaffirmed the principle that the interests of the indigenous inhabitants must be paramount in all economic plans or policies.

The population for which the economic policy is designed is one whose great majority, particularly outside the plantation areas in the far south, consists of farmers and herdsmen, who are mainly engaged in producing subsistence foodstuffs by generally primitive methods and living at standards that appeared to the Visiting Mission of 1949 to be low. The Administering Authority states that the economic prosperity of the Territory depends above all else on the plantation lands, whose output of bananas in particular, and rubber and palm produce as well, forms the principal export from the Cameroons.

The increasing revenues from these plantations have been, according to the Administering Authority, the primary reason for the first surplus in the Trust Territory of estimated revenue over estimated expenditure. Revenue of a public nature from the plantations consists of company tax, income tax, customs duties and export duties paid to the Nigerian Government and the profits declared surplus by the Cameroons Development Corporation. The latter controls by far the larger part of the formerly alienated lands. Some of the plantations remain in the hands of British companies. In the case of the largest and most important plantation, whose title has been in dispute, the company concerned, which works in the closest co-operation with the Cameroons Development Corporation, has an arrangement to grow bananas on it for the limited period of eighteen years from 1948. In 1949, when total banana shipments from the Cameroons were about 5 million stems, more than 2 million stems came from the estates of the company.

Four British trading companies also operate in the Territory, and the Administering Authority states that they sell imported goods in bulk to middlemen who act as distributors to petty traders, and act as buying agents for export commodities such as cocoa, palm products and groundnuts.

The Administering Authority states that no statistical data of the type requested in section VII A of the statistical appendix in the Provisional Questionnaire of the Trusteeship Council on enterprises and business organizations is available. Estimates of the proportion of Nigerian income tax revenue earned in the Cameroons show that in 1949-50 companies other than the Cameroons Development Corporation paid income tax amounting to £246,000 (excluding £165,000 of tax arrears also paid) as against the Corporation's own tax payment, at the same rate of 9 shillings in the pound, of £204,000.

Except for palm produce and rubber processing factories in the plantation areas, and local cottage crafts, there is no industry in the Territory. No mining has yet been undertaken, and the Administering Authority states that for this reason it has not become necessary to consider what steps should be taken to obtain for the inhabitants the benefits of mineral resources, but that the policy is to ensure that these resources are developed in the interests of the Territory.

Means by which the Administering Authority has encouraged the indigenous inhabitants to participate in trade and industry include the encouragement of co-operative societies. There were thirty-two such societies in 1950 with a total membership of 1,474, of which 1,269 were members of cocoa marketing societies. A co-operative officer was stationed in the Victoria Division during 1950. In the case of industry, the Administering Authority states that adequate capital is available for small-scale development from production development boards and regional development loan boards of the eastern and northern regions of Nigeria. Until the end of 1949 inhabitants of the Cameroons were slow to make use of these facilities; in 1950 six loans were made to indigenous inhabitants, five of them for agricultural purposes but one, of £1,000, to assist the expansion of a brick and tile industry. In 1949 three brick factories were started on the initiative of district officers and with Native Authority funds, and handed over as going concerns to private African enterprise; a similar venture in leather manufacture was not so successful. In general terms, the Administering Authority states that there are few immediate possibilities for the de-

velopment of local industries; staff to train the people in improved methods are not available and the potential market is small.

Over half a million cubic feet of timber and firewood were produced from the Territory's forests in 1949 and 1950. Some of this is exported; a French company fells timber under permit and exports it in log form. The company produced some 101,000 cubic feet in 1949.

Almost the only natural resource of the Territory is in fact its land, and the Administering Authority emphasizes that the economic foundations of the Cameroons are the plantation operations in the south and peasant agriculture and cattle raising elsewhere. There is some production for export by indigenous farmers of certain agricultural produce, of which cocoa, palm products and groundnuts are encouraged and protected by the statutory marketing organizations of Nigeria. Agricultural and animal husbandry services are provided both by the Nigerian technical departments and by the Native Authorities. In the Northern Cameroons control is exercised from outside the Territory, but there is a staff of trained African agricultural assistants within the Territory and also a development officer dealing with animal husbandry. In the Southern Cameroons, which has an agricultural experimental station and five smaller demonstration farms, together with an experimental cocoa plot and two cinchona plots, and a livestock investigation centre, there are a senior agricultural officer, a veterinary officer, two development officers and field staffs.

The Visiting Mission had occasion to remark on the generally simple and primitive nature of agricultural methods. The Council, at its sixth session, noted the efforts of the Administering Authority to introduce modern methods and urged the rapid development and intensification of this programme.

The number of farmers who have adopted improved methods of cultivation is still negligible, according to the annual report for 1949. Propaganda is being increased, however, and modern methods of cultivation, including rotational cropping, the making and use of manure, contour ridging and other soil conservation measures are demonstrated. Five loans were made to farmers in the Territory in 1950 to help them improve production—three of £200, one of £500 and one of £5,000. A scheme for the free distribution of artificial fertilizers was started in Dikwa in 1950.

In the field of animal husbandry the livestock centre in Bamenda continued to experiment with selective breeding and management of animals and land. As a means of improving the meat supply in the south, cattle were introduced to the high slopes of the Cameroons Mountain, and measures against overstocking, erosion and disease were continued elsewhere.

In the field of economic development in general, the Council noted at its sixth session, from the annual report and the report of the Visiting Mission, from petitions from the Territory and the statements of the special representative, that much remained to be done and it recommended that a special effort should be made to accelerate the rate of progress. The Administering Authority responded by drawing attention to the substantial improvement in the financial situation of the Territory, resulting in the first surplus of revenue over expenditure since the ratification of the Trusteeship Agreement, and being due largely to the progress made by the Cameroons Development Corporation.

In response to the resolution adopted by the General Assembly at its fifth session recommending that the Administering Authorities make full use of the facilities available under the technical assistance programmes of the United Nations and its specialized agencies, the Administering Authority has stated that it will bear in mind the facilities available, but that the provision of technical assistance is regarded as a direct responsibility of the Administering Authority. Funds have thus been made available both from United Kingdom and local reserves; the Territory, thanks to the policy of integration, benefits from the technical advice of the Secretary of State's specialist advisers and councils; and it benefits from the technical assistance of specialists stationed within Nigeria. The heads of all the technical departments represented in the Cameroons, although stationed in Nigeria, give part of their services to the Territory; and all their staff members stationed within the Territory of course give technical assistance to it. The Cameroons Development Corporation, adds the Administering Authority, also gives useful technical assistance.

At its ninth session the Council adopted the following recommendation:

The Council notes the great improvement in the economic situation of the Territory, and the particularly encouraging fact that the Territory has shown a surplus of revenue over an increased expenditure, which was largely due to the successful operation of the Cameroons Development Corporation. At the same time the Council draws the attention of the Administering Authority to the precarious nature of the Territory's economy in its over-dependence upon a single crop, expresses the hope that the Administering Authority will intensify its efforts to establish a more diversified economy, and, in particular, recommends that the Administering Authority explore every possibility of industrial development, encourage the co-operative movement, and promote the use of modern and scientific methods in agriculture.

Communications

The importance to the Territory's economy of more and better roads has been emphasized equally by the Administering Authority, the Visiting Mission, the Council and a number of petitioners in the past. The Administering Authority has stated that the greatest single problem in the Cameroons is the provision of adequate road communications through its difficult terrain, without which political and social development cannot make real progress. At its fourth session the Council recommended that communications should be improved in order to facilitate trade and commerce; and the Visiting Mission noted both the urgent need for the expansion and improvement of the road system, and the striking dependence of the people, even where roads existed, on travel and transportation of foodstuffs by foot. On this latter point it felt that an excessive amount of time and energy which might otherwise be devoted to actual production was devoted to the slow and laborious carrying of produce to sometimes distant markets.

At its sixth session the Council endorsed the statement of the Visiting Mission that there was an urgent need for more roads, and urged the Administering Authority to improve and develop the road system. The Administering Authority regards as one of its most important achievements in 1949 the construction of 180 miles of new road, and in describing further, although not so extensive, work carried out in 1950, it stated that it was fully in accord with the views of the Council. It stated further that it had placed at the forefront of its plans for development the provision of communications, and particularly the building of an extensive road system. The Nigerian Government has approved a supplementary provision of £350,000, together with a provision of £200,000 in the 1951-52 estimates, for road development in the Territory.

The special representative of the Administering Authority informed the Council of the progress of road programmes beyond the borders of the Cameroons, which were of perhaps even greater potential importance than road construction within the Territory. The first link with eastern Nigeria had been brought into use in 1949, and a second very important link was within six miles of completion. He added that although there was still no road linking the northern and southern parts of the Trust Territory directly, and the roads into the Cameroons out of northern Nigeria were, in general, dependable for motor traffic only in the dry season, a plan had been adopted, machinery had been ordered and engineers were being recruited for an all-weather north-south road, with permanent bridging and all-weather connexions with northern Nigeria and the Cameroons under French administration, at an estimated cost of £2 million. The air service between Nigerian centres and Tiko, in the Southern Cameroons, had been increased from one to four flights a week and the airfield converted to a tarred all-weather strip.

At its ninth session the Council adopted the following recommendation:

The Council, noting with approval the Administering Authority's policy of concentrating on the basic problem of communications in its development plans, and the achievements already made in this field, commends the Administering Authority on its decision to make available for the development of the road system of the Territory the whole of the £310,000 thus far placed in the Cameroons Development Fund, and expresses the hope that the continued economic prosperity will enable the Administering Authority to push forward at an accelerated pace in its programme of providing a basic network of all-weather roads and, in particular, that no undue delay will attend the construction of the road link between the northern and southern sections of the Territory.

Land; Bakweri problem; Cameroons Development Corporation

Of the Territory's 34,081 square miles, some 11½ square miles are held by the Government and some 460 square miles by the Cameroons Development Corporation, trading companies, missions and non-indigenous inhabitants. All lands not so held[242] are declared to be Native lands, which the Governor is required by law to hold and administer for the use and common benefit of the inhabitants.

The Administering Authority states that the grant of a right of occupancy, subject to prescribed conditions and to rental, is now the only method by which non-Natives may acquire a legal interest in land. The greater part of the 460 square miles mentioned above consists in fact of land alienated in the southern Cameroons during the German régime; and, in turn, the greater part of these lands—395 square miles—have since 1947 been reclassified as Native lands and leased to the Cameroons Development Corporation, which was established as a statutory body to operate and develop them in the interest of the inhabitants of the Territory as a whole. Details of the composition and operation of the Corporation are given below.

The alienation of the lands in the south gave rise to problems which have formed the subject of a number of petitions examined by the Trusteeship Council. The first of these, submitted in 1945 by the Bakweri Land Committee, complained that the alienated lands were taken illegally by the Germans from the Bakweri people; that this situation was perpetuated by the British Administration; and that huge profits were taken out of the Territory from the plantations while the Bakweri people were relegated to poor and difficult land where they have suffered from malnutrition and other hardships. A demand was made for the return of the lands to the Bakweri people and for the payment of compensation. In subsequent communications, sent after the Cameroons Development Corporation had been established, the petitioners insisted on their right to ownership of the land and asked for greater control over the operation of the plantations than that afforded to them through the Corporation.

At its fourth session the Council instructed the first Visiting Mission to the Cameroons to make a special study of the problem. In the meantime, the Administering Authority undertook an investigation which revealed the extent of the economic and social difficulties of the Bakweri people, and announced a series of proposals not only to release some 25,000 acres of land from the plantations for the assisted resettlement of the people but also to undertake, in conjunction with the Corporation, a programme of economic and social regeneration of the people.

The Visiting Mission reported at length on the historical background of the problem. It stated that the decision of the Administering Authority not to allow the ex-German plantations to revert again, after the Second World War, to private enterprise but to ensure their development in the interests of the people by the establishment of the Corporation was clearly the primarily important step which it had taken to repair the damage done to the Trust Territory and its inhabitants by the alienation and exploitation of the past. The Visiting Mission pointed out that the Administering Authority had made it clear that it intended ultimately to return the ex-enemy lands completely to the people; and it described the steps taken as an example of goodwill and constructive and enlightened land policy. It concurred with the further measures proposed to assist the Bakweri people, drawing particular attention to the importance of not only

[242] The lands leased to the Cameroons Development Corporation are also Native lands.

creating by the planned use of the 25,000 acres of land to be excised a stable basis for the economic development of the people, but also and perhaps even more urgently of regenerating and improving their social conditions by such means as endeavouring to increase without delay the numbers of medical, welfare and educational personnel and equipment in the area.

Agreeing with the Administering Authority that it was unlikely that much progress could be made with the programme until the wider issues raised by the Bakweri people were amicably resolved, the Visiting Mission also suggested a number of measures in the direction of explaining more clearly to the people the significance of the establishment of the Corporation and of accelerating their participation in its operations and control.

At its sixth session the Trusteeship Council endorsed the conclusions and recommendations of the Visiting Mission, and, on the basis of the latter's observations, adopted a number of recommendations calling, *inter alia,* for special attention to be given to the rehabilitation of the Bakweri by means of special contributions from the Corporation's earnings. It commended the measures proposed by the Administering Authority and the Corporation for the solution of the problem and recommended that the plan of controlled and assisted resettlement included in these should be put into effect as quickly as possible and extended wherever appropriate to all peoples living in the neighbourhood of the plantations or in other areas where similar conditions existed. It expressed the hope that the Bakweri people, who it recommended should be the subject of increased efforts to explain that the ex-enemy lands had in fact reverted to the people of the Trust Territory and that ownership was now vested in them, would co-operate fully in the implementation of the plans.

The Administering Authority stated that efforts made during 1950 to put the plans into effect were at first impeded by the more reactionary elements of the Native Authorities of the area who, in spite of protests from the literate and progressive class, allowed ancient grievances to stand in the way of the chances of progress and development. It stated that the Bakweri representatives continued to insist on the claim that the lands belonged to them and were dissatisfied with that part of the Council's recommendation declaring that the lands had reverted to the people of the Trust Territory.

Some progress was achieved, however. After a number of discussions, the Bakweri representatives continued to insist that a satisfactory settlement of the land-ownership question should be a condition of their participation in the resettlement scheme; but they made it clear that they did not intend this attitude to mean that they were disinterested in the other development and welfare plans. In particular they welcomed the Man-o'-War Bay scheme for training potential leaders in community development, which, the Administering Authority stated, had been pushed forward vigorously on land and in buildings made available by the Corporation. The Administering Authority stated also that in recent months there had been signs among the Bakweri of a change of attitude to the resettlement scheme, particularly among the younger, more enlightened generation.

At its ninth session the Council considered a new petition[242] from the Bakweri Land Committee containing resolutions for consideration by the Council, in which the petitioners resolved not to co-operate with the Administering Authority in its resettlement programme until it made an unequivocal and categorical statement to the effect that the Bakweri people were the sole owners of the lands now operated by the Corporation. They contended that the Bakweri lands could not be justly owned by the whole Territory while the rest of the land was not being operated in the interest of every inhabitant. They requested that the rents on the lands be paid to them and not to the Governor, and that all missionary societies and trading firms be informed that the Bakweri people, through the Governor of Nigeria, might demand the lands held by such bodies, on the payment of adequate compensation.

The Administering Authority observed[243] that the Land Committee continued to maintain its original position which would operate to the detriment of the long-term development of the Trust Territory, but that the viewpoint of younger and more intelligent elements among the Bakweri gave the Administration hope that the Bakweri attitude might change in the future.

The Council adopted a resolution[244] on this petition reiterating its previous resolution 174 (VI) on the question, and drawing the attention of the petitioners to the recommendations on land, the Bakweri problem and the Cameroons Development Corporation and its operations adopted by the Council in connexion with its examination of the 1949 and 1950 annual reports on the Territory. (See below.)

Demands on the part of the indigenous inhabitants for the return of alienated lands, other than those held by the Corporation and including those held by the religious missions but not required for purely ecclesiastical purposes, were contained in six petitions examined by the Council at its sixth session. The Council decided that no action was required of it since the questions raised were within the competence of the local courts; in one specific case it invited the Administering Authority to consult with one of the missions in order to devise a scheme which might lead to the amelioration of the land situation in a particular area concerned.

At its ninth session the Council adopted the following recommendation:

The Council, noting with approval the steps taken by the Administering Authority in accordance with its previous recommendation regarding the Bakweri land problem; but noting with concern the inability of the Administering Authority's team of experts thus far to persuade the Bakweri to abandon their claim to outright ownership of the lands leased by the Cameroons Development Corporation and to accept the scheme to resettle Bakweri farmers on lands excised from the Corporation's plantations, expresses the hope that various development projects in the area, such as the Man-o'-War Bay scheme, may succeed in providing a

[242] T/PET.4/69 and T/PET.4/69/Add.1.
[243] T/L.200.
[244] Resolution 382 (IX).

changed atmosphere and lead to a realization on the part of the Bakweri leaders of the beneficial effect on their situation of the operations of the Corporation, as well as to their acceptance of the resettlement scheme.

Operations of the Corporation

The Cameroons Development Corporation, a statutory organization set up to operate the former German plantation lands as a public enterprise and for the benefit of the people of the Trust Territory, has entered its fifth year of activity.

The principal products of its quarter of a million acres of land, of which some 78,000 acres have been developed, are bananas, oil palm produce and rubber. Production has shown a steady increase; this is particularly true of bananas, the chief product, whose output has increased from 1,628,678 stems in 1947 to 3,226,723 stems in 1949. In the latter year 2,927,539 stems were shipped. The total export from both Corporation and commercial estates in 1950 was 4,680,419 stems, and might have exceeded six million stems but for serious storm damage; the total for 1951 is estimated at seven million stems, and production is being increased to a target of eight to nine million stems a year from the Cameroons as a whole. The bananas are sold through a commercial firm to the United Kingdom Ministry of Food, at prices which have increased from £27 per ton in 1948 to £32 per ton in 1950.

The Corporation has indicated in its annual reports working profits, before taxes, of £178,275 in 1947, £343,397 in 1948 and £352,378 in 1949. It pays the same rate of income tax (9 shillings in the pound) to the Nigerian Government as do private companies; for this purpose sums have been set aside of £158,000 in 1947, £209,000 in 1948 and £260,000 in 1949. Before taxes it has also allocated reserves (£100,000 in 1948 and £80,000 in 1949) for staff welfare, which includes housing, hospital and educational facilities, and for hurricane risks.

The Corporation is required by law to make its annual declared surplus profits available to the Governor of Nigeria so that he may apply them for the benefit of the inhabitants of the Trust Territory. It was unable to turn over any such funds from its 1947 operations; but after 1948 it allocated £54,352 and after 1949 £22,544. Of the 1948 allocation, £42,000 went to the southern Cameroons for reading rooms, scholarships and local development schemes, and the allocation to the northern Cameroons included £10,000 for surveying a rail or improved road route through Dikwa to the Cameroons under French administration.

The principal interest of the Trusteeship Council in the operations of the Corporation, as reflected by its previous conclusions and recommendations on the subject, has centred in the application of the principle that the Corporation should function for the benefit of the Trust Territory. At its fourth session the Council expressed the hope that future reports would clearly and sufficiently indicate that effective steps were being taken by the Administration to this end, and requested that the annual reports of the Corporation should be appended to the annual reports of the Administering Authority. Subsequent annual reports, besides giving a description of the benefits derived from the operations of the Corporation, have included the current report and financial statements of the Corporation as an annex.

At the same session, the Council devoted attention to a particular aspect of the financial organization of the Corporation—namely, to the fact that the transfer of the land under lease to the Corporation took the form of a reparations transaction involving the Administering Authority and the Inter-Allied Reparations Commission. The agreed value of the land, estimated at some £850,000, was charged against the United Kingdom's share of German reparations; and the Corporation is required to repay this amount, with interest at the rate of 3¼ per cent on outstanding balances, by means of rental payments spread over thirty-five years. The effect of this, as noted subsequently by the Visiting Mission, was that profits available for the benefit of the Trust Territory would be diminished by the amount of the rental, which was expected to be fixed at £40,000 a year. At its fourth session the Council recommended that the Administering Authority should consider the possibility of shortening the period of thirty-five years which must thus elapse before the indigenous inhabitants achieved full benefit from the Corporation's earnings.

The Administering Authority responded to this recommendation by stating that any reduction of the period of repayment of the purchase price would be harmful to the interests of the inhabitants because it would lay an unnecessary burden on the present generation and would reduce the immediate benefits to be derived by the population.

At its sixth session the Trusteeship Council suggested that the Administering Authority should review the tax position of the Corporation with a view to the possibility of increasing that proportion of the profits which were made available for the direct benefit of the Trust Territory.

The Administering Authority responded to this suggestion by stating that it felt that it might have been made under a misapprehension. It stated that it was very largely the Corporation's tax payments which had made possible the recent improvement of the Territory's financial position, and that these payments were spent for the direct benefit of the Trust Territory just as much as any surplus profits declared by the Corporation. The Administering Authority therefore saw no justification for relieving the Corporation of its tax obligations, a step which it stated would simply reduce Cameroons revenue by the extent of tax payable.

At its sixth session the Council also recommended that the Administering Authority should continue to give consideration to the possibility of increasing the membership of the indigenous inhabitants in the Corporation with a view to transferring its management and control to the inhabitants at the earliest practicable date.

The Board of the Corporation consisted in 1950 of nine members, of whom three were Africans of the Trust Territory. The first African member was a Chief, Mr. J. Manga Williams; the second, Mr. K. Martin, a younger man recently returned from a university course in the United Kingdom, was appointed in 1949; and the third, Dr. E. L. M. Endeley, formerly president of the Corporation's Workers' Union, and described as one of the leaders of political thought in the

Cameroons, was appointed in 1950. The Corporation provides scholarships and other training schemes to fit Africans for responsible posts, and by the end of 1949 there were thirty-two Africans in senior posts.

At its sixth session the Council also noted with satisfaction the formation by the Administering Authority of small committees composed of indigenous inhabitants to consult with the Corporation at a local level, and expressed the hope that a committee of a similar nature would be set up at a higher level as soon as possible to enable the management to be in closer contact with the indigenous inhabitants.

The annual reports for 1949 and 1950 refer to local development committees whose purpose is to make recommendations on the distribution of the Corporation's profits. In connexion with the Council's recommendation, the Administering Authority noted that a standing consultation committee, representing the Corporation and its workers, had been established to consider and make recommendations on labour problems.

At its ninth session the Council adopted the following recommendations:

The Council, noting with approval that three indigenous inhabitants of the Territory have been appointed to membership in the Cameroons Development Corporation, expresses the hope that the Administering Authority will progressively increase indigenous participation in the Corporation as well as in other economic bodies.

The Council notes with approval the policy of the Administering Authority to elaborate projects of expenditure of the Corporation's profits in full consultation with local development committees; notes further that this policy is in accordance with the Visiting Mission's recommendation, endorsed by the Council, that measures be taken to explain more clearly to the people the significance of the Corporation and to accelerate their participation in its operation and control; urges the Administering Authority to extend the use of such committees; and expresses the hope that in areas where these committees are well established the implementation of development projects may go forward at an accelerated rate.

Forest reserves

The main object of forest policy is stated to be the production of the maximum benefit to the greatest number from the minimum amount of forest necessary for the general well-being of the country. This object is sought by conservation methods and also by the establishment of forest reserves; and in the latter case the Administering Authority endeavours to persuade the Native Authorities to establish reserves themselves. It states that there has been some opposition which it considers to be the result of ignorance, grudges against Native Authorities, or suspicion that European exploitation is intended.

The greatest areas of forest are in the south, where about 13 per cent of the land has so far been constituted as Native Administration reserves.

At its sixth session the Council recognized that it was the duty of the Administering Authority to protect the forest resources of the Territory; and, approving the steps already taken in this direction, it recommended that the Administering Authority undertake more energetic measures. In examining eight petitions on the subject, the Council noted with satisfaction the Administering Authority's policy and expressed the hope that it would continue to take all possible steps to explain it to the people concerned. The Administering Authority stated, in the light of the Council's action, that it was prepared to take any necessary compulsory measures if present attempts at persuasion were unsuccessful.

Public finance; taxation

The Administering Authority reported that both 1949 and 1950 were notable for a continuing improvement in the financial situation of the Cameroons, culminating in the latter year in the first surplus of revenue over expenditure. No separate budget is prepared for the Cameroons and figures of public revenues and expenditure accruing and incurred there are included in the regional and central budgets of Nigeria as a whole. However, detailed tables of Cameroons revenue and expenditure are made for the Trust Territory by the Nigerian Government's Statistical Department and included in the annual reports.

The estimated financial position of the Cameroons during the four years under trusteeship is summarized as follows by the Administering Authority, which draws attention to considerable deficits up until 1948-49 and to a surplus in the most recent year:

Year	*Revenue*	*Expenditure*	*Deficit*
1946-47.....	£241,000	£471,000	£230,000
1947-48.....	301,000	541,000	240,000
1948-49.....	519,000	647,000	128,000
			Surplus
1949-50.....	1,053,000	743,000	310,000

The principal items of revenue are direct and indirect taxes, making up 82.8 per cent of the total in 1949-50. Direct taxes alone provided 60.7 per cent of the revenue, the largest single item being income tax at the rate of 9 shillings in the pound paid by companies and by the Cameroons Development Corporation and amounting to 58.4 per cent of the total revenue. Individual income tax, which applies to persons not subject to indigenous taxes, accounted for less than one per cent of the revenue. Indigenous tax revenue, the greater part of which is retained by the Native Authorities, accounted for 1.4 per cent of the total revenue. The rate of the indigenous taxes varies considerably from area to area; in some cases it is levied as a flat-rate tax and in others it is assessed on the ascertainable annual income of communities or individuals.

The Administering Authority stated that the improvement in 1949-50 was almost entirely due to the increasing prosperity of the plantations of the Cameroons Development Corporation and of another important banana estate operated by a commercial company. Income tax from these organizations and from other companies, together with customs duties, were estimated at some £815,000. This included tax arrears of £165,000 which if paid the year before, would have created a surplus for that year as well. The Administering Authority pointed out that the exceptionally high tax return could scarcely be expected to be repeated for the year 1950-51, but it believed that revenue was

likely to be maintained at a figure far above that of 1948-49.

The special representative of the Administering Authority informed the Council that in the five years from 1943 to 1948 alone, the subsidies which the Trust Territory required from Nigeria and from the Administering Authority amounted to £891,980. Although it could have been argued that the current and future surpluses shown by the Trust Territory should be appropriated by the Nigerian Government until the Territory's debt had been totally discharged, the Government was prepared to make a generous gesture by deciding that the whole of the present surplus, and any future surplus, should be paid into a Cameroons Development Fund to be spent entirely on the service and development of the Territory. The fund would be administered by the Governor, with the advice of the Commissioner of the Cameroons, in consultation with the regional authorities and after discussion with representatives of the people of the Territory. It was intended to use the fund mainly in paying for schemes of capital development in the Cameroons, but also in supplementing recurrent expenditure there by the two Nigerian regions concerned. The Governor had already decided that the whole of the first surplus of £310,000 should be made available for road construction.

According to the estimates submitted, 35.4 per cent of the total expenditure in 1949-50 was on administration, 43.4 per cent on economic development and 21.2 per cent on social development.

The Cameroons also benefits from expenditure under the ten-year development plan for Nigeria, adopted in its original form in 1946 and then estimated to cost over £55 million, with the Trust Territory's share estimated at some £1,500,000. It included a contribution of £23 million from the United Kingdom Government. The plan has been recosted and revised on a five-year basis, with the balance of the fund standing at some £34 million on 31 March 1951.

Other sources of development revenue for the Cameroons are, as already noted, the surplus profits of the Cameroons Development Corporation; grants made by the Nigeria Cocoa Marketing Board, most of them designed to benefit Nigeria and the Cameroons as a whole, but including a sum of £13,500 for road improvement in the Cameroons cocoa areas; and similar general grants made by the Nigeria Oil Palm Produce Marketing Board.

Besides expenditure from these sources, the Native Authorities functioning in and in respect of the Cameroons have their own budgets, with revenues (estimated to total £249,124 in 1950-51) derived mostly from indigenous taxes and expenditures devoted to local works and services. The largest single item of the total expenditure is administration, at the rate of 17.4 per cent of the total in 1949-50 for the Territory as a whole, and varying from about 9 per cent in the case of the southern authorities to about 22 to 28 per cent in the case of those in the north.

At its sixth session the Trusteeship Council recommended that the Administering Authority, in examining the budgets of the Native Authorities in the northern Cameroons, should keep in mind the desirability of maintaining a proper balance between the cost of administration and expenditure on social and other essential services. The Administering Authority responded by stating that it kept this constantly in mind.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of the United States of America noted with interest the establishment of the three new Nigerian marketing boards for groundnuts, oil palm produce and cotton, and urged the Administering Authority to take steps to familiarize Africans from the Trust Territory with the complex operations of these boards so that they might gain the experience necessary to qualify them for greater participation in the direction of operations of major economic consequence to the Territory. The Administering Authority might consider the possibility of giving to people of the Territory some type of observer status on such boards, so that they would become more familiar with the problems involved.

The representative of New Zealand noted that the prosperity of the Territory depended almost wholly on the quality and volume of its agricultural production. He suggested that the Council recommend that the Administering Authority devote special attention to measures designed to increase and improve the yield of the main crops in the Territory. A fundamental aspect of this problem was improvement in the agricultural methods of the indigenous inhabitants, which was perhaps basically a problem of incentives.

He commended the policies of the Administering Authority, as far as they went, with regard to the improvement of peasant agriculture and animal husbandry. The Council might wish to urge the Administering Authority, when possible, to expand its activities and establish further experimental farms and training centres, particularly in the northern part of the Territory. He noted with interest the scheme undertaken in the Dikwa Emirate to demonstrate the use of fertilizers.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had not taken measures to advance the economy of the Territory for the benefit of its indigenous inhabitants. Instead, it had transformed it into a source of raw materials for the metropolitan country. The best lands had been alienated from the people in order to establish a plantation economy with production designed exclusively for export. The export of these primary products was in the hands of monopolistic Nigerian organizations. The Nigeria Cocoa Board purchased and exported all cocoa produced in Nigeria and the Cameroons; the indigenous inhabitants of the Cameroons were not represented on that Board. Three new bodies were established in 1949 with the same kind of organization to deal with groundnuts, palm oil and cotton. The integration of the Territory with Nigeria also underlined the fact that the Cameroons was dependent upon Nigeria in the economic field as well as in the political field.

The special representative of the Administering Authority pointed out that none of the commodities handled by the Nigerian produce marketing boards was of

major importance in the Trust Territory, and at the same time the membership of the boards had to be kept severely limited in the interests of efficiency. It was not, therefore, surprising if the Trust Territory failed to secure representation, which tended only to go to the able representatives of very much larger commercial interests. Nevertheless, the Cameroons people had exactly equal opportunities with their neighbours in Nigeria. The suggestion that some similar organizations, possibly of a subordinate nature, might be introduced for the Trust Territory alone did not seem practicable, for the whole point of the boards was that each should handle the entire crop of a large area. The Trust Territory could only lose heavily by any such change.

He stated that the development of new crops in the Trust Territory was a matter to which the Administration was very much alive. The Cameroons Development Corporation was doing a lot to expand its production of rubber, and the Administration was giving active consideration to the expansion of production of coffee and cocoa. He recalled that important steps had been taken to disseminate knowledge about improved agricultural methods among the people of the north, in particular the provision of artificial fertilizers which, he believed, would have a profound effect upon agriculture in that area.

Communications

The representative of Thailand noted the importance of improved communications in the Territory. He was particularly impressed by the programme of road construction designed to provide an all-weather road connecting the north and south and having all-weather connexions with Nigeria and the Cameroons under French administration. However he noted that less than twenty miles of road were constructed in 1950, and urged the Administering Authority not to undertake the construction of road links with Nigeria to the prejudice of road building within the Territory. He commended the decision to allocate the total sum paid into the Cameroons Development Fund for road construction, and expressed the hope that this sum would be earmarked solely for construction within the Territory.

The representative of New Zealand expressed agreement with the policy of the Administering Authority to press ahead in building roads and improving communications, and noted with satisfaction that the whole of the sum paid into the Cameroons Development Fund had been allocated for road construction. He expressed the hope that no undue delay would attend the construction of the road link from north to south, and suggested that railroad extension might result in further improvement of communications in the Territory.

The special representative of the Administering Authority referred to the comment that the pace of new road construction within the Territory appeared to slack off during 1950 as compared with 1949. This was due to greater concentration during 1950 on consolidation, bridge building and the construction of vital road links with the outside world beyond the boundaries of the Territory. Comprehensive plans for road construction in the Territory had already been described; definite steps had already been taken to set this programme in motion.

Land; Bakweri problem; Cameroons Development Corporation

The representative of China considered that the Council should be duly concerned over the as yet unsolved Bakweri land problem. Noting the changing attitude of the literate leaders and the persistent efforts of the Administering Authority to convince them of the soundness of the resettlement scheme, he expressed the hope that a solution would soon be in sight. He noted the efforts of the Administering Authority to improve farming methods as one step in the right direction toward removing the difficulties arising out of the Bakweri problem, and expressed the hope that activities such as those at the Bambui demonstration farm and the Jakiri livestock investigation centre would be extended.

The representative of Belgium considered that the Cameroons Development Corporation was to a considerable degree responsible for the general equilibrium of the Territory, and that it had been unquestionably beneficial with regard to the Bakweri land problem. He expressed assurance that the Bakweri leaders would realize this fact and realize also that the benefits accruing to the Territory from the Corporation must be enjoyed by all the people, not only the Bakweri. The Council might express the hope that the change in the attitude of the Bakweri leaders would become more marked, and that in the coming year closer co-operation would develop between them and the Administration.

The representative of the Union of Soviet Socialist Republics stated that the plantations of the Cameroons Development Corporation, covering an area of approximately 460 square miles, consisted of land alienated from the indigenous population dating from the time of the German colonial period. The Bakweri people and a number of smaller tribes had seen outsiders alienate from them their most fertile lands. As a result, these tribes were doomed to extinction. One of the forms of alienation of land from the indigenous peoples was by the declaration of so-called forest reserves. The Council should recommend that the Administering Authority return to the indigenous population the lands alienated from them by various means and that any further alienation of land belonging to the indigenous population should be prohibited.

The special representative of the Administering Authority stated that the policy of the present Administration had been to restore to the people of the Territory lands previously alienated from them, and to ensure to the inhabitants exclusively the enjoyment of all benefits derived from past operations, whether in the shape of trading profits or of tax accruing to the Administration, of which no part was appropriated by the Nigerian Government or the United Kingdom.

As for the assertion that the reservation of the people's forests was alienation of land in another guise, the reservation of a forest merely preserved its wealth for the use of its natural owners in generations to come. Reservation implied no change in the existing ownership.

He stated that it was proposed to continue with the community leadership training scheme and also with efforts for the more important resettlement scheme which would, among other things, solve the problem of existing immigration. The situation, however, now de-

pended on success in prevailing upon sectional interests to cease pursuing selfish aims to the detriment of the Territory as a whole and to co-operate wholeheartedly in the large and generous plans already recommended to them by the Council.

Operations of the Corporation

The representative of the United States of America considered that the allocation by the Corporation of £77,000 from its 1948 and 1949 profits for expenditure on projects of benefit to the people of the Cameroons appeared to be a happy omen for the future. He noted that only the 1948 profits had been specifically allocated as yet, largely because of the decision to elaborate projects only in full consultation with local development committees, but expressed approval of this policy because the educational and psychological values of such participation by the inhabitants might be fully as important as the projects themselves. He welcomed the special representative's statement that there now appeared to be widespread understanding that the Corporation belonged to the Cameroons. The educational value of the local development committees would be reflected in the political as well as in the economic sphere. The Council might wish to consider urging the Administering Authority to extend the use of such committees outside the area of the Corporation.

The representative of New Zealand commended the Administering Authority for its energy and foresight in successfully establishing the Cameroons Development Corporation, through the activities of which a continuing contribution was being made to the all-round development of the Territory. He noted with particular satisfaction the attention given by the Corporation to health and education services, as well as the material advantages accruing to the Territory from its varied agricultural undertakings and from the experience and knowledge derived by the population from the Corporation's activities.

Forest reserves

The representative of New Zealand considered that forest products might be developed as a new source of revenue for the Territory. He suggested that the Council urge the Administering Authority without undue delay to encourage the efficient exploitation of the forest reserves of the Territory, while at the same time safeguarding the interests of the indigenous inhabitants and paying due regard to the necessity for reafforestation and soil conservation which inevitably followed lumbering.

The special representative of the Administering Authority emphasized that the Administration was anxious, in the future interests of the people, to press on toward the target which its experts had set for the reservation of forests as fast as political considerations would allow.

Public finance; taxation

The representative of Thailand noted with particular satisfaction the surplus of revenue over expenditure for the first time in the Territory and that this sum was being placed in a Cameroons Development Fund. He expressed confidence that the Administering Authority would do everything possible to maintain the improved financial position.

The representative of the Union of Soviet Socialist Republics stated that the Territory had no separate budget and that revenues collected in the Cameroons were included in the general budget of Nigeria without any distinction being drawn, while expenditures to be made in the Territory were not based upon its needs but upon needs calculated for the various regions of Nigeria with which the Territory was administratively united.

He further stated that the Council should recommend that the Administering Authority take measures designed to replace the head tax by a progressive income tax system, or a simple income tax system which would take into account the financial position of the indigenous inhabitants and their capacity to pay.

The special representative of the Administering Authority noted that doubt had been expressed as to whether, in the absence of a separate budget for the Trust Territory, the statistical information available—in particular, the information regarding the financial situation in the Territory—was adequate for the purposes of the Council. He suggested that the annual reports, which contained voluminous separate details regarding all fields of administration in the Territory, showed that the situation in this regard was entirely satisfactory. Although the financial tables did not present a statutory budget in the correct sense of the word, they gave a reliable accountant's statement of the revenue actually derived from the Territory and the expenditure actually incurred on its account. Although to a small extent the revenue figures, and to a greater extent the expenditure figures, contained elements which could only be arrived at by proportionate estimation, in the main, the figures were actual and compiled by extraction from the annual accounts of the two regions and the Central Government concerned. A complete and reliable picture of the over-all financial position of the Territory was thus given. He noted that, despite the heavy and unrecovered subsidization of the Territory necessary in past years, the Administration secured this surplus to the debt and future service of the Trust Territory exclusively, by paying it into a special Cameroons Development Fund.

He further stated that the Administration itself agreed with the desirability of developing properly graded assessments of income for tax purposes, and hoped to progress as fast as possible towards that objective. The direct taxation ordinance under which the great bulk of the taxes was collected did, in fact, provide for the making of such graded individual assessments by the people's tax authorities themselves. In many parts of the Territory, particularly in the northern half, such assessments were made. But over large parts of the Territory, mainly in the southern half, the taxation authorities had not yet shown themselves able to put across the idea of the differential rate of tax. A great difficulty arose from the fact that nearly all the taxpayers there were not people earning salaries or wages, but people who were subsistence farmers and whose wealth really depended mainly upon the foodstuffs which they and their families grew for their own consumption, presumably with, in very many cases, a margin to be used in exchange for other desirable goods.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

In reporting on measures taken for the social advancement of the peoples of the Cameroons, the Administering Authority starts from the point of view that most of the activities of the Government, the Native Authorities and the missions are directly concerned with the improvement of social welfare in its wider sense. It emphasizes the inter-relationship of political, economic and educational measures with progress in the social field.

In a more specific sense, the Administering Authority states that the aim of social welfare measures in the Trust Territory is to improve the living conditions, health and education of the people, and it gives details in its annual reports for 1949 and 1950 of the services and facilities available for these purposes. In the case of social security and welfare, an expression which it interprets as meaning special care for such classes as aged, destitute, orphaned, defective, handicapped and delinquent persons, it states that responsibility for looking after these classes falls on their families and relatives. The Administering Authority states that, as there are no large concentrations of urban population, a sense of communal obligation in these matters still holds good, and therefore no services are provided or contemplated with respect to such schemes as widows' and old-age pensions.

The Administering Authority states that in securing human rights and fundamental freedoms for the inhabitants it is guided by the terms of Article 76 c of the Charter and the principles of the Universal Declaration of Human Rights. In particular it aims at the protection of those freedoms which it has been taught by its own history to regard as precious: freedom of expression, freedom of religion and freedom from arbitrary arrest.

In the case of freedom of expression, which was noted and commended by the Visiting Mission in 1949, the Council has raised in the past a question concerning the responsibilities of newspapers, of which none are yet published in the Territory. The Nigerian Newspaper Ordinance requires the signing of a bond in the sum of £250 by the proprietor, printer and publisher as an assurance that any claim for libel will be met; and at its sixth session the Trusteeship Council recommended that the Administering Authority should ensure that this requirement did not operate as a restraint upon freedom of the Press and that it bear in mind the desirability of modifying the provision as soon as practicable. The Administering Authority responded by stating that it considered it undesirable to modify the provision, since it was designed simply as a minimum protection which must be afforded to the public, and did not restrict the freedom of the Press in any way.

Indigenous religions, Mohammedanism and Christianity are practised in the Territory. A considerable number of missionaries — 161 in 1950, most of them American, Dutch and Swiss — are active in the Territory, and they claim some 108,000 converts to Christianity in the south and some 8,000 in the north. They are not permitted in the "unsettled" districts, and in the Moslem areas of the north they are required to undertake not to preach in public places. They are active in education, particularly in the southern Cameroons, and in medical services, particularly in or near the northern Cameroons.

The Administering Authority states that slavery practices no longer exist in the Territory, and that there is no evidence that the purchase or pledging of children is prevalent. Child marriage, however, does exist, but the Administering Authority states that in practice no one expects the child wife to perform her marital functions until her parents consider her old enough. The Trusteeship Council adopted at its fourth session a recommendation, subsequently endorsed by the General Assembly at its fourth session, that uncivilized practices which were gradually disappearing, such as child marriage, should be expressly forbidden by law. The Administering Authority responded by stating that it believed that such practices could and should be abolished by persuasion and pressure of public opinion rather than by legislation. In 1950, the Nigerian Government had introduced draft legislation which would have made it a criminal offence for a man to have carnal knowledge of a wife under 15 years of age; this provision aroused strong opposition, mainly on the part of Moslem chiefs and representatives, and was deferred.

At its ninth session the Council considered a petition[245] from the Ex-Servicemen's Union, Victoria, containing comments on the observations[246] of the Administering Authority on their previous petition.[247] The petitioners requested, *inter alia*, that the Government should establish hostels, clubs and reading rooms for them; that the loans requested by and on behalf of ex-servicemen should be given sympathetic consideration, and that the Cameroons Development Corporation and the Civil Preventive Services should be advised by the Administering Authority to "temper with justice their present policy of discrimination against the ex-servicemen in respect to employment".

The Administering Authority observed[248] that clubs were not formed because ex-servicemen were scattered, and that the Cameroons Development Corporation was providing increasing welfare facilities; that loan applications from ex-servicemen capable of engaging in business or agriculture would receive most sympathetic consideration and three grants-in-aid had in fact been given; and that it was impossible to give job priority to ex-servicemen lacking in essential qualification when other suitable candidates were available, and dismissals might have occurred.

The Council adopted a resolution[249] on this petition drawing the attention of the petitioners to the observations of the Administering Authority, and reiterating its resolution[250] on the previous petition in which it expressed the hope that the Administering Authority's efforts to help homecoming servicemen would be continued and, if necessary, increased so that any legitimate grievance on their part might eventually be met.

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[245] T/PET.4/68.
[246] T/489.
[247] T/PET.4/18.
[248] T/928 and T/L.200.
[249] Resolution 381 (IX).
[250] Resolution 133 (VI).

Medical and health services

The medical services available in the Cameroons are provided by four agencies: the Medical Department of the Nigerian Government, the Native Authorities, the religious missions and the Cameroons Development Corporation.

In 1950 there were fifteen doctors in the Territory, as compared with ten in 1949 and seven in 1948; seventeen nursing sisters, as compared with seven in 1949 and two in 1948; and a number of other personnel making a total of 396 in 1950 as compared with 187 in 1948. The Administering Authority stated that the increase in personnel was largely due to the expansion of the Cameroons Development Corporation's staff; which included six doctors and ten nursing sisters; and it also stated that the figures did not give an altogether true picture of the facilities available to the Cameroons as a whole, since some of the Nigerian medical staff working outside the Territory were giving part of their services to it.

In the northern Cameroons, there is no hospital in the Dikwa Emirate, the nearest being forty miles away, but the area is served internally by seven dispensaries, a temporary mission dispensary, three mission leprosy treatment centres and, part of the time, a medical field unit. There is no hospital in the Adamawa part of the Territory, but a new 48-bed institution is being built at Mubi. In the meantime the nearest hospitals include a government hospital at Yola in Nigeria, 127 miles from Mubi and sixty-two miles from the nearest place of importance in the part of southern Adamawa that lies in the Cameroons; a free ambulance service is provided to and from it, and of its in-patients 69 per cent were from the Trust Territory in 1950. There are also three mission hospitals; one of them, near the Cameroons border, took half of its patients from the Trust Territory in 1950. Within these areas there are also eight dispensaries, each normally staffed by an African attendant who has taken a three-year course and a labourer. There is no accessible hospital near the small and remote Benue area of the Territory, where medical facilities include first-aid equipment supplied to the schools.

In these northern areas unqualified medical practitioners are very active, according to the Administering Authority, which states that most sick people obtain assistance from these "medicine men" before reporting to dispensaries. The indigenous doctors, whose influence is decreasing in the south, combine "magical" practices with the use of herbs.

In the Cameroons Province, the southernmost part of the Territory, the government has hospitals at Victoria (140 beds), Kumba and Mamfe. The Cameroons Development Corporation has one main hospital (125 beds), and a cottage hospital, two area hospitals and five subsidiary hospitals with smaller capacity. In the Bamenda Province there is a government hospital and a mission hospital. The Native Authorities have twenty-one dispensaries in the two provinces and the Corporation has twenty-three. A medical field unit also operates in this part of the Territory, and a loiasis research project has been in progress.

At its fourth session the Trusteeship Council noted with concern that only a few medical officers were stationed in the Cameroons and that hospital, dispensary and other medical and health facilities were inadequate for a reasonable programme of medical and health care. It recommended that the Administering Authority should take steps to increase the number of doctors and other trained personnel and take all further steps necessary to provide for the medical and health needs of the Territory, and that it should increase the budgetary appropriations for public health. At its sixth session it again noted with concern the inadequacy of the facilities and reiterated its previous recommendation; it also noted with approval the beginning of the construction of the first hospital in the north and expressed the hope that this work would be proceeded with urgently. The Visiting Mission had reported receiving a number of complaints about the small number of medical officers, about the fact that hospitals were few and out of the reach of large numbers of the people, and about the fact that Native-staffed dispensaries were inadequate in number and often poorly equipped. Eleven petitions requesting improvements in the facilities were examined by the Council at its sixth session.

The Administering Authority responded by stating that the medical and health services were expanded considerably in 1950, and by drawing attention to the principal activities, it stated that progress with the first hospital for the north had been held up in 1950 because of water supply difficulties but that good progress was hoped for in 1951. It stated also that the Government hospital in Victoria was better equipped than all but a very few of the Nigerian hospitals. Estimated government expenditure on medical and health services had increased from £30,000 in 1946-47 to £52,000 in 1949-50, and Native Authorities' expenditure from £7,300 to £13,500 in the same period. The Cameroons Development Corporation spent some £46,000 in 1950 as the annual recurrent cost of its medical services. Its expenditure on hospital and dispensary buildings was about £20,000 and is expected to amount to between £150,000 and £200,000 by the middle of 1953.

The surveys of the various medical field units have revealed that some degree of malnutrition is prevalent in most parts of the Territory. At its seventh session the Council adopted a resolution, applying to the Trust Territories generally, in which it recognized that dietary deficiencies constitute a serious obstacle to the social and economic development of the inhabitants, and invited the Administering Authorities to explore the possibility of utilizing and expanding the latest scientific methods in the improvement of nutritional standards among the inhabitants.

In the case of the Cameroons, the Administering Authority stated that it was fully in sympathy with this recommendation and was considering what further steps could be taken. Measures already taken included loans to enable farmers to grow more food; the provision of essential foods by the Cameroons Development Corporation to their workers at cost price or below; information in schools, teachers' training centres and domestic science centres on a balanced diet; school vegetable gardens; and the improvement of communications to allow better distribution of meat and other foods.

At its ninth session the Council adopted the following recommendation:

The Council, noting that the increase in the number of doctors, nursing staff and hospital facilities has been

almost entirely due to the activities of the Cameroons Development Corporation and that therefore this expansion has primarily affected the southern part of the Territory; and noting with approval that medical field units have been operating in the northern part of the Territory and that a new hospital is nearing completion at Mubi, recommends that the Administering Authority make a sustained effort to improve medical and public health facilities, particularly in the north, by such means as providing more mobile medical units and local dispensaries, and by the training of more African medical assistants.

Standard of living; labour; wage rates

Living standards in the Cameroons appeared to the Visiting Mission on the whole to be low, commensurate with the general level of economic development. The Administering Authority states that it can be safely assumed that the standard of living in the plantation area has considerably improved as a result of wage increases and the establishment of plantation shops. No regular or territory-wide studies of either standards or costs of living are made; and to a recommendation of the Trusteeship Council at its fourth session that cost-of-living studies which might serve as a basis for a realistic policy designed to ensure the well-being of the indigenous population should be undertaken as soon as possible, the Administering Authority responded that while agreeing with the need for cost-of-living studies it could make no promise to carry them out in the immediate future in view of shortages of funds and staff.

The only large wage-labour force in the Cameroons is in the southern part, and particularly in the plantation area. In 1950, out of a total of some 36,500 wage-earners, some 24,800 were employed in agriculture and mostly on the plantations. Most of the latter in turn belonged to the Cameroons Development Corporation Workers' Union, and smaller numbers belonged to two unions of commercial company workers.

Information supplied by the Administering Authority shows that the level of wages was a principal issue in all except one of five industrial disputes which took place in 1949 and in all of six which took place in 1950. The most serious of these, and one in which there were other issues besides that of wages, was a strike late in 1949 which lasted for twenty-seven days and involved over 17,000 workers on the Cameroons Development Corporation plantations. The Corporation had raised its wage rates from a basic level of 1s. 3d. a day in 1947 to 1s. 6d. a day in 1948. In 1949, in the course of negotiations with the workers, the Corporation offered a basic increase of 3d. a day but this offer was rejected by the Union and a general strike was called. The settlement of the strike included an increase in the basic rate of pay to 1s. 10d. a day; the award to all workers of a goodwill bonus of 5s.; the establishment of a permanent consultative worker-management committee; and the opening of plantation shops for the sale of essential goods at controlled prices.

At its fourth session, the Council recommended that the Administering Authority establish wages at a level which would raise the standard of living of the indigenous inhabitants, and at its sixth session the Council urged the Administering Authority to intensify efforts to increase real wages and raise the standard of living.

At its sixth session the Council endorsed a conclusion of the Visiting Mission that wage rates in the Territory were low in comparison with the cost of consumer goods, and recommended that the Administering Authority consider and adopt measures to ensure that essential consumer goods be made available at prices within the range of the average wage-earner.

The Administering Authority replied by drawing attention to the successive increases in wages and to the other measures taken by the Cameroons Development Corporation. It stated that wages on the Corporation's estates had increased by 83 per cent since January of 1947 and at the same time the other measures taken by the Corporation, its re-housing programme and expanded welfare and medical services, had all helped to raise the plantation workers' standard of living. Elsewhere in the Territory a rise in the standard of living must depend largely on the efforts to improve peasant production and communications enabling produce to be brought more quickly and cheaply to market.

At its ninth session the Council adopted the following recommendations:

The Council, noting the steps taken to increase wages and reduce the prices of consumer goods, expresses the hope that it will be possible, particularly by increasing the productivity of the worker, to continue to increase real wages and to raise the standard of living in the Territory.

The Council considers as encouraging the manner in which the leadership of the Cameroons Development Corporation Workers' Union has matured, and the present satisfactory labour relations of the Corporation, and expresses the hope that the influence of such responsible leadership will be increasingly extended to other labour unions.

Corporal punishment; deportation

Fines and imprisonment are the usual forms of legal punishment in the Cameroons, but penalties of whipping may be imposed by the Supreme Court and the magistrates' courts for certain serious crimes such as rape and robbery with violence. Any male person under 17 years of age may also be whipped at the discretion of the Court. The annual reports record fourteen adult cases and twenty-one juvenile cases during 1949; and twenty-five adult cases and eleven juvenile cases in 1950. All of these sentences were passed by the magistrates' courts in the Cameroons and Bamenda Provinces.

The Administering Authority states also that whipping may be imposed by the Native courts in criminal cases, and in the Moslem courts in the northern areas corporal punishment of a purely formal nature may be imposed for homicide in certain circumstances, fornication and drinking wine. The annual reports record eighty-eight Native court sentences during 1949 and sixty during 1950.

In a recommendation subsequently endorsed by the General Assembly, the Council expressed the view at its fourth session that corporal punishment was a humiliating practice inconsistent with the spirit of the Universal Declaration of Human Rights and urgently recommended that the Administering Authority should immediately abolish the practice.

The Administering Authority replied that its policy was ultimately to bring the laws into line with those

of the United Kingdom in this respect, but that under the present primitive conditions it would not yet be in the public interest to go further than had already been done in reducing the number of offences subject to whipping.

At its sixth session the Council again recommended that whipping should be abolished and that measures to this effect should be adopted as soon as possible. The Administering Authority replied that it was its policy to abolish corporal punishment as soon as possible, that it had undertaken a further review of the position in 1950, and that further progress towards the declared aim would be made as rapidly as local circumstances permitted.

Deportation may also be imposed as a penalty in certain circumstances. The Administering Authority explains that "deportation" means, in the case of an indigenous inhabitant, deportation from the place where the offence occurred or the proceedings were heard to any other place in Nigeria or the Trust Territory.

At its fourth session the Council recommended to the Administering Authority that the deportation of indigenous inhabitants from the Territory should be abolished. The Administering Authority replied that there was no deportation of indigenous inhabitants from within Nigeria and the Cameroons.

At its ninth session the Council adopted the following recommendation:[251]

The Council, noting that the Administering Authority has undertaken in 1950 a further review of its position in the light of the General Assembly and Council resolutions regarding corporal punishment, and that it has stated that further progress toward its declared aim of complete abolition of this penalty would be made as rapidly as local circumstances would permit, urges that measures be taken immediately to bring about the complete abolition of corporal punishment.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of New Zealand commended the Administering Authority on the establishment of the training centre for community development at Man-o'-War Bay, and suggested that other such schemes be undertaken, particularly in the more undeveloped areas of the Territory.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had carried out an anti-democratic policy in the Cameroons, marked by racial discrimination and flagrant violation of the rights and interests of the indigenous population. The Council should recommend that the Administering Authority cease this anti-democratic policy.

The special representative of the Administering Authority assured the Council that the people of the Territory had all the civic liberties enjoyed by the free world. There were no troops of secret police in the Territory and only three British police officers and 497 indigenous police, none of whom carried arms on normal duty. The inhabitants enjoyed freedom from arbitrary arrest and the writ of habeas corpus was applied, as in England. He recalled that the Visiting Mission had been impressed by the freedom of speech and expression enjoyed by the people, and stated that at the present moment they were going to the polls to vote for parties and candidates of their own choice.

Medical and health services

The representative of Thailand emphasized the necessity of better medical and health services. He considered that medical facilities should be in proportion to the needs of the local population, and that for humanitarian reasons it was impossible to leave the extensive area of the northern Cameroons without hospitals. While noting the increases in medical staff and hospital beds, he nevertheless considered that fifteen doctors for a population of more than one million was not sufficient, and strongly urged the Administering Authority to spare no efforts so that medical facilities might be evenly distributed throughout the Territory.

The representative of New Zealand noting with satisfaction the emphasis now being given to medical research and the construction of hospitals, considered that more attention should be given to the public health of the Territory; in particular, medical staff and training facilities should be expanded, and greater efforts could perhaps be made in the field of preventive medicine.

The representative of the Union of Soviet Socialist Republics stated that health services were entirely unsatisfactory and that the Administering Authority had failed to take the necessary measures to ensure adequate health services for the indigenous population. The Territory did not have its own medical services. There were only eleven hospitals in the entire Territory; there were none in the northern section. The absence of adequate health facilities for the overwhelming majority of the indigenous population and their wretched conditions of subsistence were conducive to a high rate of morbidity. The expenditure for judiciary, police and prisons constituted 21.6 per cent of the Territory's budget whereas expenditure on health services constituted only 10 per cent. The Council should recommend that the Administering Authority increase

[251] Before adopting this recommendation the Council voted by roll-call upon the following draft recommendation proposed by the representative of the Union of Soviet Socialist Republics: "The Council recommends that the Administering Authority immediately abolish corporal punishment in the Trust Territory." The voting was as follows:

In favour: Iraq, Union of Soviet Socialist Republics.

Against: Australia, Belgium, France, New Zealand, United Kingdom, United States of America.

Abstaining: Argentina, China, Dominican Republic, Thailand.

The proposal was rejected by 6 votes to 2, with 4 abstentions.

The Council then voted by roll-call upon an amendment proposed by the representative of the Union of Soviet Socialist Republics to the draft, proposed by the representative of the United States of America, of the recommendation subsequently adopted: namely, to amend the text to be read as follows: "The Council recommends that measures be taken immediately to bring about the complete abolition of corporal punishment." The voting was as follows:

In favour: Argentina, Dominican Republic, Iraq, Thailand, Union of Soviet Socialist Republics.

Against: Australia, Belgium, France, New Zealand, United Kingdom, United States of America.

Abstaining: China.

The amendment was rejected by 6 votes to 5, with 1 abstention.

The draft recommendation was adopted by 8 votes to 1, with 3 abstentions.

budgetary appropriations for the health services of the indigenous peoples.

The special representative of the Administering Authority drew attention to the very considerable expansion in medical and health services and in the budgetary provision for them which might be taken as evidence of the determination of the Administration to continue with the expansion of these services until they reached the desired standard in all parts of the Territory.

He stated that there was evidence of much more concentrated work by medical field units in the northern parts of the Territory, and of an expansion in the network of dispensaries serving the large Government and mission hospitals which were just beyond the actual boundaries of the Territory. These hospitals had actually done a great deal for the Cameroons people who, in several instances, had numbered more than half of the patients in those hospitals. He called attention to the fact that the northern area would have its first modern, well-equipped and well maintained Government hospital upon completion of the Mubi hospital.

He stated that, at the present stage of development of the Territory, it was a fact that a fairly high percentage of expenditure, not only of the Native Authorities but also to some extent of the Central Government itself, was devoted to administrative and police purposes when compared with the percentages devoted to economic development and social services. He pointed out, however, that it was the Central Government which undertook the more expensive burdens of economic, social and educational development. Out of the small Native Administration budgets 55 per cent of the expenditure was going to administrative and police matters and only 45 per cent to economic development and social services; but on the other hand, out of the Government expenditure, which was at least five times as large, only 35 per cent was devoted to administrative purposes and 65 per cent was going to economic and social services with their already rapidly expanding degree of development.

Standard of living; labour; wage rates

The representative of Thailand considered that the present wage-rates were low, particularly in the northern area, and that the request of the Cameroons National Federation for a basic minimum rate of four shillings per day was not unreasonable. A general revision of wage rates should be undertaken in order to raise the standard of living. He also called the attention of the Administering Authority to the problems of housing and the sanitary conditions in which labourers lived.

The representative of New Zealand noted that the Administration had undertaken the monumental task of raising the living standards of the people with sincerity and energy, but considered that much remained to be done.

The representative of the United States of America, noting that in spite of increased wages granted by the Cameroons Development Corporation, wages and standards of living still appeared relatively low, expressed the hope that it would be possible for all segments of the labour population to benefit by improved conditions as well as for wages generally to be progressively raised, if possible more rapidly than the cost of living. Considering that the Administering Authority would undoubtedly wish to take every possible step to ensure that the wages of other employers kept pace with those of the Corporation, he suggested that one means of achieving this would be to expand the services of the Labour Department so that they might effectively reach every section of the expanding labour-employing and wage-earning elements of the population.

The representative of China, recalling the Council's recommendation that cost-of-living studies be made, noted that thus far no complete studies had been made and considered that they were of such an important nature that an effort should be made by the Administering Authority to pursue them.

The representative of the Union of Soviet Socialist Republics stated that there were 17,500 permanent workers employed in the Cameroons Development Corporation who received wretched wages and who went on strike in 1949 in protest against their poor conditions of employment and the harsh exploitation to which they were subjected. They had demanded an increase in their wages to 2s. 6d. per day but this demand was not granted by the Administration.

The special representative of the Administering Authority stated that the view that the labour force of the Territory, mainly consisting of employees of the Cameroons Development Corporation, carried on a continued, bitter struggle against grievous conditions, would surprise those workers whose conditions had improved greatly in the last two years. Their wages had increased by about 75 per cent, there had been steady and rapid improvement in housing, health services, education and recreational facilities, and through their elected representatives the workers were in regular consultation with the management. It was therefore not surprising that the year 1950 had been remarkably free from any industrial dispute of consequence.

Corporal punishment; deportation

The representative of the United States of America urged that an imaginative and vigorous approach to the problem of corporal punishment be taken, and that effective alternative penalties be developed immediately to bring about the complete abolition of corporal punishment.

The representative of Argentina expressed confidence that satisfactory information would be given by the Administering Authority in the Fourth Committee of the next General Assembly regarding the abolition of corporal punishment.

The representative of the Union of Soviet Socialist Republics stated that the Council should confirm and reiterate its previous recommendations and urgently recommend that the Administering Authority abolish immediately the practice of corporal punishment, as well as all ordinances and other provisions that permitted the imposition of such punishment in the Territory.

The special representative of the Administering Authority explained that it was the declared aim of the Administering Authority to work steadfastly towards the complete abolition of corporal punishment in the Territory, that the position had been re-examined in 1950 and that it would be continuously re-examined in order to make as rapid progress as local circumstances permitted.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

In the field of education, the Cameroons falls within the policy and organization applying to Nigeria as a whole. The stated general objectives of policy are:

(i) To provide a four-year junior primary school course for all children who want it, and a further four-year senior primary school course for those who can benefit from it;

(ii) To give an opportunity for the able child to go on from a primary school to a secondary school, and thence to a training institution, university or other institution for post-secondary studies; and

(iii) To extend literacy among the adult population.

The educational system is under the control of the Director of Education of Nigeria, with central and regional advisory boards. Some local education committees have been established in the Cameroons, designed to give local communities an increased measure of control over education in their areas. It is the policy of the Administering Authority to co-operate with the missions and actively encourage them by substantial financial assistance in the development of education. Most of their schools are now approved in accordance with specific requirements laid down by the Administering Authority, and are aided by Government funds. The amount of financial assistance is calculated by a fixed formula, and the amount of local contribution is assessed according to the stage of development of the area concerned. In 1950 grants-in-aid to missionary societies amounted to £45,897.

In 1950 there were 304 schools in the Territory of which 244 were conducted by missions and sixty by the Government and the Native Authorities, as compared with 276 schools in 1948 and 295 in 1949. Of the 1950 total, 296 were primary schools, two were secondary, and six were teacher-training schools, the increase over 1949 having been in the number of primary schools. Of the 304 schools in the Territory, thirty-three primary schools and one teacher-training school were in the Northern Section. The percentage of enrolled school-age children was about 23.8 per cent (as against 22.2 per cent in 1949 and 19.6 per cent in 1948) in Cameroons and Bamenda Provinces and 1.3 per cent in the northern areas (as against 1 per cent in 1949 and 1948). The Territory-wide average was 11.7 per cent, as compared with 10.7 per cent in 1949 and 9.8 per cent in 1948. The special representative of the Administering Authority informed the Council that school attendance had increased during the two-year period by 20 per cent, from 25,000 to 31,000. The Administering Authority states that the percentage of illiteracy outside the Victoria Division is probably over 90 per cent and is certainly higher among women and elderly persons.

At its fourth and sixth sessions the Council adopted a series of recommendations dealing with certain general and particular aspects of education in the Territory. At its fourth session the Council recommended that the Administering Authority should press forward energetically with its plans for educational development; it emphasized the decisive influence of education in other fields of development, noted that in the Cameroons it was still backward and left almost entirely in the hands of private initiative, and urged the Administering Authority to press forward more vigorously in its efforts, particularly in the north. The General Assembly at its fifth session recommended that particular attention should be devoted to long-range programmes of education development in the Trust Territories, with a view to enabling the inhabitants to take over the responsibilities of complete self-government at the earliest possible date.

The Administering Authority replied that it attached particular importance to the improvement and expansion of educational facilities within the limits of available teaching staff and financial resources, and drew attention to the further progress made during 1949.

The Visiting Mission received petitions asking for expansion in every field and the development of free and compulsory education. It considered that popular demand for education was far outstripping the rate at which facilities could be provided, and concluded that there was need and public demand for increasing educational facilities.

In reply, the Administering Authority stated that the provision of primary education through aided voluntary agencies, although it fell short of the desires of the Administration and enlightened sections of the population, had more than kept pace with the growth of a genuine desire for schooling. Considering the high figures of educational "wastage" in the primary schools of the southern Cameroons, the Administering Authority believed that the demand for education which impressed the Visiting Mission actually represented the wishes of only a minority of the population. However, it intended to press on with a policy of educational expansion and also to stimulate the effective demand for education.

At its sixth session, when it had before it the report of the Visiting Mission and nine petitions complaining about the inadequacy of educational facilities, the Council noted with approval certain developments, including an increase in expenditure, but again noted the general inadequacy of facilities and reiterated its previous recommendation. It recommended that a vigorous effort should be made in the immediate future to overcome the deficiencies, especially in the north where the Administering Authority should, if necessary, participate more directly in educational development. The Council also, while noting with approval the accomplishments of the voluntary agencies with the assistance of Government subsidies, considered that further attention should be given to the desirability of establishing more Government schools, especially in the areas not now served by private institutions.

In drawing attention to educational activities during 1950, as described in the annual report, the Administering Authority mentioned in particular a further increase in expenditure, the opening of the first teacher-training centre in the north, the award of further secondary school and university scholarships, progress with the building of new schools, an increase in primary school enrolment, successful adult literacy classes in the plantations area, and continued popularity of women's domestic science centres. It stated also that one of the

most immediate needs for further progress was to persuade the parents to let their children make full use of the existing facilities. Apart from the reluctance of the hill pagans of the north, enrolment in the primary schools in the south could be almost doubled if existing schools were fully attended.

At its ninth session the Council adopted the following recommendation:

The Council notes with satisfaction that the number of school children has increased by 20 per cent during the period under review, but notes that this figure is small compared with the total number of school-age children, particularly in the northern part of the Territory; notes further that increased emphasis has been given to teacher-training, technical training, and to the building of schools and that expenditure on education has increased by over 70 per cent; recommends in view of the vast needs of the Territory for trained indigenous personnel, that educational facilities be expanded.

Primary education

Vernacular and primary school education is largely provided by the five missionary societies with the aid of financial grants from the Government. In 1950 there were 296 primary schools in the Territory, of which 151 were aided and eighty-seven unaided mission schools, and fifty-eight were Government and Native Administration schools. The great majority of them were located in the Cameroons and Bamenda Provinces of the south, and had a total of 28,333 pupils; in the northern areas there were thirty-three primary schools with 1,818 pupils.

Secondary education

In 1950 there were two secondary schools with a total enrolment of 262 (compared with 237 in 1949), in the southern part of the Territory and none in the North. Both of the schools are managed by missions. Scholarships tenable at secondary schools in the Territory and Nigeria are also available to Cameroons children. (See Council's recommendation on scholarships under *Higher education,* below.)

Higher education

No institutions of higher education exist in the Territory, but suitable candidates from the Cameroons are eligible for scholarships to the University College at Ibadan, Nigeria, and to institutions in the United Kingdom. In 1950 there was one further Government scholarship-holder from the Territory at the University College, as against two in 1949, and six Government and one British Council scholarship-holders in the United Kingdom, compared with five in 1949. Six scholarships were awarded in 1950 from a fund of £4,000 allocated annually by the Cameroons Development Corporation for scholarships to the University College and institutions overseas. Five other Corporation scholars have been at the University College since 1949.

At its fourth session, the Council welcomed existing attempts to encourage higher education in the Cameroons and expressed the hope that they would receive added momentum through an increasing number of Government scholarships abroad. At its fifth session, the Council, having considered a General Assembly resolution on the subject, adopted a resolution in which it recommended that the United Kingdom Government take all possible steps to increase the number of scholarships for Cameroons students, and urged that all possible steps be taken to make available to qualified students from the Trust Territory fellowships, scholarships, and internships established by the United Nations or its specialized agencies. At its sixth session, the Council recommended that the Administering Authority adopt measures to increase the number of scholarships available and to accelerate the appointment of Cameroons men and women to responsible positions in the Government.

The Administering Authority, besides reporting the further scholarships to the United Kingdom and Ibadan University College awarded in 1950 by the Cameroons Development Corporation, the Government, and the British Council, stated also that the Corporation had awarded eighteen secondary school scholarships, in addition to those for the children of its employees, and there were fifty-two holders of Native Administration scholarships at secondary schools in the Territory.

At its ninth session the Council adopted the following recommendation:

The Council, noting with approval the expansion of the scholarship programme for secondary and higher education due in large measure to the successful operation of the Cameroons Development Corporation, recommends that the Administering Authority provide increasing access to secondary and higher education for the growing number of qualified students from the Territory.

School fees

In the Cameroons and Bamenda Provinces, school fees are charged in all except vernacular schools. The rates in the Government junior primary schools are 10s. per annum and in senior primary schools, £1 per annum, and in the Native Authority and mission schools they vary from 4d. to 3s. 6d. per month. Secondary school fees are £10 for tuition and £6 for board per annum in one of the secondary schools, and £6 for each in the other. The Administering Authority states that the various agencies remit fees in necessitous cases, and that many pupils earn their own fees. In the northern areas, elementary education is free.

At its fourth session, the Council urged the Administering Authority to devise ways and means to make education as inexpensive as possible so that eventually primary education would be free and secondary education not dependent on means. In reply, the Administering Authority stated that only very low fees were charged for primary education in the southern part of the Territory. Lack of money was no bar to schooling anywhere in the Territory; it was in the remote northern area, where schooling was free, that it was most difficult to make progress because of the reluctance among parents in allowing children to be taken away from farm work by education.

Expenditure

Estimated public expenditure on education in 1950 amounted to £108,259, of which £26,060 was by Native Authorities and the rest by the Government, as com-

pared with £86,942 in 1949, which showed an increase of more than 70 per cent over that of 1948. No figures are available for the considerable expenditure by missionary societies.

The General Assembly, at its fourth session, expressed the hope that the Administering Authorities would, in preparing their budgets, give special prominence to improving and increasing educational facilities. At its fifth session, the Council adopted a resolution suggesting to the Administering Authorities concerned that in financing the expansion of higher education in Africa, attempts be made to seek the assistance of such private organizations as might be in a position to give financial support. At its sixth session, the Council noted with approval the expansion in financial appropriations for education and recommended that the Administering Authority increase the budgetary allocations for educational requirements and other cultural needs.

In noting the further increase in expenditure, the Administering Authority stated, with regard to other sources of financial support, that the only private organizations which give financial support to the Government and Native Authorities in education are the missionary agencies.

Teachers

The Administering Authority states that in the southern areas, the supply of elementary certificated teachers for junior primary schools is now equal to the demand, but there is a continuing scarcity of higher elementary certificated teachers for senior primary schools. The supply of indigenous teachers in the northern areas is still inadequate. There were in 1949 and 1950 six teacher-training schools with a total of 284 pupils in each year.

At its fourth session, the Council adopted a resolution suggesting to the Administering Authority that existing facilities for the training of indigenous teachers should be improved and expanded. At its sixth session it noted with approval an increase in the number of trainees.

The Administering Authority stated that the first teachers' training centre in the north of the Territory was opened at Mubi in 1950 and should ease the situation. In addition, a teachers' training centre for rural science teachers was expected to open at Bambui in January 1952.

At its ninth session the Council adopted the following recommendation:

The Council notes with approval the emphasis given by the Administration to the expansion of teacher-training facilities, and in particular the opening in 1950 of an elementary teacher-training centre in the less advanced northern part of the Territory, and recommends that the programme for training indigenous teachers be extended.

Technical training

The Administering Authority has stated that it considers the most urgent educational need of the Territory to be more technical education. It has undertaken measures for training in craftsmanship and manual skills. A Trade Training Centre at Ombe, near Victoria, is being built at a total cost of £90,000; it will have a staff of ten European instructors and will offer five-year apprenticeship courses for carpenters, bricklayers, electricians, etc. Its eventual estimated output is thirty-five fully trained men a year.

The Visiting Mission in 1949 received requests for the expansion of vocational trade training as a means of qualifying young men for higher and more diversified positions. At its sixth session the Council noted the concern expressed in these petitions and recommended that the Administering Authority expand and develop facilities for technical training. The Administering Authority responded by stating that the Ombe technical training centre was expected to open in mid-1951, and that Cameroonians would also benefit from the technical education facilities in Nigeria, which were being greatly increased.

Adult and community education

The Cameroons Developing Corporation conducts sixty-four literacy classes in thirty-two centres located in the labour camps. Pupils attend twice a week for two-hour lessons and the total peak enrolment in 1950 was 1,012. In the northern areas, the annual report for 1949 states, free classes for adults are taken by headmasters of all elementary schools three times a week. The Administering Authority states that there is a good attendance of adult women at domestic science centres provided by the Government, and by Native Authorities and missions.

There are a few libraries in the Territory belonging to schools, Native Authorities and training centres, and one small library of adult education literature at Tiko.

At its ninth session the Council adopted the following recommendation:

The Council commends the work of the Cameroons Development Corporation in the field of adult education; recommends that every possible additional means of promoting adult education be encouraged, and in this regard, notes with approval the proposal of the Administering Authority to establish a literature bureau for West Africa; and expresses the hope that, by supplying reading material for Africans, this bureau will assist them in retaining or advancing the degree of literacy achieved in school.

Encouragement of indigenous culture

The use of the vernacular languages is encouraged in the schools, subject to the difficulty imposed by their great variety. The Council noted this policy with approval at its sixth session.

The Administering Authority states that art and handicrafts are actively taught in the schools and African games and dances are introduced into physical training classes. The creation of syllabuses for African languages in the senior primary classes is intended to provide an opportunity for teachers to rescue from oblivion the best of the traditional lore of the people. There are as yet no museums in the Territory.

At its fourth session the Council urged that the Administering Authority make an earnest effort further to develop through educational channels the various indigenous cultures of the population. The Administering Authority stated that a Surveyor of Antiquities was concerned with the preservation, fostering and en-

couragement of indigenous art, and the schools recognized their own responsibilities in this respect. It did not consider that intellectual and cultural development on the lines suggested could be seriously attempted on a large scale until the level of basic education among the mass of the people had been raised.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of Thailand considered that the Administration should establish more Government schools in the Territory.

The representative of Belgium considered that the degree of educational advancement in the north was manifestly insufficient, as was the school attendance of only one per cent of school-age children. He noted with particular regret that the few existing schools would permit double the present school attendance, if it were possible to persuade the indigenous inhabitants to send their children to school. Therefore, he questioned the wisdom of the policy by which primary education was the responsibility of the Native Authorities, who had not shown a satisfactory enough interest in education to warrant such a trust.

The representative of New Zealand considered that the Administration had begun with sincerity and energy the monumental task of raising the educational standards of a people having no common language and of whom little more than 10 per cent were literate, but that much remained to be done. He stressed the need for further efforts to train teachers and provide schools for the northern areas, where only 1.3 per cent of the school-age children attended school. He noted that voluntary agencies appeared to be doing excellent work.

The representative of the Union of Soviet Socialist Republics cited the 1949 report of the Administering Authority where it was stated that the percentage of illiteracy in the Victoria Division was 75 per cent and increased to almost 100 per cent in the remoter areas of the north and that for the Territory as a whole illiteracy might be as high as 95 per cent. The Administering Authority's record of thirty years of administration in the Cameroons showed that it had maintained the indigenous population in a state of ignorance.

He stated that the Administering Authority had failed to take the necessary measures to ensure adequate educational service for the indigenous population. In 1950, 11.7 per cent of the children of school age were receiving instruction; in the Benue Province, instruction was received by only 1.3 per cent of children of school age. During the two years under review the number of secondary schools remained unchanged at two. He noted that the character of instruction in the schools was entirely unsatisfactory.

The special representative of the Administering Authority stated that the Administration, like the Council, was constantly aware of the fact that it still had a very great distance to go in the educational advancement of the Territory. Although considerable progress had been made, the Administration's efforts during the next few years must be directed toward bringing the school population up to a very much higher figure than at present. He hoped that the information given had provided sufficient evidence that the Administration was making, and would continue to make, determined efforts to extend educational facilities at all levels. In its efforts to improve the situation, the Administration was certainly supported by that part of the population which impressed the Visiting Mission of 1949 with its anxiety for rapid educational expansion, but he thought it necessary to record the warning that a great deal of apathy remained to be overcome, as evidenced by the fact that the available schools were not yet filled.

He stated that the Administration was satisfied with the policy of promoting primary education very largely through the mission societies, which were already well established and expert in this field.

Primary education

The representative of Thailand noted that the small number of primary schools and pupils in the northern part of the Territory was certainly inadequate for its area and population, and considered that much remained to be done in the provision of educational facilities.

While noting the viewpoint of the Administering Authority that the indigenous inhabitants were reluctant to have their children educated, he called attention to the opinion of the Visiting Mission that there was widespread demand for education. He considered that primary education should be free and compulsory for every child, and that it was the duty of the Administering Authority not only to persuade the parents to accept education for their children, but also to compel them to do so, if necessary.

The special representative of the Administering Authority stated that, in view of the difficulty of raising the school enrolment, he did not consider it realistic or financially possible at the present stage to contemplate the imposition of compulsory primary education anywhere in the Territory.

Secondary and higher education

The representative of China noted the great need of the Territory for technicians and the conspicuous absence of indigenous persons from the senior service, and considered that there was still room for a steady increase in personnel endowed with a good secondary and higher education. Noting with satisfaction the number of scholarships awarded by the Administration and by the Cameroons Development Corporation, he considered that the Administering Authority and the Corporation should redouble their efforts to widen the opportunity for qualified young men and women to receive higher education in order to expedite the supply of much needed personnel.

The representative of the Union of Soviet Socialist Republics stated that institutions of higher education were marked by their absence in the Cameroons.

The special representative of the Administering Authority maintained that it was demonstrated by the reports that the Administration was making determined efforts to extend facilities in the field of secondary and higher education.

School fees

The representative of New Zealand expressed concern that fees were charged for elementary education in the

southern provinces, and suggested that this fact might be connected, in addition to other causes, with the fact that, according to the Administering Authority, primary school enrolment could be doubled if the existing schools were fully attended.

The special representative of the Administering Authority stated that the small fees paid in the schools in the southern part of the Territory, which were the only local contribution made as distinct from the direct taxes paid, did not act as a bar to increased enrolment. In fact, it was in the areas where such fees were charged that enrolment was highest, and in the areas where no fees were charged that enrolment was regrettably at its very lowest. Furthermore, the imposition a few years ago of small fees in Native Administration primary schools, in order to bring them into uniformity with the neighbouring schools, did not have any effect upon attendance at these schools.

Expenditure

The representative of the Union of Soviet Socialist Republics stated that the Council should recommend that the Administering Authority increase budgetary appropriation for educational services in order to establish an adequate system of primary, secondary and higher education in the Cameroons.

The special representative of the Administering Authority suggested that the 70 per cent increase in budgetary allocations for educational services was fair evidence of the energy with which the Administration continued to tackle the problem of educational services, and proposed to handle it in the future. He recalled that the operations of the voluntary agencies which provided primary education were now almost entirely paid for by Government and Native Administration grants.

If universal primary education was to be provided, the cost would be not less than ten or fifteen times the present public expenditure alone, disregarding expenditure incurred by the voluntary agencies, and it was necessary to remember that such a sum would be much more than the present total public expenditure for all purposes. He considered it obvious, therefore, that the desired advance would be unobtainable without a considerable increase in the local contribution, to be forthcoming from the people who would benefit by it.

Chapter V

CAMEROONS UNDER FRENCH ADMINISTRATION

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

The Trust Territory of the Cameroons under French administration covers an area of 432,000 square kilometres a little to the north of the equator, having a 200 kilometre coastline to the west along the Atlantic Ocean, from which the Territory tapers towards Lake Chad. It includes the greater part of the former German protectorate established in 1884 and occupied by France and England in 1916.

The Territory is at a transitional stage, without any real geographical or ethnic unity. From the point of view of relief and climate, however, there are four distinct regions: to the south, a warm and humid area of plateaux and forests; in the centre, the high plateau of Adamaoua, which is relatively dry and cool; to the north, dry and warm savannah-covered plains; and lastly, to the west, cool and misty mountains.

In January 1950, the African population of the Territory totalled 2,997,164 inhabitants, and the European population to 12,021 (in December 1950), of whom 8,988 were French.

The south is inhabited by peoples of Bantu race and language, generally christianized, who engage in hunting, fishing and agriculture. In the north, the population is of Sudanese origin and language, mainly Mohammedan, who carry on cattle-breeding, trade and handicrafts. The population of Adamaoua shows characteristics of both groups; while in the mountains of the south-west the Bamiléké have common features with the races of the south.

Frontiers with the Trust Territory of the Cameroons under British administration

The Visiting Mission which went to the Territory at the end of 1950 received a number of complaints relating to the difficulties caused to the frontier populations by the existence of a customs barrier between the Cameroons under French administration and the Cameroons under British administration. It also received requests for the unification of the two Territories. In its report, however, it expressed the opinion that these problems did not appear to be acute and that the population of the Cameroons under French administration did not as a whole seem to be concerned about them.

In a petition from the Kumzsé, the traditional assembly of the Bamiléké,[252] the request was made for the removal of the customs barrier and for the liberalization of the currency regulations in force between the two Cameroons.[253]

General considerations

At its ninth session the Council adopted the following conclusion:

The Council considers that sustained progress characterized the record of development in the Cameroons under French administration during the years under review and commends the Administering Authority for its conscientious efforts to promote the welfare of the Territory.

Observations of members of the Trusteeship Council representing their individual opinions only

General considerations

The representative of New Zealand felt that the reports of the Administering Authority showed that steady progress was being made in the Territory and commended the Administering Authority as well as the local authorities for that progress.

The representative of the United Kingdom pointed out the high quality of the reports produced by the Administering Authority from which all salient facts affecting all aspects of development in the Territory were readily appreciable.

The representative of the United States of America considered that the record of developments in the Territory during 1949 and 1950 was an encouraging one. In the political field, however, the advancement was somewhat less marked than in the economic field.

The representative of Australia agreed with other representatives that the reports of the Administering Authority for 1949 and 1950 showed an over-all result of sustained progress in all spheres which interest the Council. He specially commended the Administering Authority for the extent to which the ten-year plan of economic and social development was being implemented.

He added that the Administering Authority was taking due account of the various conclusions and recommendations previously expressed by the Trusteeship Council. He believed that the Council should not underestimate the efforts of the Administering Authority in its effort to introduce beneficial reforms in spite of the dead weight of local custom and traditional views.

The representative of the Union of Soviet Socialist Republics stated that it was essential to make the point that the information contained in the reports of the

[252] T/PET.5/92.

[253] Resolution 392 (IX).

Administering Authority for 1949 and 1950 was insufficient and general in character. The reports failed to supply adequate information as to the participation of the indigenous population in the political and economic life of the Territory and in the administration of their country.

He stated that an analysis of the Administering Authority reports, of the report of the Visiting Mission and of the petitions showed that the French Government had failed to abide by the requirements of the Charter with regard to the International Trusteeship System and to take appropriate measures with a view to promoting the political, economic, social and educational advancement of the people of the Trust Territory and its progressive development towards self-government or independence.

The special representative of the Administering Authority stated that if it were true that some questions were not answered in the reports as fully as some members of the Council might desire, one must consider that these reports tried to paint a general picture and to reveal a general outline of French action in the Cameroons. If any additional information was required, questions could be asked of the special representative.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

The years 1949 and 1950 were devoted to perfecting the structural reforms carried out in 1946 and 1947 in the country's political organization. The Administering Authority's essential task was, first, to ensure an increasing participation of the inhabitants of the Cameroons in the management of their own affairs within the scope of the new bodies, and, second, to establish institutions hitherto still lacking or improve those already functioning.

These far-reaching reforms could not be immediately assimilated by the whole population. The report for 1950 pointed out that while collaboration between the Representative Assembly and the Administration was becoming increasingly close and confident, by contrast, in some areas, such as the Northern region, the differences between peoples of diverse origins continued to raise serious problems. On the whole, however, political development was marked by a greater participation of the indigenous inhabitants in the management of their own affairs; this participation was stimulated still further as a result of a vigorous economic activity and growing prosperity.

One of the difficulties pointed out by the Administering Authority arose from the need to familiarize sections of the population which were generally very much attached to their customs with a political organization based on quite different principles, and to proceed with this development with the participation of the populations concerned.

The Visiting Mission which went to the Cameroons in 1949 reported that it had heard many observations on this development. Some speakers regretted that priority had been given to the establishment of bodies at the territorial level—essentially a reference to the Representative Assembly—the operation of which, they said, was undermining the customary institutions. Others, by contrast, considered that too much importance was being attached to these customary institutions, to the detriment of the central bodies. The Mission expressed its conviction that if the process of political transformation begun was continued, it would result in a modern system of government superseding the present system of chiefdoms.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that the Territory has a Representative Assembly which already discusses and decides certain matters, that adult suffrage has been extended and that plans for the development of regional and municipal institutions seem well advanced, recommends the continued extension of adult suffrage among the African population, the revision and extension of the powers and functions of the Representative Assembly and the development of democratic organs of regional government.

Political organization and association with the French Union

The Territory of the Cameroons forms part of the French Union as an "Associated Territory". The integration was effected by the incorporation of the terms of the Trusteeship Agreement in French law by a decree of 27 January 1948. From the point of view of internal constitutional law, the Territory is administered by France according to French law, in conformity with article 4 of the Trusteeship Agreement. Accordingly, relations between France and the Territory are governed by the legislative and executive organs of the Republic and the French Union having their seat in metropolitan France.

The Administering Authority stated in the course of the ninth session of the Council that the Cameroons now elects four deputies, three of them Africans, to the French National Assembly, whose main business is to pass legislation, and three representatives, two of them Africans, to the Council of the Republic. It also elects five representatives, three of them Africans, to the Assembly of the French Union, and two representatives, both Africans, to the Economic Council.

The indigenous inhabitants of the Cameroons have received the status of citizens of the French Union, while retaining freedom to choose between their personal status as "persons under French trusteeship administration" and the status of French citizens which they may acquire by naturalization. As citizens of the Union, they enjoy the rights and fundamental freedoms referred to in the 1946 Constitution, and they participate in political life in the Territory and, at the level of the French Union, in the metropolitan territory. As persons under trusteeship administration, they are not required to perform certain duties, including military service.

Some Cameroons notables submitted to the Visiting Mission certain observations relating to the integration of the Territory in the French Union. Some of them considered special legislation was necessary for the

Territory with regard to such matters as land tenure, immigration, exchange control, external trade and the status of the chiefs. In addition, they were afraid lest the evolution of the country towards self-government or independence might be retarded owing to the fact that the Cameroons was subject to a legislative system shared with other territories where the aims of the development to be accomplished might not be the same. Other notables considered that the representation of the Territory in Parliament enabled the inhabitants of the Cameroons, not only to take part in the proceedings of the assemblies sitting in metropolitan France and in the preparation of the laws applying to their own Territory, but also to obtain experience in the operation of a democratic form of government.

Since these matters raised constitutional problems, the Mission did not comment on them.

At its fourth session, the Trusteeship Council did not take a stand on the question of the integration of the Territory in the French Union, as this question was being studied by a special committee. At its seventh session, the Council adopted the Committee's report, in which it was stated that the Committee had not resumed consideration of the matter.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that association of the Territory with the French Union is not without its benefits, nevertheless considers that the Administering Authority should continue to preserve the separate status of the Territory with a view to its final self-government or independence.

Development of a territorial consciousness

At its fourth session, the Trusteeship Council, being of the opinion that the full development of a sense of territorial unity is essential in the evolution of the Territory as a distinct political unit, notwithstanding the fact that, as pointed out by the Administering Authority, the frontiers are artificial and the population heterogeneous, recommended that the Administering Authority should foster the development of this sense by all possible means, such as the intensification of education, the improvement of communications and the encouragement of common political activities.

The reports for 1949 and 1950 set forth in detail the progress achieved in education and the efforts made to improve the roads and railways, port equipment and the system of air transport. These matters are dealt with below.

The question of participation in common political activities is bound up with the study of political activities themselves, since, as explained in the reports for 1949 and 1950, the main purposes of the task that had been undertaken were to reduce local separatist feelings and promote the development of local customs, first by establishing and unifying regional administrative organs, and second by promoting the participation of the people in elections at the territorial level with a view to representation both in the Territory itself and in the metropolitan territory.

Representative Assembly

The Assembly, established by a decree of 29 October 1946, is responsible for managing the interests of the Territory in collaboration with the *Haut Commissaire*. It deliberates, that is to say, makes decisions, on a number of matters, including all matters relating to State land, and in these matters its decisions are final unless their annulment is requested by the *Haut Commissaire* within a time limit of one month. The Assembly must be consulted on other matters, including the organization of public services and the regulation of activities supported by public funds. It discusses and passes the Territory's budget. It may address motions and opinions to the Government on matters concerning the Territory, except political matters.

It is composed of forty members elected by limited direct suffrage, sixteen of them being elected by the college of citizens of French status, and twenty-four by the college of "citizens with personal status" (*citoyens de statut personnel*). It holds two regular sessions a year and may meet in special session. It elects a standing committee which sits between sessions.

At its fourth session, the Trusteeship Council recommended that the powers of the Representative Assembly should be extended, particularly in the field of legislation. In its report for 1949, the Administering Authority pointed out that since the Assembly had been established only in 1947 it was premature to consider a reform before its virtues and defects had been clearly displayed by its first legislative efforts. The Administering Authority added that collaboration between the Assembly and the local government was becoming ever closer and that the local government had contracted the habit of consulting the Assembly on all matters of any importance, even if they were not within its competence as defined in the relevant legislation.

At its sixth session, the Trusteeship Council, noting from the report of the Visiting Mission and from certain petitions a desire among the inhabitants to see the powers of the Assembly extended, reiterated its recommendation. It endorsed the Visiting Mission's conclusions and asked the Administering Authority to be guided by them in the conduct of its policy in the Cameroons.

In its report for 1950, the Administering Authority stated that it was shaping its policy along the lines desired by the Council and that draft legislation had been prepared to extend the Representative Assembly's powers beyond those recognized by the decree of 25 October 1946. In the course of the ninth session of the Council, the Administering Authority stated that the extension of powers would apply, particularly, to the granting of concessions and the alienation of lands. The annual report also stated that it was not impossible that the present organization would soon be adapted to a re-distribution of seats corresponding to the changes which had occurred in the administration of the territorial districts.

At its ninth session the Council adopted the following recommendation:

The Council notes with approval the Administering Authority's stated intention to enhance the powers of the Representative Assembly to a considerable extent and to modify the proportion between the European and indigenous members in favour of the latter, expresses the hope that the draft legislation now under consideration will be adopted to extend the powers of

the Representative Assembly, and further expresses the hope that in the next annual report the Administering Authority will inform the Council of the changes that had been made in the powers and functions of the Representative Assembly.

Administrative organization

The chief of the administration is the *Haut Commissaire*, who is vested with the powers of the Republic and is responsible to the Minister of Overseas France. He directs the administrative services and executes the decisions of the local Assembly. He is assisted by a Secretary-General responsible for preparing administrative matters and by a purely advisory administrative Council composed of six civil servants, two European notables and two African notables.

The Territory is now divided into eighteen (as against fourteen in 1949) *régions* each headed by a *Chef de région* who is an administrative official responsible to the *Haut Commissaire*. Each *région* is divided into *subdivisions*, each administered by an administrative officer (*administrateur*) responsible to the *Chef de région*.

A number of petitions submitted to the Visiting Mission asked for the re-opening of the Nkam *région*, and the Trusteeship Council recommended this suggestion to the attention of the Administering Authority. According to the report for 1950, this *région* was re-constituted as an administrative unit in 1950, with Yabassi as capital of the *région*, much to the people's satisfaction.

The Administering Authority also states that at the population's request and after consultation with the Representative Assembly and the local councils, four other *régions* were formed into administrative units (Bouamba—Ngoko, Diamaré, Margui-Wandala, Logone-Chari) and that, at the request of the parties concerned, other territorial changes are now under consideration, notably the establishment of new administrative centres, some of which have already been opened and placed under the charge of African or European officials as the case may be.

By these measures of decentralization and re-grouping, in conjunction with the creation of a third post to be filled by an administrative affairs inspector, the administration hopes to facilitate and stimulate the political development of the districts concerned.

Administrative services

Two services were added in 1950 to those already existing: the social service, responsible for improving the living conditions of the people, and the statistical service.

The additions to and changes in the territorial administrative structure were one of the causes of the increase in the number of those employed in the administrative services. The staff numbered 6,173 Africans and 1,267 Europeans in 1948, 7,313 Africans and 1,145 Europeans in 1949 and 7,568 Africans and 1,375 Europeans in 1950 (the figures for 1949-1950 do not include personnel employed on the railways, which became a State monopoly in 1949). The percentages of increase in 1950 as compared with 1949 were 44.5 per cent (Europeans) and 30 per cent (Africans) in the judicial services, and 21 per cent (Europeans) and 90 per cent (Africans) in education.

At its fourth session, the Trusteeship Council had recommended that the Administering Authority should intensify its efforts to bring about greater participation of the indigenous population in responsible posts in the administrative and judicial services.

The report for 1950 stated that the posts in the local offices of the treasury and similar services (*agences spéciales*) were held, with about four exceptions, by Africans, and that Africans had become eligible for appointment as inspectors and commissioners of police. It added that the development of education had made it possible to raise the basic level of recruitment for the competitive examinations for permanent posts, and it was hoped that in the years to come Africans leaving secondary schools might be admitted to the higher posts.

The report for 1950 mentioned the increasing number of staff employed under contract in the technical services. Such persons acted as educators of African workers, and their work was supplemented by the establishment of training and vocational guidance centres. The report expressed the hope that it might soon be possible to contemplate drawing on the services of qualified locally recruited African personnel.

The report also drew attention to the passing of the act of 30 June 1950, which established the principle that the remuneration and allowances of staff should in no case be based on differences of race, personal status, origin or place of recruitment. During the ninth session of the Council, the Administering Authority stated that a course in public administration had been organized at Yaoundé for the training of civil servants, mostly Africans, to qualify for higher posts in the administration.

At its ninth session the Council adopted the following recommendation:

The Council notes with interest the increase of African and European administrative personnel, urges the Administering Authority to undertake a more comprehensive training programme to qualify Africans for increasingly responsible positions within the Government service and expresses the hope that the Administering Authority will ensure a gradual replacement of Europeans by indigenous inhabitants, specially in senior posts of responsibility.

Municipal government

The order of 25 June 1941 provided for the organization at Douala and Yaoundé of mixed communes (*communes-mixtes*) administered by the *chef de région*, who assumed the title of *administrateur-maire*. He was assisted by a Municipal Commission of six members (four Europeans and two Africans) appointed by the *Haut Commissaire*. The composition of the Municipal Commission of Douala was changed by the order of 31 August 1949 to enable Africans and Europeans to be represented equally. In the course of the ninth session of the Council, the Administering Authority stated that the procedure followed in the appointment of members of municipal commissions had been changed; several of them were elected or appointed by associations or economic bodies; others were elected by members of the municipality. Furthermore,

the order of 31 August 1950 established five new mixed communes in large population centres. Four of them had the *chef de région* as *administrateur-maire* and the fifth the *chef de subdivision*. These *administrateurs-maires* were assisted by municipal commissions with African majorities.

The Representative Assembly also adopted the principle that the inhabitants of the Commune of Douala should be divided into eight sub-districts according to their race and customs. The Administering Authority stated that, though welcomed by the younger elements, this division was criticized by the traditional chiefs, who feared that it would diminish their influence and enhance that of the younger elements.

In its petition,[254] the Kumzsé, the traditional assembly of the Bamiléké people, requested the establishment of communes under the government of indigenous *maires*.[255]

The Administration is studying ways and means of adapting a municipal system to the institutions of the peoples of the North, where the establishment of communes is considered necessary.

At its ninth session the Council adopted the following recommendation:

The Council commends the Administering Authority for its action in promoting developments in local and municipal government, expresses the hope that they will be widely extended throughout the Territory including the northern section and further expresses the hope that all the members of these municipal commissions will soon be selected through an electoral system and that these commissions will be granted wider powers of deliberation and decision.

Regional administration

Authority in the *régions* is always exercised by the traditional chiefs acting under the supervision of the *chefs de région* and the *chefs de subdivision*. Draft legislation which would grant the chiefs certain guarantees regarded as necessary is now before Parliament. The report for 1949 stated that many customary chiefs had been elected to the Representative Assembly.

A plan for the reorganization of the *Conseils de Notables*, who assist the local administrators in the consideration of financial, economic and social matters, was the subject in 1950 of several discussions and redraftings by the Representative Assembly and the Administration. In the course of the ninth session of the Council, the Administering Authority stated that the planned reform had been applied, in an experimental way, in two regions of the Cameroons. There the *Conseil de Notables* had been replaced by a Regional Council with more extensive powers and an enlarged membership. This reform had not yet received the approval of the Representative Assembly which was indispensable for its application in the Territory as a whole. At its sixth session, the Trusteeship Council urged the Administering Authority to give the fullest consideration to the possibility of vesting the Councils of Notables with power to make decisions on certain matters as well as to give advice.

In its petition,[256] the Kumzsé, the traditional Assembly of the Bamiléké, requested that the Council of Notables should be replaced in their *région* by a regional council elected by universal suffrage.[257]

Experiments in administration on the basis of the village were attempted in 1950 in three *subdivisions*. The village is both an administrative and a cultural centre, directed by a committee presided over by the elected chief and composed of heads of families. The results were reported to be satisfactory.

At its ninth session the Council adopted the following recommendation:

The Council commends the Administering Authority for its plans to replace Councils of Notables with regional councils having more extensive powers and enlarged membership and expresses the hope that the completion of this reform will be reported to the Trusteeship Council on the occasion of the examination of the next annual report.

Suffrage

For elections to the French National Assembly and to the local Representative Assembly, the electorate is divided into two colleges: the first college, enjoying universal suffrage, includes all citizens of French status whatever their origin and elects sixteen members to the Representative Assembly; the second includes, among citizens of local status, certain categories specified by the Act of 5 October 1946 and elects twenty-four members to the Representative Assembly. The Territory has been divided into thirteen electoral constituencies so as to ensure the representation of all ethnic minorities. The numbers of registered electors were increased as follows between 1947 and the beginning of 1951:

February 1947	39,576
February 1948	41,487
February 1949	50,355
February 1950	70,000
February 1951	116,000

In the course of the ninth session of the Council, the Administering Authority stated that the electoral law had been revised and that a new step towards universal suffrage had been taken. In fact, at the last elections which took place in June 1951 the total number of persons registered on the electoral roll had been raised to 503,000 persons and the number of voters to 271,000.

The report for 1950 also mentions a proposal to give the suffrage to all persons liable to payment of a lump sum by way of income tax and all persons exempted from this tax.

At its fourth session, the Trusteeship Council had recommended that universal suffrage should in the first instance be applied to the election, in the more advanced areas, of the proposed new forms of regional councils and municipal commissions.

[254] T/PET.5/92.
[255] Resolution 392 (IX).
[256] T/PET.5/92.
[257] Resolution 392 (IX).

The Administering Authority pointed out, in its report for 1949, that in 1948 it had been contemplated to make the Douala municipal elections a first test of universal suffrage, but the Representative Assembly had rejected the proposal as premature. The difference of opinion persisted in 1949, the supporters of the opposing point of view affirming: (*a*) that in the two communes then existing—Douala and Yaoundé—the tribes of local origin constituted a minority and were in danger of seeing their legitimate interests sacrificed; and (*b*) that there were many people in the large towns who were without regular means of subsistence and who might constitute dangerous material for agitators to work on.

The Kumzsé, the traditional assembly of the Bamiléké people, asked in its petition[258] for the registration of all Bamiléké in the rolls of electors on 1 January of each year.[259]

At its ninth session, the Council adopted the following recommendation:

The Council notes with approval the substantial increase in the number of registered voters, expresses the hope that the Administering Authority will pursue its plans for progressively expanding the electorate with universal suffrage as its objective and recommends that the present dual system be superseded by a single electoral college.

Elections of 1951

In 1951, the voters were asked to elect representatives of the Territory to the French Parliament. The elections followed different political principles from those of 1946 since they were governed by the new electoral law of 23 May 1951. A number of large political parties, placing emphasis on the general interests of the Territory, are tending to replace the numerous groups concerned with local interests which were mentioned in the Visiting Mission's report.

Judicial system

For civil cases, two different procedures may be followed: First, in cases where neither of the parties possesses European status or qualifies for analogous treatment, courts of customary law retain full competence. These comprise tribunals of the first degree and customary tribunals. In 1949, Africans were appointed to preside over some of the principal tribunals of the first degree; other tribunals of the first degree are still presided over by *chefs de subdivision* assisted by two African assessors who are entitled to speak and vote. In the customary tribunals, the number of which was increased in 1949, the President and the assessors are always Africans. In districts where there is a customary tribunal, this tribunal deals with cases which involve property; only the tribunal of the first degree is competent in cases relating to personal status. Appeals against such judgments are brought before a tribunal of the second degree, presided over by the *chef de région* assisted by two African notables. A Court of Appeals established by a decree of 11 April 1951 functions at present at Yaoundé; its decisions are final.

Secondly, courts of French law are the only competent courts in cases where one of the parties possesses European status or qualifies for analogous treatment. They comprise, at first instance, justices with ordinary powers, justices with powers of summary jurisdiction and with extended powers, and the Tribunal of First Instance at Douala. The justice with ordinary powers is an administrative officer *(chef de subdivision)* whereas the other judges are, as a rule, members of the judiciary. Appeals against these judgments come before the Court of Appeals at Yaoundé, the decisions of which may, on appeal by either party, be submitted to the *Cour de Cassation* in Paris.

In criminal cases the French Penal Code is applied to all the inhabitants of the Territory without distinction. The only competent courts are the above-mentioned French tribunals, with the addition of a criminal court and a *Chambre des mises en accusation* attached to the Higher Tribunal of Appeals. The principle of the right to a review by a higher court is respected. In the last instance and according to the nature of the case, the judgments of the courts may be brought before the Tribunal of Appeal, or before the *Cour de Cassation* in Paris.

At its sixth session the Council, noting from the report of the Visiting Mission that it was the desire of the Administering Authority to transfer judicial powers from administrative officers to career magistrates, and noting further from petitions from the Territory that because certain administrative officers were still acting as magistrates there might remain a feeling that the former *indigénat* system had not in practice been abolished, urged the Administering Authority to intensify its efforts to appoint more career magistrates.

A petition from *l'Union des syndicats confédérés du Cameroun*[260] called for the repeal of the decree of 19 November 1949, which allegedly re-established the system of the *indigénat*.

At the ninth session of the Council, the special representative of the Administering Authority stated that indigenous judges constituted more than 60 per cent of all magistrates and would constitute an even greater percentage when scholarship students from the Cameroons had completed their studies in France.[261]

The Administering Authority stated also that the establishment of a new judicial system was proceeding as career magistrates arrived to replace judges who had been appointed temporarily from among the officials. New buildings had made it possible to overcome the material difficulties which had delayed the installation of the magistrates. The system contemplated in the decrees of 27 November 1946 and 22 October 1947 would be put into effect in 1951.

Maintenance of order and public security

The following agencies are responsible for the maintenance of order: (*a*) the national *gendarmerie*, the expenses of which are borne by metropolitan France, and whose theoretical strength is five European officers, ninety-nine European non-commissioned officers and 138 Cameroonian auxiliaries, but whose actual strength amounts to about three-quarters of the theoretical strength; (*b*) the Cameroonian police, consisting of 500

[258] T/PET.5/92.
[259] Resolution 392 (IX).
[260] T/PET.5/89.
[261] Resolution 390 (IX).

men, carefully chosen and trained at a special police training centre for the maintenance of order in the large towns; (c) a Cameroonian guard of 900 men recruited under the same conditions as the police, and officered and trained by members of the national *gendarmerie*. This guard maintains order in rural centres and along the main internal lines of communication.

By a decree of May 1950, all these services came under a Directorate of Security Services. The Administering Authority's reports stated that this service had successfully performed its policing functions. There were no violations of order or public security from 1946 to 1950.

The Visiting Mission received many complaints concerning brutal and abusive treatment of the Africans by certain members of the police; some members of the Representative Assembly also expressed their dissatisfaction with the behaviour of the police corps. The Mission requested the Administering Authority to investigate the situation and to remedy it if any complaints were substantiated.

One of the most recent petitions,[262] received from the *Comité régional de Moungo de l'Union des populations du Cameroun*, contained a complaint against the inhuman oppression of the "militarized police" and forest rangers. At the ninth session of the Council, the special representative of the Administering Authority stated that the petitioners' allegations were unfounded. In a resolution[263] on this petition, the Council reiterated the hope, already expressed in resolution 200 (VI), that the Administering Authority would make every endeavour to ensure correct behaviour on the part of the police and the forest rangers toward the inhabitants and would punish abuses whenever they were discovered.

Registration of births, marriages and deaths

The registration of births, marriages and deaths is reported to be progressing satisfactorily, since the inhabitants are more and more widely realizing its advantages and indigenous officials are becoming increasingly aware of their responsibilities.

Observations of members of the Trusteeship Council representing their individual opinion only

General

The representative of New Zealand pointed out that in the political field progress was shown in the fact that the Territory's representatives participated in legislation, the Territory had its own representative assembly, there were an increasing number of Africans in the administrative services and the judicial system appeared to be steadily improving.

The progress towards adult suffrage appeared to be promising, and plans seemed well advanced for the development of regional and municipal institutions.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to adopt legislative or other measures to ensure the participation of the indigenous population in the legislative and judicial organs of the Government of the Territory, and had not promoted the establishment of local indigenous organs based on democratic principles.

The special representative of the Administering Authority stated that the annual report indicated the numerous steps taken to increase political participation by the indigenous inhabitants at the village level, in the new municipalities, in regional councils and in the Representative Assembly.

Political organization and association with the French Union

The representative of China stated that while association of the Territory with the French Union was not without its benefits, it was essential to preserve its separate status so as to give it the kind of development which is called for by the Charter.

The representative of the Union of Soviet Socialist Republics stated that it was essential to note that the inclusion of the Trust Territory in the so-called French Union is incompatible with the Charter of the United Nations; in particular, the solution of political questions had been removed from the competence of Cameroonians organs and transferred into the organs of the French Union. The Trusteeship Council should recommend that the Administering Authority establish in the Trust Territory legislative and administrative organs not subordinate to any organs formed on the basis of a union between the Trust Territory and the French colonies, and that for this purpose legislative and other measures be taken to ensure the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

Representative Assembly

The representative of the United Kingdom observed that it had been disappointing to the Trusteeship Council that it had proved impossible for the French Parliament to deal conclusively with the proposal regarding the modification of the existing powers and duties of the Representative Assembly. He observed that at the present stage of development it was legitimate to note that the legislative authority retained by the French Parliament over the French Cameroons limited substantially the field in which the Representative Assembly had power of decision. The representative of France had demonstrated, however, that although the main lines of policy were determined by metropolitan legislation, there was virtually no feature of the practical day-to-day direct administration of the Territory on which the advice of the Representative Assembly need not be sought. He hoped that in the next annual report changes which had been agreed in the powers and functions of the Representative Assembly would be reported.

The representative of the United States of America expressed the hope that the draft legislation to extend the Representative Assembly's powers would be adopted and implemented in the near future and would provide for substantial legislative powers.

The representative of China stated that the Representative Assembly was the nucleus of an independent legislative body and its steady development a constant concern of the Council. He noted that at the fourth and

[262] T/PET.5/86.
[263] Resolution 387 (IX).

sixth sessions the Council had recommended progressive extension of the Assembly's powers. While noting with approval the measures taken by the Administering Authority, he hoped the Assembly might soon be transformed into a real legislative body elected by a single college, gradually approaching universal suffrage. He felt that the proportion of twenty-four indigenous to sixteen European members in the Assembly should be rendered more comparable to the respective numbers of the Territory's inhabitants.

The representative of the Union of Soviet Socialist Republics stated that the so-called Representative Assembly had no real rights under the constitution; and was merely an advisory organ of the High Commissioner. According to the report of the Visiting Mission (page 49), "the Representative Assembly's present competence is still essentially limited . . . and it is still statutorily deprived of legislative powers." Election to and composition of the Assembly were indicative of flagrant racial discrimination.

Administrative services

The representative of the Union of Soviet Socialist Republics stated that the indigenous population of the Trust Territory was kept from real participation in the administration of the affairs of the Territory. All the more or less important posts in the Administration were monopolized by Europeans; full authority was concentrated in the hands of the French High Commissioner and French officials subordinate to him; according to page 53 of the 1950 report the number of indigenous inhabitants who held even secondary posts in the general administration was being cut down.

Municipal government

The representative of the United Kingdom stated that he attached a great deal of importance to the steps which had been and were being taken for the development of local government through a decentralization of administration, in the north as well as in the south of the Territory. He felt that the Trusteeship Council might well commend the Administering Authority for its action in this field.

The representative of the United States of America regarded as the most interesting and promising the experiment of introducing in the N'Tem region the system of village bureaux. These bureaux, he added, opened the way for the development of more representative units of local government and he urged that they should be extended to other regions. He noted the extension of the system of mixed communes to five urban centres in addition to Douala and Yaoundé and that these new municipalities had African majorities. He hoped that the present system of appointing members of the commission would be changed, by the introduction in its place of some kind of electoral system.

Regional administration

The representative of the United States of America noted with interest the plan for the reorganization of the Councils of Notables and their replacement by regional councils with more extensive powers and enlarged membership. He hoped that in 1951 a final decision on this matter and its implementation would take place. He thought worthy of commendation the steps taken by the Administering Authority in creating four new administrative regions during the period under review as well as the re-opening of the N'Kam region in conformity with the Trusteeship Council recommendation based on petitions submitted to the Visiting Mission.

The representative of China noted that difficulties had been encountered in the conversion of Councils of Notables into regional councils. However he hoped this desirable reform would come to pass once the parties concerned were convinced of its usefulness. He expressed interest in, and attached great importance to, the establishment of village bureaux. He was sure this experiment would eventually meet with success, and therefore hoped that information about its possible extension to the Edéa region and the Yaoundé area, as well as additional data on the whole subject, would be included in future annual reports.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was carrying out a policy of encouraging the backward tribal system; it had taken no measures to set up local democratic organs of self-government in which the indigenous population could participate. In view of the fact that the tribal system which existed in the Trust Territory and which was encouraged by the Administering Authority was incompatible with the progressive political development of the population towards self-government and independence, the Council should recommend that the Administering Authority take measures to ensure the transition from the tribal system to a system of self-government based on democratic principles.

Suffrage

The representative of the United Kingdom noted that substantial progress was indicated by the increased number of the electorate, which had now risen to over half a million people.

The representative of the Union of Soviet Socialist Republics stated that the overwhelming majority of the indigenous population was deprived of all political rights. Out of 813,963 adult African males in the Cameroons in 1950, only 70,881 enjoyed the right to vote. The number of indigenous women who participated in the elections to the Representative Assembly was infinitesimal. The first college, representing 10,252 Frenchmen, had in the Assembly one member for every 640 voters; the second college had one representative per 125,000 indigenous inhabitants. The right of vote was enjoyed only by about 4 per cent of the indigenous population.

The special representative of the Administering Authority recalled that in four years the number of electors had increased from 12,000 to 116,000 persons and the recent electoral reform brought the number to 503,000. It was, therefore, not correct to say that only 4 per cent of the indigenous population enjoyed the right to vote.

Judicial system

The representative of the Union of Soviet Socialist Republics stated that judicial authority was wholly concentrated in the hands of Europeans; the European colonial officials, in addition to discharging their ad-

ministrative functions, continued to hold the posts of judges.

The special representative of the Administering Authority stated that judicial authority was not exclusively European. Two-thirds of the magistrates practising in the Cameroons were indigenous inhabitants.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

The Territory of the Cameroons is essentially an agricultural country. The mining industry is still at the exploratory stage and, until the last few years, industrial activities were carried on in the form of crafts rather than by industrial undertakings properly so called.

With the incentive of a whole series of favourable circumstances—high world prices, the return of sufficient shipping, the still growing demands of the world market, the inflow of capital and the initiation of large-scale projects—production and exports have been expanding steadily since 1945. The highest pre-war levels were reached by 1947 and have been exceeded since 1948. Nevertheless, the expected stabilization took place in 1950.

The Visiting Mission gained an impression of vigorous economic activity in the Cameroons; this development, however, raised many important problems, especially those of financing, transport and the balance between European and African populations.

At its ninth session, the Council adopted the following recommendation:

The Council commends the Administering Authority for the vigorous economic activity in the Territory and recommends that it should continue to give the necessary assistance and encouragement to the indigenous inhabitants to enable them to play a more significant part in the economic development of the Territory, taking advantage when possible of the technical assistance available through the United Nations and its specialized agencies.

Agriculture

The majority of the indigenous population derive their means of subsistence from agriculture. Each family in its traditional setting cultivates food crops and subsidiary crops for export; the sale of the latter, together with that of the food products which are not consumed, constitutes the main source of income. There is important European participation in certain branches of agriculture, such as banana, coffee and tobacco growing.

While the cultivation of industrial crops is not yet highly mechanized, some plantations are managed according to modern techniques by European and indigenous planters. With regard to food crops, the Administration has begun to study the possibility of mechanizing land-clearing and planting operations for the purpose of growing groundnuts and rice; the initial results are satisfactory. One of the main tasks of the technical and administrative services in 1949 and 1950 was to extend the cultivation of food crops of which only a small volume, in relation to the amounts produced, was marketed in spite of high prices created by the heavy demand. The serious problems of the food supply of urban centres and work sites, which depend on collection and transport of food products from the areas with surpluses, were practically solved in 1950 through the extended cultivation of food crops. The areas under agricultural food crops increased from 9,455 square kilometres in 1947 to 11,747 square kilometres in 1948.

The Agricultural Service is also intensifying its efforts to extend and improve cinchona plantations, and is carrying on theoretical and experimental work in connexion with the production of cocoa, millet, etc.; in co-operation with other African bodies, it is also organizing the protection of crops, especially against locusts.

A Soil Bureau was set up by the order of 22 November 1949. The principal aim of the Soil Bureau is to study ways and means for the prevention of soil impoverishment and of erosion, especially in the Bamiléké region. This Bureau, which is attached to the Higher Council of Overseas Scientific Research, follows the directions indicated by the International Commission for Soil Protection.

The Visiting Mission heard Africans complain that the Administration did not assist them sufficiently. Others also complained of the administrative restrictions on coffee growing, particularly in the Bamiléké region. Some of the petitions examined by the Council at its ninth session related to this problem. The *Comité directeur de Kumzsé,* the traditional assembly of the Bamiléké people,[264] stated that cultivation is not yet free in the Cameroons, particularly in the Moungo region, and the congress of the same organization[265] called for the promulgation in the *Journal officiel du Cameroun* of the order abolishing restrictions on profitable crops (i.e. of coffee) in the Bamiléké region.

At the ninth session of the Council the special representative of the Administering Authority stated that non-edible crops illegally planted in the forest reserves were pulled up by the forest guards only to safeguard the country's forest resources, in accordance with the regulations in force.[266]

Stock-breeding and fisheries

Cattle-raising is concentrated in two areas, the Adamaoua plateau and the North Cameroons, each of which has some 600,000 head of cattle. Pig farming is carried on in the South Cameroons, and sheep and goats are raised throughout the Territory.

The Administering Authority states that, owing to the improvement of the standard of living and the increase of the European population, stocks of livestock increase the numbers of livestock in regions where pasture land is sufficient in area and to improve the quality by selection and cross-breeding when the limits of the available pasture land are reached. The struggle against local enzootic and epizootic diseases is being continued: rinderpest and symptomatic and bacterial anthrax are obviously declining in incidence.

[264] T/PET.5/90; resolution 391 (IX).
[265] T/PET.5/92; resolution 392 (IX).
[266] Resolutions 391 (IX) and 392 (IX).

One of the main problems of the Stock-Raising Department is the meat supply of population centres. Various experiments have been made with dried, smoked or sterilized meat. Bids for the construction of refrigerated abattoirs at Yaoundé and Douala were accepted in 1949, and the construction of an abattoir at Maroun was planned for 1950.

With a view to providing the inhabitants with a diet containing sufficient protein, the Administration has tried since 1948 to organize a small fishing industry. Bassa fishermen delivered 800 kg. of fresh fish daily to the Douala market. The *Coopérative du Littoral* delivered approximately fifty tons of dried fish a month to the African co-operatives at Yaoundé. An experiment in industrial fishing in the Wouri estuary (trawler with refrigerated hold) supplied Douala with two tons of fish a day. Another experiment in industrial fishing with three trawlers and a canning plant is being planned.

Land tenure

Under the system of land tenure, land is divided into three main categories: (*a*) public or "private" domain of the Territory, including in particular, vacant and ownerless land; only land scheduled as "private" domain may be transferred by sale or concession; (*b*) land held by indigenous communities or individuals purely under the rules of local custom; (*c*) land in respect of which proceedings for the recognition of property rights have been taken, either by virtue of "customary possession", or by virtue of "registration" which confers the widest rights recognized by law.

For the purpose of the grant of concessions in respect of domanial land, the Representative Assembly must be consulted and tenders are invited for the concession.

By the end of 1950, the total area of the land granted in concession by the Administration, both provisionally and finally, amounted to 711 hectares in 2,414 urban concessions, and to 102,355 hectares in 876 rural concessions; seventy-eight hectares, comprising 1,482 urban lots, and 2,690 hectares, covered by ninety-nine rural concessions, were granted to indigenous inhabitants.

The granting of rural concessions, which had been suspended since 1937, was re-established by an order of 7 April 1949.

Pursuant to the request made by the Assembly of the French Union at its meeting of 22 July 1949, the Administration of the Territory convened fourteen regional commissions of African notables and landowners in order to study the reform of the land tenure system with a view to reaching a compromise between customary and modern law. The work of these commissions is centralized by the Land and Domanial Commission of the Representative Assembly and is reported to the Ministry of Overseas France. The Assembly of the French Union had requested the French Government "to study draft legislation to define the juridical status of individual, communal and territorial real property, taking local customs, traditions and religions into account".

The area of land held by non-indigenous inhabitants in 1947 amounted to 400 hectares of urban land and 70,000 hectares of rural land (25,000 held under provisional title and 45,000 under final title). The area of land owned in 1949 by Africans, as recorded in the land register after registration of the title deeds, amounted to 233 hectares of urban land and 3,066 hectares of rural land. Actually, the vast majority of the indigenous inhabitants hold collectively, and individually to an increasing extent, land which they occupy in accordance with the rules of custom but in respect of which they do not apply for regular title deeds.

The report for 1950 explains that the local Government has associated itself with the conclusions of the Commission studying this question, in which the broadest powers of decision are requested for the Representative Assembly and the local authorities, so that sufficiently flexible regulations, in keeping with varying conditions and regional needs, may be introduced.

The attention of the Visiting Mission was drawn to the following subjects: the difficulty of recognizing the Africans' land rights, the increasing amount of land transferred or granted in concession to Europeans and protests against the idea of "vacant and ownerless land" on the grounds that the concept of "ownerless land" has no equivalent in customary law.

The Trusteeship Council, at its sixth session, requested the Administering Authority to recruit a sufficient number of surveyors in order to accelerate the procedures open to indigenous inhabitants for recognition of their land rights.

In its report for 1949, the Administering Authority stated that the necessary arrangements had been made to speed up as much as possible the formalities of recognizing the land rights of Africans; cadestral surveys were being prepared of various regions on a priority basis according to the number of applications for recognition; more surveyors had been recruited so that the surveys could be carried out in the shortest possible time.

The Trusteeship Council at its sixth session also requested the Administering Authority to give preference, as a matter of principle, to settlement projects undertaken by indigenous inhabitants themselves.

A petition from the *Union des Syndicats confédérés du Cameroun*[267] called for respect of the paramount interests of the Native population in matters of land tenure.[268]

At its sixth session the Trusteeship Council also requested the Administering Authority to define in a more precise manner the conception of "vacant and ownerless lands" *(terres vacantes et sans maître)* and to take account, in the new legislation which it proposed to enact, of the traditional rights of all kinds which the indigenous communities might exercise over the lands on the one hand, and of the future economic requirements of the Territory on the other hand.

A petition from the Cantonal Committee of Ekounou of the *Union des populations du Cameroun*[269] urged the prompt revision of the system of land tenure in the Territory and, in particular, the abolition of the *"Terres vacantes et sans maître"* formula. At the ninth session of the Council, the special representative of the Administering Authority stated that the petitioners had

[267] T/PET.5/89.
[268] Resolution 390 (IX).
[269] T/PET.5/83.

no specific grounds for their allegations, but made them as part of the policy of systematic opposition on the part of the *Union des Populations du Cameroun* towards the French administration.[270]

The "Kumzsé", traditional assembly of the Bamiléké people[271] called in its petition for the recognition of the real property rights of the Bamiléké who live in Moungo region. At the ninth session the special representative of the Administering Authority stated that the matter was covered by administrative regulations and required no special reply. In a resolution[272] on this petition, the Council drew the attention of the petitioners to the fact that it had established a Committee on the Rural Economic Development of the Trust Territories to study land problems.

At its ninth session, the Council also considered a petition from the *Comité régional du Bamoun* of the *Union des Populations du Cameroun*[273] which charged Njimulu, the Supreme Chief of Mfeute, with resorting to "practices which are contrary to personal liberty" and supported their charges by citing seven cases in which Njimulu allegedly robbed various persons of their belongings. They asked for an impartial inquiry as they claimed that complaints against supreme chiefs were not examined by the Administration.

The special representative of the Administering Authority explained that the petition had arisen from a reorganization of the *chefferies* in 1939 which had resulted in a redistribution of certain lands. The customary courts, influenced no doubt by pressure from certain chiefs, had not yet handed down a decision. He suggested the lodging of an appeal with the Tribunal of the Second Degree.

In a resolution[274] on this petition, the Council recommended that the Administering Authority take the necessary steps to inform the petitioners of the procedure to be followed in order to hasten the settlement of the matters raised in their petition.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that the Assembly of the French Union had requested the French Government to make a study of draft legislation to define the juridical status of individual, communal and territorial real property, taking into account local customs, traditions and religions, expresses the hope that the Administering Authority will be able to find a solution to this far-reaching problem, a solution which may have the full agreement of the inhabitants and recommends that care should be taken in granting concessions to non-indigenous inhabitants so as to safeguard adequately the interest of the African population.

Forests

The forest zones of the Cameroons cover approximately 15,870,000 hectares of dense equatorial forest, 12 million hectares of wooded savannah of the Sudanese and Guinea type and 60,000 hectares of mangroves. It is estimated at present that 2,300,000 hectares of the forest area is economically exploitable. The licences in force cover an area of approximately 2,243,000 hectares for timber and 13,200 hectares for firewood.

Exports of sawn timber have declined considerably since 1947, whereas its use for local needs is increasing steadily (22,500 cubic metres in 1948, 35,000 cubic metres in 1949, 45,000 cubic metres in 1950). The internal trade in firewood amounted to 200,000 cords in 1950, approximately 96 per cent of the firewood being felled by the users themselves. Total exports of miscellaneous timber were 62,582 tons in 1948, 53,856 tons in 1949 and 67,250 tons in 1950.

In order to protect the Territory's forests, which are threatened by the indigenous practice of raising crops in forest clearings, the Forestry Service conducted some experiments in 1949 in silvicultural collaboration between the African farmers and the Administration; according to the report for 1949, it seems possible to teach farmers to respect the more precious varieties of wood of all ages when they are clearing their fields. The scheduling of forests, which was suspended temporarily, will be resumed when the Parliament settles the question of the ownership of forests and when the respective rights of the Territory, communities and individuals are defined.

According to the report for 1950, the Representative Assembly has, since 1949, resisted any extension of the permanent forest area, although the present area is only one million hectares, or 2.5 per cent of the area of the Territory, whereas the forest area which is regarded as essential for the conservation of the subsoil and the climate of any tropical country is 33 per cent.

The Visiting Mission heard complaints concerning the enormous size of the cutting concessions granted to Europeans. It also observed the vigorous opposition of the Africans to the Administration's programme of scheduling forests. The Administration is considering granting ownership of the secondary forests to the communities and reserving ownership of the primary forests, where there is no trace of contemporary human occupation, to the Territory. The Africans, however, vehemently maintain their property rights over all forests.

At its sixth session, the Trusteeship Council requested the Administering Authority to be guided, in the matter of the grant of forest concessions, by consideration of the economic benefits accruing to the Territory, without neglecting the traditional communal rights of the indigenous inhabitants.

A petition from the *Comité du Village d'Akomnyada* of the *Union des Populations du Cameroun* protested against the scheduling of the community's forest.[275] At the ninth session, the special representative of the Administering Authority stated that the forest reserve at Akomnyada had been classified according to regular procedure and this had not been objected to; that the present regulations respected the acquired rights of the inhabitants; that fines amounting to 21,600 francs, and not 2 millions as alleged, had been imposed to convince the inhabitants that violations must cease; and that the forests at Akomnyada had been classified in conformity with the principles of protection of the

[270] Resolution 385 (IX).
[271] T/PET.5/92.
[272] Resolution 392 (IX).
[273] T/PET.5/95.
[274] Resolution 395 (IX).
[275] T/PET.5/85.

resources of the Territory approved by the Council at its sixth session.

In a resolution[276] on this petition, the Council expressed the hope that the Administering Authority would endeavour to conciliate the necessity of forest reserve legislation with the wish of the indigenous inhabitants to have left at their disposal as much arable land as possible.

At its ninth session the Council adopted the following recommendation:

The Council, considering that the maintenance of adequate forest cover is an essential feature of any effective soil conservation programme and noting that the local population and their representatives in the Assembly have not yet understood the vital importance of maintaining forest cover for the future of the Territory, recommends that the Administering Authority take effective steps to solve this complicated problem with the support of the indigenous inhabitants.

Mines

The exploitation of mineral deposits is at present limited to gold, tin and alluvial titanium. The 1950 output was: titanium, 22.6 tons, tin 95 tons, gold 238 kgs.

The Bureau of Mines of Overseas France, set up by decree of 26 January 1948, is responsible for preparing an inventory of the Territory's mineral reserves, for encouraging the exploitation of its resources and for procuring the necessary equipment.

The total area covered by operating licences and concessions is declining: it amounted to 7,300 square kilometres in 1950 as against 9,600 in 1949 and 11,500 in 1948.

At its fourth session, the Council expressed the hope that the progressive expansion of the activities of the Bureau of Mines would have the effect of greatly increasing the share of the indigenous inhabitants in the mineral wealth of the Territory.

The Visiting Mission observed that hardly anything had been done in the field of mining, and noted that while the Territory certainly had possibilities, these had not yet been fully surveyed.

Industry

According to the annual reports, industrialization was actively continued in 1949 and 1950, particularly in the Douala-Edéa area. Development plans were being prepared for the area by the public services in order to prevent the indiscriminate establishment of processing factories. An industrial estate was set up at Bassa in the suburbs of Douala; it is connected with the railway and comprises twenty sites, distributed among manufacturers and public works undertakings.

In the case of agriculture, most of the European coffee growers have their own processing plants while several are owned by co-operatives of African coffee growers. Plantation rubber is produced exclusively by European undertakings, only one of which has a modern plant. In 1949 two European plants improved their equipment for the extraction of palm oil. A pilot plant at Dibombari, given to the Cameroons by the metropolitan Government for the processing of palm oil, began operations in 1950, and will process 2,000 tons of oil in 1951; other pilot plants will be established in Sanaga Maritime. The plants are owned by the Territory and managed by a company in which 50 per cent of the shares will be reserved for African subscribers. The funds set aside for reserves will be used for the construction of new plants and the improvement of plantations. It is planned to establish four plants for the processing of rice.

A number of soap works have been equipped to manufacture soap of high quality for export, in addition to ordinary soap for the domestic market.

In the north, the output of the Pitoa oil works is now 400,000 litres of oil and 50 tons of oil cake annually; the Berboua works in the South produces 200,000 litres of oil.

The installation of the Bafia spinning mill has been completed. According to the annual reports, brick and tile works, quarries, lime and cement works, saw mills, woodworking shops, a glass works and an oxygen and acetylene plant are assuming considerable importance with the expansion of building activity. In November 1950, a spinning and weaving mill at Douala was placed in operation and will have an output of 4 to 5 million square metres of cloth a year, or 10 million square metres if double shifts are worked.

The Douala brewery came into operation in 1950 and has an output of 40,000 hectolitres annually. Plans are being studied for the organization of a refrigeration system, intended particularly for the transportation of meat between the north and south, using cold storage chambers and wagons. In 1950 a *saladero* making use of South American processes was set up at Maroua. Two large saw mills have been set up with American equipment and can produce 100,000 square metres of sawn timber. In 1950, the output of quinine rose to over three tons, as against 80 kgs. in 1946.

Work on the Edéa hydro-electric plant was begun early in 1949 and it is expected that the first set of generators will be placed in service in 1953. The electrification of the towns of Douala, Yaoundé, Maroua and N'Kongsamba is 50 per cent completed, so far as industrial premises as a whole are concerned. At Yaoundé, street lighting has been in operation since the end of 1949.

At its fourth session, the Trusteeship Council, noting that with a marked flow of capital towards the Territory the development of new industries was being encouraged, recommended that the Administering Authority should do everything in its power, by making grants and loans or other forms of assistance available, to encourage and enable indigenous inhabitants to take a full part in industrial development.

The Administering Authority's Report for 1949 announced the establishment of a new banking institution in May 1949, the *Crédit du Cameroun*, a State company with a capital of 40 million francs subscribed by the Territory. This institution, the objects of which are essentially social, provides loans for co-operatives, handicraft enterprises and small and medium agricultural undertakings.

At its ninth session the Council adopted the following recommendation:

[276] Resolution 386 (IX).

The Council commends the Administering Authority for its policy of associating the indigenous inhabitants in the Territory's industrial development by reserving for them 50 per cent of the shares in palm oil processing plants, and expresses the hope that this policy will be increasingly pursued in the future and associated with intensified training of the indigenous inhabitants in technical skills and industrial management.

Transport and communication

One of the fundamental problems in the Territory's development is the expansion of means of communication. The Territory now possesses 8,800 kilometres of roads including all weather tracks, as against 340 kilometres in 1918, and 1,800 kilometres of tracks passable in the dry season only; it has over 504 kilometres of railway tracks as against 344 kilometres in 1918. Most of the roads, however, were constructed before the war and are suitable only for light traffic. The expansion of production and imports of heavy vehicles (the maximum load of lorries was 3.5 tons in 1938 and is now 15 tons) have resulted in the intensification of road traffic. The number of vehicles registered rose from 338 in 1938 to 2,496 in 1949, the latter figure including 1,500 lorries.

As a result the system, as the annual report for 1949 explains, has been thrown completely out of balance and the roadbeds are no longer able to carry the heavy traffic on the main highways. The FIDES road equipment plan contemplates expenditure in excess of 6,000 million francs CFA for road works and includes a number of major schemes, such as the 1,700 metre bridge over the Wouri connecting Bonaberi and Douala to be completed in 1953 at a cost of 500 million francs.

The first instalment of the road construction programme covers all the works most urgently required—the modernization of the main inter-territorial highways and, in particular of sections of highway, and the construction of new roads of general value—involving a total of 1,520 kilometres. The works are being carried out by means of modern mechanical equipment.

The tonnage of freight carried by rail has risen steadily from 251,000 tons in 1947 to 287,000 tons in 1948, 334,000 tons in 1949, and 398,000 tons in 1950. The railways administration, which became an independent State agency in 1949, has placed in hand numerous works for the improvement and expansion of the system, including the re-laying of rails and sleepers on the northern line, where the old track was unsuitable for heavy trains.

The traffic handled by the port of Douala rose from 160,000 tons in 1946 to 340,000 tons in 1948, 400,000 tons in 1949 and 500,000 tons in 1950. Works for the expansion of the port, designed to enable it to handle an annual traffic of one million tons, are in progress.

The Visiting Mission gained the impression that a great effort was being made in the field of transport and that in this respect the Territory's future prospects were good.

At its sixth session, the Trusteeship Council commended the Administering Authority for its zeal in improving the road system and expressed the hope that further improvements would be made.

At its ninth session the Council adopted the following recommendation:

The Council commends the Administering Authority for its active efforts devoted to road construction and expresses the hope that the programme for such construction may be expanded and accelerated.

Commerce and trade

The following comparative figures are indicative of the expansion of trade in the Cameroons:

	Imports		*Exports*		*Total*	
Years	*Thousands of tons*	*Millions of francs*	*Thousands of tons*	*Millions of francs*	*Thousands of tons*	*Millions of francs*
1947....	86	2,349	173	2,712	259	5,061
1948....	148	4,995	181	4,121	329	9,117
1949....	210	8,776	212	6,741	422	15,517
1950....	226	10,537	224	8,169	450	18,706

The difference between import and export values is compensated for the most part by credits which the metropolitan government grants to the Territory under the ten-year plan.

The original basis of commercial life in the Cameroons was for many years the trading station, with headquarters at Douala and branches in the bush centres. In North Cameroons this is still generally the case. In the South, numerous small businesses have been established on the initiative of Europeans, Lebanese or Africans; there were approximately 8,500 such undertakings in 1946.

The strict controls imposed during the war on exchange transactions, movement and the sale of imported products are being dropped; the report for 1950 stated that almost all measures of control have been abolished, only very flexible controls over a number of essential products being retained.

The *Comité du Moungo of the Kumzsé,* the traditional assembly of the Bamiléké people, complains in its petition[277] that freedom of trade did not yet exist in the Cameroons while the *Comité Central* of the *Kumzse* called for the establishment of markets at Dschang, Bagoussam and Baugangte.[278] At the ninth session, the special representative of the Administering Authority stated that refusals of licences and patents referred to by the petitioners were justified on economic and social grounds and were in no way an obstacle to freedom of trade while others related to economic measures already taken by the Administration.[279]

Provident societies and co-operatives

The provident societies (*Sociétés de prévoyance*) are State agricultural co-operatives, membership in which is compulsory for farmers and stock-farmers of indigenous status in each administrative district. They are directed by the *chef de région* or the *chef de subdivision* with the assistance of a board of directors. The provident societies as a whole are supervised by a central supervisory committee and have a joint fund which is intended to assist the operations of the individual societies by means of loans, purchases, experiments, etc.

The co-operatives are operated on the same lines as French co-operatives and are governed by French

[277] T/PET.5/90.
[278] T/PET.5/92.
[279] Resolutions 391 and 392 (IX).

company law. The Administering Authority reports that membership is completely voluntary.

According to the annual reports, the return of free competition caused a crisis in the development of co-operatives and a process of weeding out has begun. Some fairly large loans granted by the Territory and due for repayment in 1949 were not repaid; and the Representative Assembly advised against direct intervention by the Administration. It seems likely, however, that a certain number of agricultural production, processing and consumers' co-operatives will expand greatly in the future.

A bureau for the supervision of co-operatives and provident societies was set up in 1949; it is responsible for studying their problems and for providing assistance and supervision; it carries out inspections and, on the request of the parties concerned, conducts financial investigations and audits. The *Crédit du Cameroun* will henceforth be responsible for furnishing the financial assistance hitherto provided by the Territory.

Very few co-operatives and provident societies have joined the *Crédit mutuel agricole*, membership of which is open to collective organizations. Some of the new shares were subscribed by members of the indigenous population; this was an innovation.

In 1949, the provident societies received financial assistance from the Territory through the joint fund, in the form of loans of approximately 28 million francs, and were thus enabled to get under way.

The Visiting Mission received numerous complaints regarding the "undemocratic" character of the provident societies, in which, it was stated, members frequently did not know what was going on and were not properly consulted. The Mission believed that the progress of the co-operative movement would be an important factor in the development of the country.

At its sixth session, the Trusteeship Council commended the Administering Authority for the establishment of producing, processing, marketing and consumer co-operatives among the indigenous inhabitants as a means of bringing about their more effective participation in the economy of the Territory, and expressed the hope that the Administering Authority would foster as rapidly as possible the participation of the inhabitants in positions of increasing responsibility in those organizations.

According to the annual report for 1949, the management of co-operatives is still not infrequently in the hands of persons with insufficient training who are neither willing nor able to conduct the business properly. Since 1948, courses for the training of persons qualified to direct and manage overseas co-operatives have been organized and training has been furnished by the Colonial School at Le Hâvre.

The Kumzsé, the traditional assembly of the Bamiléké people, called in its petition[280] for the development of co-operatives in the Bamiléké country and for the restoration of the provident societies to the indigenous inhabitants.

Public finance and taxation

In the 1951 budget, total revenue was 6,971,561,000 francs and total expenditure 6,971,561,000 francs as compared with the following figures for previous years:

Years	*Revenue* (francs)	*Expenditure* (francs)
1950	4,491,336,000	3,729,736,000
1949	3,860,510,000	3,040,982,000
1948	2,294,371,000	1,879,745,000
1947	1,151,060,878	936,687,000

The report for 1950 states that direct taxes, which used to account for 40 per cent of revenue before the war, accounted for only 25 per cent in 1950; customs receipts are now the primary source of revenue.

The direct taxes now levied are: schedular taxes on income of all types (agricultural, commercial, etc.), a general tax on assessed income, taxes on certain activities (in the form of permits, licences, etc.) or property (livestock, arms) and additional charges accruing to the local budget, communes or the Chamber of Commerce. Wage-earners are exempt from the schedular tax; relief up to 100 per cent is allowed for certain categories of taxpayers entered on the personal tax rolls.

All taxes are paid in cash; the annual reports state that imprisonment or forced labor for non-payment of taxes is prohibited.

The annual reports also state that a considerable effort is being made to take a census of indigenous taxpayers and that the tax authorities are endeavouring to widen increasingly the scope of the income tax, with the ultimate object of dispensing with the head tax entirely.

At its ninth session the Council adopted the following recommendation:

The Council commends the Administering Authority for the steps that have been taken to replace the head-tax by a progressive income tax and recommends that these measures be extended with a view to the establishment of a general system of income tax as soon as possible.

Ten-year plan for economic and social development

The various budgets prepared to implement the ten-year plan in 1950 and 1951 were approved by the Representative Assembly and adopted by the executive organ of FIDES.

The 1950 report gives particulars of the plan's financial structure and of the programme of works in progress on 31 December 1950. At that time, the works in progress represented disbursement authorizations of 12,597,700,000 CFA francs; a credit of 3,214,700,000 CFA francs was opened for new works in 1950-51.

As noted in the appropriate sections, these works are concerned with economic equipment (e.g. railways, roads, ports, agriculture, industrialization and electrification), social equipment (e.g. public health, town planning, housing and education) and works of scientific interest (e.g. cartography).

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of New Zealand noted that there was considerable activity in the economic life of the

[280] T/PET.5/92, resolution 392 (IX).

Territory which was stimulated by large capital investments, financed by internal loans at a low interest rate as well as by subsidies from the metropolitan Government. Trade was increasing and although the value of imports exceeded the value of exports in 1949 and in 1950, the fact that a great percentage of imports consists of capital goods could be regarded as strengthening the economy of the Territory.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to take the measures necessary to ensure the economic advancement of the Trust Territory in the interest of the indigenous population.

Agriculture

The representative of the United States of America commended the Administering Authority for attempting, with success, to increase the cultivation of export crops without neglecting food crops for domestic consumption. He stated that the creation in 1949 of a new Soil Bureau was of particular interest and hoped that the people of the Territory, under the guidance of officials of this Bureau, would take effective steps to preserve the full soil resources of the Territory.

The representative of the Union of Soviet Socialist Republics stated that plantations, producing exclusively for export, were concentrated in the hands of European owners and companies ruthlessly exploiting the indigenous population of the Trust Territory and making tremendous profits out of such exploitation. The report for 1949 indicated that one-quarter of the arable land was used for export crops.

The special representative of the Administering Authority stated that the indigenous inhabitants played a preponderant role in the production of export crops and some of the most important ones, such as cocoa, were grown exclusively by the Cameroonian farmers. Only 212 of the 12,000 Europeans in the Territory were planters.

Land tenure

The representative of New Zealand felt that the Administering Authority should exercise great care in granting land concessions to non-indigenous inhabitants in order to safeguard the interest of the Africans.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority was carrying out a colonial policy of alienation of indigenous land for the benefit of Europeans. The Trusteeship Council should, therefore, recommend to the Administering Authority that it return to the indigenous population lands alienated from it in any way, and prevent any further alienation of land from the indigenous population.

The special representative of the Administering Authority stated that only 0.8 per cent of the Territory's lands had been ceded to Europeans agricultural purposes.

Forests

The representative of the United Kingdom agreed with the Administering Authority that the maintenance and establishment of adequate forest cover was an essential feature of any effective soil conservation programme. He felt that the area of present forest reserves was too small for that purpose. He regretted that the Representative Assembly was opposed to this policy because the local population and their representatives had not yet come to understand the vital importance of the maintenance of forest cover for the future of the Territory. He suggested that the Administering Authority might consider asking the Food and Agriculture Organization to send an independent expert to review forest policy in the Cameroons and make recommendations regarding the policy which was technically the best in accordance with the standards of that international organization. In his view the Council should urge the Administering Authority to persist in its efforts to extend the area of protected forests under conditions which would fully preserve to the local inhabitants all existing rights which could be exercised without infringing sound agricultural practices.

The representative of Belgium observed that serious misunderstandings had arisen between the indigenous inhabitants of the Cameroons and the Administering Authority on the subject of forest policy and of the private domain of the State. The duty of the Administering Authority was to leave to the indigenous inhabitants the free enjoyment of all their customary rights, but the forests did not belong to the local population as there was no customary property right. These forests belonged to the "private domain" of the Cameroons State, a local collectivity, which took over the residual rights not exercised under indigenous custom. Royalties paid for forest concessions went legitimately not to the tribe which continued to exercise its traditional rights over the forest but to the State, the larger entity, whose development must be fostered by the Council.

The representative of the United States of America expressed concern over the opposition which had developed in the Representative Assembly concerning the scheduling of forest reserves, the establishment of which was vital to the long-term economic future of the Territory. He stated that the Council might wish to suggest that the Administering Authority intensify its efforts to bring home to the people of the Territory the issues involved and the desirability of preserving the forest resources of the Territory. It was important to press forward to a solution of this problem with the support of the indigenous inhabitants.

The representative of the Union of Soviet Socialist Republics stated that the establishment of so-called scheduled forests was one of the forms of alienation of land from the indigenous population. There was considerable dissatisfaction at the enormous size of the cutting concessions granted to Europeans, according to the report of the Visiting Mission. Petitions received indicated that millions of hectares of forest land had been alienated from the indigenous population under the pretext that a special régime had to be established for those forests.

The special representative of the Administering Authority stated that the French Government had no intention of leaving in abeyance a problem as crucial to the wealth of the Territory as that of forest reserves, nor had it given up the scheduling of forests in the private domain. The present delay permitted the

Administering Authority to convince the indigenous population that the scheduling already undertaken did not affect their customary utilization of the forests and was simply an attempt to prevent the destruction of the Territory's wealth. It had been stated that the scheduling of forest reserves meant that the legitimate owners of the forests were being plundered; on the contrary, the legislation attempted to respect vested rights and undertook the scheduling of forests only in an effort to preserve the dormant patrimony of the Cameroons population.

Mines

The representative of China, in referring to the Visiting Mission's report, observed that hardly anything had been done with regard to mining and that the mining potentialities had not been fully surveyed.

The representative of the Union of Soviet Socialist Republics stated that nothing had been done to develop the mining industry. These resources which were being used were exploited not in the interest of the indigenous population but for the purpose of exporting.

Transport and communications

The representative of Belgium noted with satisfaction the considerable increase in appropriations for roads, which had risen from 70 million francs in 1948 to 409 million francs in 1950.

Provident societies and co-operatives

The representative of the Union of Soviet Socialist Republics stated that, despite the opposition of the indigenous inhabitants and in total disregard of their interests, the Administering Authority had set up a system of State-sponsored societies or associations, membership in which was compulsory for all heads of indigenous families. They were merely subsidiary organs controlled by European companies, which were occupied in pumping raw materials out of the Trust Territory.

Public finance and taxation

The representative of New Zealand noted that the budget of the Territory seemed to be in a sound condition.

The representative of Thailand considered as an encouraging sign the fact that each year since 1946 public revenue had exceeded expenditure.

The representative of the Union of Soviet Socialist Republics stated that the Trusteeship Council should recommend to the Administering Authority to take steps to replace the head-tax by a progressive income tax system, or, at least, by a system of income tax taking due account of the property status and taxable capacity of the population.

Ten-year plan for economic and social development

The representative of Belgium noted with satisfaction the truly remarkable increase in investments under the ten-year plan, which promised to increase the prosperity of the Territory.

The representative of the United States of America stated that he was impressed by the substantial progress made under the ten-year plan for economic and social development, particularly with respect to the development of new industrial establishments.

The representative of Australia felt that the extent of the development of factories, roads, bridges, harbour installations, shown by the reports was most encouraging and that the programmes of studies and research undertaken to co-ordinate activities under the ten-year plan deserved commendation.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

According to the report for 1950, the economic and political development of the Territory has involved and will to an increasing extent involve a break with the indigenous population's traditional way of life; hence it is essential to ensure the development of the indigenous inhabitants towards a new way of life in which community consciousness is replaced by a sense of individual responsibility. The process of development is particularly rapid and noteworthy among the southern and coastal tribes, and is being closely observed by the local Administration.

Population

On 1 January 1950, the total African population of the Territory was 2,997,164 inhabitants, approximately 30 per cent of whom were men, 35 per cent women and 35 per cent persons under twenty years of age. The increase is due partly to the excess of births over deaths, as well as to the greater accuracy of the census. The non-Mohammedan population is tending to increase and the Mohammedan population to decrease.

The European population rose from 7,000 on 1 January 1949 to 8,998 on 1 January 1950, and to 12,021 at the end of 1950. In the course of the ninth session of the Council, the Administering Authority stated that the figure of 12,021 Europeans included 2,290 civil servants, 1,213 merchants or commercial employees, 1,044 manufacturers or manufacturing employees, 550 missionaries, 349 technical employees for public works and 212 planters. Some of the European immigrants brought into the Territory as part of economic development plans would no doubt not remain there. Two-thirds of the European inhabitants lived in the Douala and Yaoundé areas alone.

At its fourth session, the Trusteeship Council noted that the population of the principal town, Yaoundé, had doubled within the previous six years, and recommended that the Administering Authority take further steps to investigate the cause of this movement lest this fact should be a dangerous symptom of a disproportionate migration from country to town.

The report for 1950 stated that in order to cope with the danger inherent in the formation of a floating population in the large centres, certain administrative measures had been strengthened, including the issuing of

identity cards and refusal of permission to stay in the area.

Some African representatives in the Representative Assembly expressed certain fears to the Visiting Mission with regard to the recent influx of European immigrants. They feared that the monopolization of trade and the economic exploitation of the country by non-Africans would be maintained and strengthened. They complained that posts which Africans could fill were to an increasing extent being taken by non-Africans.

In a written observation, the Administering Authority declared that it did not encourage European immigration but that it was difficult to refuse admission to the Territory to persons who satisfied the statutory requirements.

Standard of living, social assistance and security

At its fourth session, the Trusteeship Council, noting with concern that in the Cameroons, as in African Trust Territories generally, the indigenous wage-rates were frequently low, and sometimes did not exceed the minimum subsistence level, and being of the opinion that that situation, which might have arisen from economic conditions in the past, would harm both the economic and social development of the indigenous inhabitants, recommended that the Administering Authority should carry out a special study of the problem of wages and standards of living of the indigenous populations, and urged the Administering Authority to take all possible measures to raise the wage level and to improve the standard of living in terms of housing, clothing, medical and social services.

At its sixth session the Council, noting the impression of the Visiting Mission that the Cameroons suffered from an absence of adequate studies of living standards, and noting the complaints contained in petitions from the Territory about the low level of wages as compared with the cost of living, reiterated the recommendation it had adopted at its fourth session and expressed the hope that the results of the study of standards of living conducted in the Territory in 1949 on the Administration's instructions would be laid before the Council in 1951.

In connexion with the study of standards of living, the Administering Authority included in its report for 1949 a table showing the actual living expenses (6,621.25 francs a year) of an average worker at Garoua, earning 6,600 to 7,500 francs a year. In the course of the ninth session of the Council, the Administering Authority also added that in practice workers hired on a piece work basis work only until 1 p.m. and subsequently engage in work for their own account in the fields. Moreover, canteens had been set up throughout the Territory as well as Government-subsidized co-operatives which assured the worker in the larger cities low cost foodstuffs. The report for 1950 stated that the administrative services were paying special attention to this problem and noted that there were signs of definite improvement in the standard of living of the inhabitants of the Cameroons generally, and that they were consuming increasingly large amounts of imported products. The average of reports based on the consumption of foodstuffs and common consumer goods, including wine and beer, gave the following indices:

Year	*Index*	*Year*	*Index*
1933-34	100	1943	132
1937	212	1944	136
1938	213	1947	315
1941	120	1948	434

The annual report stated that the upward trend continued in 1949 and 1950. The report stated also that joint studies of wages were carried out over a period of several months by the trade unions and employers' associations and resulted in the signing of agreements in May and October 1950. In particular, minimum wage rates were substantially increased. Wages were fixed on the basis of the cost of living as measured by the price of commonly consumed commodities.

In addition the annual report for 1949 drew attention to the establishment of the Social Service. According to the report for 1950 its work, made possible by the co-operation received, was commended by the Representative Assembly. The service was improved and expanded in August 1950. It is concerned with the study of all social questions, their solution and means of social action; it also supervises and co-ordinates private social organizations and trains staff. The Administering Authority drew attention, in addition, to the general survey of the standards of living, the policy of supporting trade unions, the control of food prices, the study of the re-adjustment of wages and other measures.

In the course of the ninth session of the Council, the Administering Authority stated that a new and more detailed survey of the standard of living had been started in the Territory. All African and European teachers had been asked to participate in that survey during school vacations.

At that session the Council adopted the following recommendation:

The Council notes its earlier expressions of concern over the low wages in the Territory, notes with approval the substantial increase in the minimum wage rates during 1950 and urges the Administering Authority to continue and extend its study of the standards of living in the Territory, review minimum wage-rates at relatively frequent intervals and in general make every effort to see that wage-rates continue to increase sufficiently apidly to compensate for prevailing inflationary tendencies.

Human rights and fundamental freedoms

The circulation of the leading newspapers—all published in French—has been maintained. The circulation of the review *Hygiène et Alimentation* has risen from 6,000 to 12,000. Several newspapers appeared for the first time in 1949: *la Voix du Cameroun*, organ of the *Union des Populations Camerounaises, le Cameroun Catholique*, and *Vie Nouvelle. La Revue de L'Enseignement camerounais* is the organ of the teaching profession.

The Visiting Mission noted the extent of freedom of speech in the Cameroons under French administration.

Four petitions examined by the Council complained of restrictions upon political liberty in the Cameroons.[281]

At the ninth session, the special representative of the Administering Authority stated that in the case of the

[281] T/PET.5/83, T/PET.5/86, T/PET.5/89/Add.1, and T/PET.5/92.

petition from the *Union des populations du Cameroun*[282] the petitioners' allegations were not supported by specific examples and were statements of policy of the organization. The arrests which had taken place involved electoral fraud, libel, sedition and contempt of court. Most of the cases had been referred to the courts. In the case of the petition from the *Comité régional du Moungo de l'UPC*[283] the refusal of the regional chief to make the administration building available for a public meeting was in order. In the case of the petition from the *Bureau de l'Union des syndicats du Cameroun*[284] proceedings had been instituted against certain members not for political reasons, but because they were guilty of either defamation, contempt of court or swindling. In the case of the petition from the *Kumzse*,[285] traditional assembly of the Bamiléké people, the accusations were totally unfounded and some of the claims were based on purely demagogical motives.[286]

Emancipation of women

No important developments in the status of Cameroons women were reported. Efforts are being made by the Administration and private organizations to free women from the hold of tradition. The Report for 1950 noted that certain attempts made by the Mbam Council to suppress the dowry system had given rise to bitter controversy. It is hoped that the example of the educated Natives and the education of girls will lead to the social emancipation of women.

In its petition,[287] the *Kumzsé*, the traditional assembly of the Bamiléké people, condemned the dowry system.[288]

At its ninth session, the Council adopted the following recommendation:

The Council recommends that the Administering Authority take all feasible measures to ameliorate the position of women in the Territory.

Racial discrimination

At its fourth session, the Trusteeship Council noted with special interest the Administering Authority's assurance that all vestiges of racial discrimination had been eliminated and hoped that future reports would give an account of the effective implementation of that policy.

In its annual report for 1949, the Administering Authority gave two examples of action along these lines. Firstly, means are being sought to place Europeans and Africans on a footing of equality for purposes of taxation. Secondly, a new system relating to alcohol and aimed at suppressing alcoholism is being studied, particular care being taken to avoid introducing racial discrimination.

At its sixth session, the Council, noting petitions complaining of various forms of racial discrimination in the Territory and noting that the Administering Authority had taken positive measures towards the elimination of discriminatory practices by individuals, commended the Administering Authority for such measures and urged it to continue its efforts to eliminate all forms of racial discrimination in the Territory.

Several subsequent petitions, including that submitted by the *Union des Syndicats confédérés du Cameroun*, stated that racial discrimination still existed in the Cameroons.[289]

At the ninth session, the special representative of the Administering Authority stated that the Administration was attempting to eliminate the last traces of what might be interpreted as racial discrimination.[290]

Labour

An inquiry completed early in 1949 showed a total of 3,824 European employees and 134,405 African employees (22,061 skilled workers, 8,000 domestic workers and 104,344 labourers). Virtually all the African workers are indigenous inhabitants of the Territory.

The labour question, which is one of vital importance to the Cameroons, raises many complex problems: freedom of labour, output and technical training, trade union activities, wages, and labour legislation.

Many complaints were made to the Visiting Mission on the subject of forced labour which, despite the 1946 Act, allegedly had not in fact been discontinued. At its sixth session, the Trusteeship Council, noting the petitions complaining that forced labour still existed in the Territory, and the assurances of the Administering Authority that such practices were not condoned by it, suggested that the administrative officers concerned should guard against any practices which might be construed by the people as meaning that forced labour had not been eradicated from the Territory.

According to the annual report for 1949, the chief feature of the crucial labour problem in the Cameroons is not so much the shortage of workers as the low rate of output and the lack of discipline at work. But the position is improving: the fluidity of the labour force, which is one of the reasons for its poor productivity, is disappearing, the workers tending to settle down as a result of the higher standard of living.

At its sixth session, the Trusteeship Council, aware that the Administering Authority had had to bring European skilled workers into the Territory, and recognizing that their assistance, within limits and with proper safeguards, could be beneficial to the Territory at the present stage of its development, urged the Administering Authority to accelerate the training of the indigenous inhabitants in the technical skills concerned.

According to the reports for 1949 and 1950, a psychotechnical service has been in operation in the Cameroons since 1948. Two thousand tests carried out with Cameroons workers from the most varied environments have shown that they are capable of improvement and that their output can be increased by adapting working methods to their individual skills and temperaments. A psychology selection and vocational training centre was set up under an order dated 26 December 1949. A system of apprenticeship contracts is also being studied. A rapid trade-training school which was set up at Yaoundé in 1949 has begun to operate, instruction being given by two certificated student teachers *(moni-*

[282] T/PET.5/83.
[283] T/PET.5/86.
[284] T/PET.5/89/Add.1.
[285] T/PET.5/92.
[286] Resolutions 385 (IX), 387 (IX), 390 (IX) and 392 (IX).
[287] T/PET.5/92.
[288] Resolution 392 (IX).
[289] T/PET.5/89.
[290] Resolution 390 (IX).

teurs) from France; two other schools of this kind will be established at Douala and Garoua in 1951.

Trade union liberties have been guaranteed in the Cameroons since 1944. The trade unions at present established fall into three categories: occupational unions of salaried employees or wage-earners, agricultural unions designed to protect the commercial interests of farmers, and employers' associations. As a result of the "schism" within the *Confédération Générale du Travail* in France in 1948, the number of trade unions has decreased, totalling 139 in 1949 as against 188 in 1947; the number of members, however, shows an increase from 13,600 in 1947 to 20,350 in 1950.

Equal numbers of representatives of employees and employers delegated by the trade unions were convened throughout the Territory in December 1949, under the auspices of the organizations responsible for submitting minimum wage proposals to the *Haut Commissaire*. The new minimum rates established under the agreements of October 1950 are in some cases one-third higher than the previous rates; in certain areas two wage scales have been adopted, one for part-time workers and one (10 per cent higher) for permanent workers. In the course of the ninth session of the Council, the Administering Authority stated that wages below the minimum rate cannot be offered lawfully. Above that limit, wages actually paid depended on conditions of supply and demand in the labour market. At present the supply of and demand for labour favoured the workers.

A petition from the *Union des Syndicats confédérés du Cameroun*[291] complained that the French authorities discriminated against it in favour of smaller trade unions which were faithful to the Administration and the employers. The Union asked for the establishment of labour exchanges for all workers' trade unions.

At the ninth session, the special representative of the Administering Authority stated that the allegations of anti-trade union measures were not justified, since none of the cases cited could be regarded as obstructing trade union rights.[292]

No strikes occurred in 1949 and 1950. The Administering Authority noted that wage disputes were normally settled by friendly negotiation. A number of employers were summoned and sentenced to various penalties, including expulsion, for failure to pay wages on time and other offences.

The number of accidents at work had increased and there were 658 in 1949; the report noted, however, that this increase was in no way alarming if the rise in the number of workers and the more widespread use of machines and vehicles were taken into account.

The Visiting Mission noted that many petitions called for the promulgation of a labour code as an urgent measure.

At its fourth session, the Trusteeship Council, noting with satisfaction the statement of the special representative that the French Parliament was then working on labour legislation designed to fill the gap left by the absence of a suitable labour code, expressed the hope that the Administering Authority would complete such legislation and would secure its enactment at an early date.

[291] T/PET.5/89.
[292] Resolution 390 (IX).

The annual reports pointed out that the existing labour legislation was the fruit of experience extending over several decades and had followed and been adapted to the Territory's social and political development. The basic texts had been revised and supplemented repeatedly. The draft labour code was at present before the French National Assembly, after having been redrafted several times in the light of the suggestions and observations submitted by the Assembly of the French Union, the Economic Council and local missions of inquiry.

A petition from the *Union des Syndicats confédérés du Cameroun*[293] objected to several provisions of this draft labour code. At the ninth session, the special representative of the Administering Authority stated that article 2 of the draft labour code for Overseas France objected to by the petitioners, had already been amended by the National Assembly.[294]

Public health

The public health services in the Cameroons consist of two different organizations under joint direction: a fixed organization which, while taking part in the prevention of epidemic and endemic diseases, is chiefly concerned with the practice of curative medicine and a mobile organization responsible for the practice of preventive medicine. The essential components of the mobile organization are mobile prophylactic squads which fight epidemics and carry out systematic examinations of the population, with the object of tracing endemic and social diseases and sending the sick for treatment to the organization's institutions, and sanitation squads responsible for carrying out sanitation schemes.

The estimated expenditure of the public health service for 1950 was 375,531,000 francs, or 11.9 per cent of the total budget, as against 270,434,000 francs for 1949. In addition, funds to the amount of 379,900,000 francs had already been earmarked for medical services out of the funds of the ten-year plan.

The number of Africans admitted to hospitals in 1950 was 44,185, as against 42,225 in 1949; 1,396,042 consultations of various kinds, including 282,194 for school-children, were given in 1950 as against 1,367,756, including 233,442 for school-children, in 1949.

At its fourth session, the Council, noting the Administering Authority's recognition of the fact that the number of doctors and nurses in the Territory was inadequate, welcomed the Administering Authority's statement that it was determined to find a way of increasing their number and that in this respect the Territory would soon be adequately equipped.

At its sixth session, the Council, noting the observation of the Visiting Mission that the African population showed great confidence in the medical services in the Territory, noting the shortcomings that still existed and the requests contained in several petitions for the further extension of the medical and public health facilities, expressed the hope that the Administering Authority would do its utmost to increase the number of African medical personnel, and recommended that more intensive efforts should be made to bring adequate medical care within the reach of all.

[293] T/PET.5/89.
[294] Resolution 390 (IX).

According to the annual reports the number of European doctors in the service rose from thirty-four in 1948 to forty-four at the end of 1950, and that of African doctors from fifty-eight in 1949 to sixty-one in 1950. The number of certified nurses rose from 803 in 1948 to 907 in 1950. Three African doctors were studying in France. There were in the Territory eighteen other doctors, in private practice or attached to the missions, nine pharmacists and two dentists.

As regards the expansion of medical facilities, the report for 1950 noted that at the end of that year work was proceeding or had already been completed, under the special budget of the development plan, on the construction of seventeen large dispensaries, ten maternity hospitals, seventeen in-patients' wings, forty-three small local dispensaries, one leper-hospital, five houses for African doctors, and miscellaneous works.

In its petition[295] the *Union des Syndicats Confédérés du Cameroun* asked that the number of clinics should be increased. The Kumzsé,[296] the traditional assembly of the Bamiléké people, also asked for dispensaries for communities which were far from the chief towns, and called for the installation of bathrooms in maternity hospitals in the Bamiléké Region.

As regards the feeding of the indigenous populations, the Trusteeship Council invited the Administering Authorities, in resolution 300 (VII), to continue to explore, in co-operation with the specialized agencies of the United Nations, and also with competent scientific bodies, the possibility of utilizing the latest scientific methods in the improvement of nutritional standards among the inhabitants of Trust Territories.

In addition to earlier efforts to provide meat for the South Cameroons and to increase the consumption of fish, the annual reports for 1949 and 1950 pointed out that a Food Hygiene Commission had been set up to correct bad dietary habits and that various other measures had been taken, including the dissemination of pamphlets and the inclusion of a compulsory test in hygiene in the examination for the certificate for primary studies.

At its ninth session, the Council adopted the following recommendation:

The Council notes with approval the increased effectiveness of medical services, as shown by the growing number of African doctors, and urges the Administering Authority to continue to ensure the widest possible provision of medical facilities in the Territory and to this end further intensify its efforts to train African medical personnel.

Prisons system

At its fourth session, the Trusteeship Council recommended that the Administering Authority should devote attention to the provision of rehabilitation courses for juvenile delinquents, by such methods as the establishment of vocational and technical training facilities. Noting, moreover, that a distinction was drawn in the prisons system, in diet and other matters, between European and indigenous prisoners, the Council recommended that the Administering Authority should study the situation with a view to establishing prison conditions no less favourable to the indigenous prisoners than to the Europeans.

The Administering Authority's reports for 1949 and 1950 indicated the main lines of the contemplated reform in the prisons system; it would take into account the Council's recommendations concerning the rehabilitation of juvenile delinquents and the desirability of avoiding distinctions, in the prisons system, between prisoners by reason of their origin. The local Assembly would consider the proposed reform in 1951.

In its petition,[297] the *Kumzsé*, the traditional assembly of the Bamiléké people, called for the improvement of the feeding and housing conditions of prisoners in the Bamiléké Region, and for the abolition of the system of forcing prisoners to carry water in casks.

Town planning

The installation of a water-supply system for Douala, Yaoundé, N'Kongsamba and Edéa was to be completed early in 1951.

The work of installing an electricity supply system in the chief towns was being vigorously pursued. Pending the completion of the installation of the Edéa dam and hydro-electric power plant, small thermal plants had been set up in the urban centres, replacing the individual groups of generators previously used.

The report for 1950 noted that the housing situation was still critical in Douala and Yaoundé, despite the construction of a large number of houses (estimated at costing 500 million francs in 1950, three-fifths of this being defrayed by the Administration).

Observations of members of the Trusteeship Council representing their individual opinions only

Standard of living, social assistance and security

The representative of New Zealand noted with satisfaction the progress made towards improving wage rates and living standards.

The representative of the United States of America commended the efforts to stimulate the establishment of a social welfare programme particularly devoted to the improvement of conditions of women and children. He had shared the concern of the Council in the past with regard to the relatively low wage rates in the Territory and was glad to note the efforts to increase those wages. He considered that the wages were still too low. The Council might wish to recommend that the Administering Authority continue and extend its study of the standard of living in the Territory, review minimum wage rates at relatively frequent intervals and in general make every effort to see that wage rates continued to increase sufficiently rapidly to compensate for prevailing inflationary tendencies.

The representative of the Union of Soviet Socialist Republics stated that the indigenous population of the Territory was living under conditions of misery and that miserable wages doomed African workers and their families to malnutrition and starvation. The average wage of an African worker was from 6,600 to 7,500 francs per year, which amounted to about 22 to 25 francs per day, while 60 francs would not cover the

[295] T/PET.5/89. See also resolution 390 (IX).
[296] T/PET.5/92. See also resolution 392 (IX).
[297] T/PET.5/92; resolution 392 (IX).

cost of a decent meal in the poorest Native restaurant. He stated that it was abundantly clear that the Administering Authority had failed to take measures to implement the recommendations adopted at the fourth session of the Council in which the Council insisted that the Administering Authority should take all possible measures to raise the wage level and standard of living as regard housing conditions, clothing, and medical and social services.

The special representative of the Administering Authority recalled that in 1944 a labourer received 4 Cameroonian francs while at present he earned over 100 francs. Although the cost of living had tripled during that period, there was still a considerable increase in real wages. As for the cost of restaurant meals, the information included in the annual report referred to establishments catering to African "white-collar" employees, businessmen and officials, and not to labourers. In 1950 the local Administration had ordered a general inquiry into the cost of living in all parts of the Territory. Although some interesting data did emerge from this inquiry, it had been carried out by regular administrators already overloaded with work and thus did not provide enough material to generalize for the Territory as a whole. It had therefore been decided to repeat the study with the help of primary school teachers who would devote their vacations to an inquiry into family budgets and the cost of living of the various groups in different parts of the Territory. The results, treated statistically, would no doubt interest the Council at its next meeting.

Human rights and fundamental freedoms

The representative of the Union of Soviet Socialist Republics stated that the report of the Visiting Mission and numerous petitions gave evidence of arbitrary arrest of trade union workers for their trade union activities, and of political persecutions, etc. He stated that the indigenous population was deprived of human rights. The Council should recommend to the Administering Authority that it cease its anti-democratic policy and the infringement of the rights and interests of the indigenous population.

Emancipation of women

The representative of New Zealand recommended that the Council encourage the Administering Authority to ameliorate the position of women in the Territory.

Public health

The representative of New Zealand urged the Administering Authority to continue efforts to ensure an adequate number of doctors as well as to increase medical facilities.

The representative of Thailand expressed the opinion that the number of doctors, both European and African, practising in the Territory, and the medical facilities available were insufficient for a population of nearly 3 million inhabitants.

The representative of the United States of America noted with satisfaction the increasing effectiveness of the medical services in the Territory and observed that in the long-run the medical needs of the Territory could only be met by training a large number of Africans. He found very encouraging the increase of African doctors in the year under review. The number of African doctors, however, was still too small to meet the needs of the Territory and he suggested that the Council might wish to urge the Administering Authority to intensify its efforts to train African medical personnel.

The representative of the Union of Soviet Socialist Republics stated that data contained in the report of the Visiting Mission, the reports of the Administering Authority and the petitions received from the Territory, made it perfectly clear that the situation, as far as health services were concerned, was entirely unsatisfactory. Health service expenditures for 1950 amounted to about 125 francs, or about 70 U. S. cents per person per year. Hunger, misery, ignorance and deplorable health conditions had led to a high mortality rate. The Trusteeship Council should recommend to the Administering Authority that it should improve radically the health situation and, to that end, increase budgetary appropriations for health services.

The special representative of the Administering Authority stated that there was agreement in recognizing certain shortcomings in public health work and that the number of doctors was as yet inadequate for all the needs of the Territory. However, he reminded the Council of the considerable results already achieved, which should not be minimized. The Territory was once replete with endemic diseases, such as leprosy, syphilis and sleeping sickness, which had been brought under control. There were 12,000 beds in the Territory's hospitals, representing 4,380,000 bed-days for a population of 3 million persons. Funds allocated to health measures represented 11.5 per cent of the Territory's regular budget, not to mention an additional 191 million francs which had been spent in 1950 from the funds of the ten-year plan.

Racial discrimination

The representative of the Union of Soviet Socialist Republics stated that an anti-democratic policy characterized by racial discrimination and gross infringement of the rights and the interests of the population had been carried out by the Administering Authority. According to the petition received from the Executive Committee of the *Union des Populations du Cameroun* (T/PET.5/89 and T/PET.5/89/Add.1) "racial discrimination still exists as regards wage scales and economic and social relations". The Visiting Mission had noted in its report the complaints of the indigenous inhabitants that "racial discrimination is still practised in the matter of medical care, Europeans enjoying certain advantages not available to Africans". The Trusteeship Council should recommend to the Administering Authority that it put an end to the anti-democratic policy pursued with regard to the local indigenous population, a policy marked by racial discrimination and gross violation of rights and interests of the indigenous population of the Trust Territory.

The special representative of the Administering Authority recalled a circular, prohibiting in commercial establishments signs indicating the counters where different races should make their purchases, which he had read earlier before the Council. This circular indicated the concern of the French Government to remove even the appearance of racial discrimination from commercial establishments.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

Educational policy in the Cameroons, according to the annual reports for 1949 and 1950, has two closely connected objectives: to ensure the general dissemination of basic education by making attendance at school as widespread as possible, and to form an indigenous *élite* with a view to training the Territory's own teaching staff.

Basic education is given in the public and private primary schools following a syllabus based on those of metropolitan France but wholly adapted to local conditions following a reform decided on in 1949 and which was put into effect in October 1950. This education is supplemented by the work of cultural associations and libraries and there is also provision for elementary vocational training.

Teacher-training is carried out in the public and private secondary schools which are supplemented by a system of scholarships enabling students to take advanced educational or technical courses in France. The reports state that the syllabuses are identical with those of French schools of the same type, the object being to train African teachers up to the same standards as their European counterparts.

Private education is conducted at "declared" and at "recognized" schools. Under the 1949 regulations, the "declared" schools are required merely to meet certain health and disciplinary requirements, whereas the "recognized" schools are subject to strict supervision by the official services and are required to guarantee the competence of their staff. The latter are the only schools eligible for Government subsidies.

At its ninth session, the Council adopted the following recommendation:

The Council, considering that advances in the political, economic and social fields depend to a large degree upon the educational facilities, notes with approval that public education in the Territory is free: notes also with approval the increase in the number of pupils and in the amount of funds appropriated to education; notes, however, with concern the large number of children and adults still lacking knowledge of the first rudiments, and expresses the hope that adequate steps will be taken to provide educational facilities at all levels with particular emphasis on progress toward the establishment of compulsory primary education.

Primary education

As at July 1950, public primary education was conducted at 181 schools containing 467 classes; fifty-three of the schools covered the whole syllabus of primary studies and had 26,682 pupils, including 4,906 girls. In the Southern Cameroons, most of the new schools are one-class village schools, the object of which is to offer broad instruction in rudimentary subjects; the most gifted pupils are later sent on to schools giving full-course instruction. In the North Cameroons the establishment of regular primary schools in all the chief towns of the sub-divisions is proceeding.

At that time, there were 1,071 private primary schools, containing 2,060 classes and 102,231 pupils, including 14,923 girls.

In resolution 83 (IV) the Trusteeship Council proposed to the Administering Authorities that, in order to ensure that the increase of educational facilities should be carried out in a democratic manner, primary education should be free and access to higher education should not be dependent on means.

According to the annual reports for 1949 and 1950, this general recommendation coincides with the policy of the Administering Authority in the Cameroons under French administration: primary education is free in all the Territory's recognized public and private schools. Some missions charge a small fee, which varies with the region and the mission. Pupils who live too far from the schools are placed in "school camps" which are supervised, with respect to hygiene and diet, by the Health Department. A system of scholarships for boarding pupils has been established in secondary schools, with the result that fees at boarding schools are payable only by the children of well-to-do families. The annual report for 1950 notes that the efforts to expand education for girls are being continued; 19,000 girls were attending primary schools in 1950, as against 15,500 in 1949.

Nearly all the petitions received by the Visiting Mission asked for an increase in the number of schools. The Mission regards this as a sign of the awakening of the Territory. It considers that the satisfaction of these demands is worthy of the highest consideration by everyone concerned.

Among the most recent petitions, that of the *Union des Syndicats Confédérés du Cameroun*[298] asked for more schools, while that of the Kumzsé, the traditional assembly of the Bamiléké people,[299] urged that the number of schools in the Bamiléké Region should be increased, and called for authorization for a popular school at Kumasi, stating that "this authorization has often been promised by the Administering Authorities", and for compulsory primary education for girls.[300]

Secondary education

The full classical and modern secondary education given at the Yaoundé College prepares pupils for the second part of the *Baccalauréat*, while the short modern course given in the "modern" colleges and the supplementary courses take pupils up to the level of the third grade. The larger primary schools include "selection courses" to prepare students who have completed their primary studies for the secondary school entrance examinations. Seventy per cent of the students attending secondary schools are scholarship-holders.

There are three technical schools in the Territory: the Douala Vocational School for the training of foremen, and two other private vocational schools. The annual report for 1950 acknowledges that these schools are wholly inadequate. As part of an ambitious programme initiated in 1950, the Territory was to receive

[298] T/PET.5/89.

[299] T/PET.5/92.

[300] Resolutions 390 (IX) and 392 (IX).

a large number of pre-apprenticeship centres and vocational schools.

On 1 July 1950, the number of students attending secondary schools was 1,586, including 194 girls. Fifty of the students were European.

Training for teachers is given at the Yaoundé Teachers' Training College, which is of the French type and four private schools. The annual report for 1950 states that the number of schools is not keeping pace with the increased demand for education; ways and means of training the necessary teachers are being studied and, in the meantime, student teachers *(moniteurs)* are being trained at a special practical course at Yaoundé College.

At its sixth session, the Trusteeship Council, noting the observation of the Visiting Mission that opportunities in the Territory for secondary education, teacher and technical training were somewhat limited, and noting the requests contained in petitions for an extension of educational facilities, recommended that the Administering Authority should intensify its efforts to develop secondary education, teacher and technical training in the Territory.

In its report for 1950, the Administering Authority expressed the hope that the Visiting Mission had been able to see for itself what great efforts had already been made on behalf of education; these efforts were being continued, the two principal features being the building of new schools and the training of the necessary staff. The report mentioned the capital expenditure in 1950 on school construction, both out of the annual budget (30 million francs under the head of "Education" and 77.5 million francs under the head of "Public Works") and out of the budget of the ten-year plan (construction to the value of 348,900,000 francs authorized at the end of 1950). Work in progress included the construction of three teachers' training schools and four schools for elementary school teachers.

In the course of the ninth session of the Council, the Administering Authority stated that it was estimated that in 1957 secondary education would have been imparted to 2,540 Cameroonians. This would correspond to a yearly average of 225 to 240 students receiving the baccalaureate diploma. The Administration was at present studying plans for the organization of courses at university level in the Territory.

Higher education

There is no institution of higher education in the Territory. A number of scholarships are awarded each year to young civil servants of exceptional ability and to young students who have completed their secondary school studies.

At the end of 1950, the Cameroons was maintaining 221 scholarship-holders in France, including thirty-two holders of "advanced training" scholarships, thirty-seven holders of higher education scholarships and eighty-three holders of scholarships for secondary studies.

At its fourth session, the Trusteeship Council noted with satisfaction the laudable efforts of the Administering Authority to promote higher education by a system of scholarships abroad and expressed the hope that the Administering Authority might find it possible to intensify its efforts in that direction.

At its fifth session, the Council recommended that the French Government should consider the establishment of institutions of higher education in the Cameroons, if possible, by 1952, and the establishment of university institutes of a technical or professional character.

Lastly, at its sixth session, the Council referred to its earlier resolution and expressed the hope that the Administering Authority would be able to indicate in future annual reports what steps it had taken towards implementing that resolution.

The Administering Authority, in its report for 1950, stated that the financial effort required for the establishment of a local university would be out of all proportion to the possible number of students; it would only be possible to contemplate such an effort when secondary education was fully developed.

Teaching body

Public primary instruction is given by certificated European and African teachers. In view of the regulations which have been adopted with regard to the payment of an allowance to student teachers *(moniteurs)*, the missions have raised the educational standards required of their staffs. The proportion of uncertificated African student teachers in private schools fell from 42.2 per cent in 1948 to 32.6 per cent in 1949.

Private secondary education is given in colleges by teachers whose qualifications are similar to those required in public schools. Twenty-six schoolmasters have been appointed on an *ad hoc* basis to public secondary schools pending their replacement by regular teachers.

The public and private primary teaching body includes 2,487 African teachers and 249 European teachers. Of the total, 236 are women.

The secondary teaching body comprises 123 teachers, including thirty-eight women, almost all of them being Europeans.

At its fourth session, the Trusteeship Council suggested to the Administering Authorities that existing facilities for the training of indigenous teachers should be improved and expanded.

In its report for 1950, the Administering Authority referred to the efforts which had been made to provide the Territory with the teachers' training schools necessitated by the expansion of education; it mentioned that the Yaoundé Teachers' Training College was of the French type and trained fully-qualified teachers, and that suitable action to cope with the present transition period was under consideration.

At its ninth session, the Council adopted the following recommendation:

The Council considering that the lack of teachers constitutes the greatest bottleneck to educational advancement in the Territory, and noting that the United Nations Educational, Scientific and Cultural Organization finds that the training of teachers is the main educational problem in the Cameroons under French administration, notes with approval the opening of the Nkongsamba normal school and expresses the hope that the Administering Authority will accelerate its efforts in the all-important field of teacher training.

Budgetary provisions for education

At its fourth session, the Trusteeship Council, having considered General Assembly resolution 225 (III) of 18 November 1948 on educational advancement in Trust Territories, and acting in accordance with the recommendations contained therein, requested the Administering Authorities to intensify, as far as possible, their efforts to increase educational facilities, even if this should involve an increase in the budgetary provisions for that purpose.

The Education Department's regular budget amounted to 332 million francs in 1950, or 10 per cent of the Territory's total budget; the proportion was 9 per cent in 1949 and will be 12 per cent in 1951. A first instalment of special FIDES funds, amounting to 219 million francs, had been used up by the end of June 1950. A further instalment of funds, amounting to 102 million francs, will be granted forthwith for the construction and equipment of new school premises.

At its ninth session, the Council adopted the following recommendation:

The Council notes with gratification that vocational schools have been or will be set up at Yaoundé, Douala and Garua, and recommends that this work be vigorously pushed forward.

Information regarding the United Nations

The annual report for 1950 stated that the information contained in the bulletins of the United Nations Educational, Scientific and Cultural Organization had been used in writing numerous articles and news items about the activities of the United Nations which had been printed in the Territory's publications. During the ninth session of the Council, the Administering Authority stated that in many public schools, United Nations posters were on permanent display. While awaiting adequate and sufficient informational materials to be put at the disposal of the Territory by the United Nations, the Information Bureau of the High Commissioner had prepared some lectures dealing with the United Nations for use by teachers in primary schools.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of New Zealand stated that progress in the educational field seemed to be on the whole satisfactory. He noted, however, that more schools were being asked for in petitions and expressed the hope that the Administering Authority would continue to make every effort to meet this proper and laudable demand.

The representative of the Union of Soviet Socialist Republics stated that data contained in the report of the Visiting Mission, the reports of the Administering Authority, and the petitions received from the Territory made it perfectly clear that the situation, as far as educational services are concerned, was entirely unsatisfactory. It was obvious, therefore, that the Administering Authority had failed to take appropriate measures to improve the deplorable situation prevailing in this field. The overwhelming majority of the people of the Cameroons continued to live in a state of illiteracy and ignorance. According to the information given in the report of the Administering Authority only 16 per cent of the potential school-age population was receiving schooling. The Administering Authority did not develop local languages and national culture. The Trusteeship Council should recommend to the Administering Authority that it should improve radically the educational situation and, to that end, increase budgetary appropriations for educational and cultural needs.

The special representative of the Administering Authority did not consider the teaching of French as an obstacle to the growth of local Cameroonian culture, but believed that the development of Cameroons' consciousness along with democratic administration and the general teaching of French would stimulate indigenous cultural values instead, as has been claimed, of demolishing them.

Secondary and higher education

The representative of Thailand felt that secondary and higher education should be further promoted, since the future of the Territory depended upon the growth of an indigenous *élite*.

Chapter VI

TOGOLAND UNDER BRITISH ADMINISTRATION

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

Togoland under British administration is a narrow strip of territory averaging about forty miles wide and about 320 miles long. Without outlet to the sea, it is bounded on the north and east by Togoland under French administration and on the south and west by the Gold Coast, of which it is administered as an integral part.

The population of the Territory is African except for a small number (fifty-one in 1948) of European government officials, missionaries and others. The African population has increased from 187,939 in 1921 to 293,671 in 1931 and 383,563 in 1948. It consists of a large number of tribes falling into two main groups, Sudanese and negroid, whose tribal and cultural associations extend horizontally across the borders into the neighboring territories. In the north the largest groups are the Konkomba, Dagomba and Kusasi, whose tribal areas and authorities extend from or into the Northern Territories of the Gold Coast; in the south, the Ewe peoples form the great majority of the population and are part of the large tribal group that extends from the southeastern Gold Coast into Togoland under French administration.

There are no large towns in the Territory, the main centres of trade and administration being Ho, Hohoe, Kpandu and Kete Krachi in the south and Yendi in the north, each containing a few thousand people.

General considerations

The Trusteeship Council at its seventh session noted the evidences of progress in the administration of the Territory during 1948, and noted further the need for more improvement. It reiterated the recommendations adopted at its fourth session.

At its ninth session, the Council adopted the following conclusion:

The Council commends the Administering Authority on the progress made during the period under review and further commends the Administering Authority on the excellent form and content of the 1949 and 1950 annual reports.

Observations of members of the Trusteeship Council representing their individual opinions only

General considerations

The representative of Argentina congratulated the Administering Authority on the advance made in the economic, social and educational fields. He pointed out that the problem was immense and that the Administering Authority recognized that much remained to be done. He hoped that the rate of development could be accelerated.

The representative of New Zealand considered that the Administering Authority was to be commended on the progress made during the period under review.

The representative of China considered that the Council should commend the Administering Authority for the substantial progress made in the Territory during the two years under review.

The representative of the Union of Soviet Socialist Republics stated that the information which the Administering Authority had placed before the Council as well as the information contained in the report of the Visiting Mission and in petitions from the Territory demonstrated that the Administering Authority had failed to fulfil the requirements of the Charter with regard to the International Trusteeship System, since it had not taken the necessary measures to carry out the basic objectives of the System.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

Togoland continued throughout the period under review to be administered as an integral part of the Gold Coast, sharing with the adjoining colony and protectorate a common constitution, a common budget and common administrative and technical services.

The Visiting Mission of 1949 considered that any appraisal of the political development of the Trust Territory, particularly in regard to the course which it might take in the future, must depend to a considerable degree on the solution of the problems raised by the demands for unification (by the Ewe peoples and others) affecting both itself and Togoland under French administration.[301] It seemed clear to the Mission that the choice between association either with Togoland under French administration or with the Gold Coast, or possibly with both, must largely depend on whether or not unification of some or all of the Territory's peoples with their neighbours under French administration was going to take place.

For the time being, the Visiting Mission noted that the political development of the Trust Territory was completely linked with that of the Gold Coast, whose people, with the agreement of the Administering Au-

[301] The unification problem is dealt with in chapter IV, Part I of this report.

thority, seemed clearly to be taking rapid strides towards some form of autonomy. Under a new constitution granted to the Gold Coast and applying specifically to Togoland as well, the two territories moved during the period under review to a stage of further political development which placed them, in the estimation of the Administering Authority, ahead of all other colonial and Trust Territories in tropical Africa.

The new Constitution, together with incidental administrative measures, began to take effect at the beginning of 1951. The Administering Authority had found itself in agreement in principle with constitutional proposals made by a commission of inquiry sent to the Gold Coast in 1948 and decided to have these proposals examined, together with its own comments on them, by an all-African committee (the Coussey Committee) as a basis for a new constitution. The Coussey Committee's recommendations were in turn examined, together with the Administering Authority's further views, by Select Committees of the Gold Coast Legislative Council, and legislation has been enacted to give effect to a number of the final proposals. The constitutional instruments are the Gold Coast (Constitution) Order-in-Council, 1950; the Letters Patent and Royal Instructions passed to the Governor by the Administering Authority; the Northern Territories of the Gold Coast Order-in-Council, 1950; and the Togoland under United Kingdom Trusteeship Order-in-Council, 1949.

The new Constitution provides for a further degree of transfer of both policy-making and legislative power for the whole of the Gold Coast, including Togoland, to organs on which elected African representatives have a majority. While the Governor retains certain powers in reserve, the Executive Council has become the principal instrument of policy; it contains a majority chosen from the elected members of the Legislative Assembly, which now has an overwhelming majori · of elected African members and has been granted legislative power for the whole of the Gold Coast and Togoland. Suffrage has been extended into the rural areas, excepting the north, where elections are held by a single electoral college for the Northern Territories of the Gold Coast and the Northern Section of the Territory, and further reforms are in process of application to regional and local administration.

Under the old Constitution the Executive Council was purely advisory to the Governor. In legislative matters the Governor was the sole legislative authority for the Northern Territories of the Gold Coast, including Northern Togoland. He also had power to legislate separately for Southern Togoland, and occasionally did so, although in practice the Gold Coast Legislative Council enacted most of the legislation applying there by virtue of the fact that Southern Togoland is administered as part of the Gold Coast Colony.

The place of Togoland in the constitutional framework and in the general structure of administration is not as a single sub-unit of the Gold Coast. The Trust Territory is divided in the first place into two principal parts, the Southern Section forming one district of the southern (Colony) area of the Gold Coast, and the Northern Section being divided into parts of three districts overlapping the frontiers and belonging administratively to the northern (Northern Territories) area of the Gold Coast.

The Southern Section, though administered as part of the Gold Coast Colony, has a special body, the Southern Togoland Council, established in 1950 as an advisory organ and as a means of electing or appointing representatives of Southern Togoland to the legislature and to various economic and other boards and committees of the Gold Coast. This arrangement gives the Southern Section one seat on the Legislative Assembly; and, forming two electoral districts of the Gold Coast Colony, it elects two other representatives who are numbered among the twenty-one rural members elected by the Colony as a whole. The Northern Section of Togoland is not assured of direct representation on the legislature, being regarded as a part of the Northern Territories of the Gold Coast, which in turn chooses its representatives through an electoral college of the whole.

A further special provision, applying to the whole of Togoland, is a guarantee written into the Constitution that any law which is repugnant to the Trusteeship Agreement is void in the Territory to the extent of the repugnancy.

Administrative integration of the Territory with the Gold Coast

The Trusteeship Council has examined the integration of Togoland with the Gold Coast as part of its study of the question of administrative unions. In the past, the Council has made recommendations upon certain aspects of the situation of Togoland in relation to the Gold Coast, and it has also examined a number of petitions on the subject.

At its fourth session the Council expressed concern over the difficulty which it faced in performing its supervisory functions because of the degree of integration of the Territory into the Gold Coast, even at the lowest levels of administration, and the absence of adequate statistics and data for the Territory. It recommended that pending a final solution of the question of the administrative arrangements the Administering Authority should take steps or institute measures such as budgetary autonomy for the Territory.

The Administering Authority stated that budgetary autonomy for the Trust Territory could only be achieved at the expense of instituting a customs and fiscal frontier between it and the Gold Coast, and also by dissolving the essential and mandatory "integral part" arrangements contained in the Trusteeship Agreement. It expressed regret at the Council's difficulty in carrying out supervision, and assured it that every endeavour was being made to provide fuller and accurate information.

The recommendation of the Council at its fourth session (see above) also included a request that the Administering Authority should in future provide precise and separate data on all common services. The Administering Authority replied that it was making every endeavour to provide fuller and accurate information; and at its seventh session the Council noted with appreciation the efforts made in this respect and recommended that a further thorough study should be made of possible methods by which the Council could be given precise and separate figures in all fields. In its annual report for 1950 the Administering Authority, while continuing to supply estimates of revenue and expenditure that were only approximate, gave fuller details of expenditure under a greater number of main head-

ings. It stated also that it had arranged for the Gold Coast marketing boards (see below) to keep separate statistics of purchases made in the Territory of cocoa and other produce; and it had arranged to obtain certain trade figures from which to show fairly approximate estimates of the total external trade of the Territory. In the course of its 6th and 8th meetings, on 17 May and 4 June 1951, the Standing Committee on Administrative Unions examined the various aspects of the participation of Togoland under British administration in the administrative union with the Gold Coast. It studied the various papers[302] submitted to the Standing Committee and examined the relevant parts of the annual reports on the administration of the Territory for the years 1949 and 1950.

At its ninth session the Council adopted the following conclusions:[302(a)]

The Council notes:

(a) *That on 29 December 1950 a new Constitution for the Gold Coast and the Trust Territory of Togoland under British administration was promulgated;*

(b) *That this new Constitution which is now fully operative established an Executive Council and a Legislative Assembly which give to the people of the Gold Coast and of the Trust Territory a large measure of self-government;*

(c) *That the Southern Section of Togoland under British administration has three representatives in the Legislative Assembly, namely, two representatives elected as rural members and one territorial member elected by the Southern Togoland Council;*

(d) *That two members of the Legislative Assembly have been elected by a single electoral college for both the Northern Territories of the Gold Coast and the northern part of Togoland who are Natives of and resident in the Northern Section of Togoland.*

The Council, taking into consideration that the Gold Coast (Constitution) Order-in-Council, 1950, and Togoland under United Kingdom Trusteeship Order-in-Council, 1949, provides that no laws shall be applied to the Trust Territory which are repugnant to any provision of the terms of the Trusteeship Agreement is of the opinion that, as far as the constitutional framework is concerned the interests of the inhabitants of the Trust Territory are adequately protected. The Council feels, however, that in view of the special status of the Trust Territory in international law, the practical implementation of the new arrangements should be kept under constant review by the Trusteeship Council.

With regard to the safeguards enumerated in sub-paragraph 7 (a) of the Trusteeship Council's resolution 293 (VII), the Council notes that estimates of the Territory's expenditure have been provided in greater detail in the annual report for 1950 than for previous years; notes also that according to the annual report for 1950 plans have been made to obtain for 1951 and subsequent years certain trade figures from which it will be possible to provide the Trusteeship Council with fairly approximate estimates of the total external trade of the Territory both by value and commodities. Moreover, the Council notes that the Cocoa Marketing Board and Agricultural Produce Marketing Board have agreed to keep separate statistics of purchases of produce for export made in the Territory. The Council notes, nevertheless, that separate and detailed import and export statistics for the Territory have not yet been provided, and further notes the assurance of the special representative that such information will be contained in the next and subsequent annual reports.

With regard to the safeguards enumerated in sub-paragraph 7 (b) of the Trusteeship Council's resolution 293 (VII), the Council notes that the Visiting Mission to the Trust Territory of Togoland under British administration in December 1949 spent one day in Tamale, the capital of the Northern Territories of the Gold Coast, and three days in Accra, the capital of the Gold Coast.

With regard to sub-paragraph 7 (c) of the Trusteeship Council's resolution 293 (VII), the Council notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained.

With regard to sub-paragraph 7 (d) of the Trusteeship Council's resolution 293 (VII), the Council notes that, according to the information contained in the annual reports for 1949 and 1950, the total revenue derived from the Trust Territory [without grants under the Colonial Development and Welfare Act] amounted to:

1948-49	*1949-50*
£473,800	£779,621

and the total expenditure on the administration, welfare, and development of the Trust Territory amounted to:

1948-49	*1949-50*
£614,443	£799,735

Therefore, expenditure on the administration, welfare and development of the Trust Territory for the last two financial years has been not less than the total amount of public revenue derived from the Territory.

Constitutional reform

Other aspects of the situation of Togoland within the Gold Coast Constitution have been the subject of recommendations by the Council. At its fourth session it recommended that the Administering Authority should consider the possibility of establishing as soon as practicable such democratic reforms as would eventually give the indigenous inhabitants the right of suffrage and an increasing degree of participation in the executive, legislative and judicial organs of government preparatory to self-government or independence.

The Administering Authority responded to this recommendation by drawing attention to the constitutional reforms then pending, explaining that a wide system of franchise was proposed,[303] that it was not envisaged that seats on the Gold Coast Executive Council should be allocated on a geographical basis and that under the then existing proposals Togoland would receive a greater number of seats on the new Gold Coast legislature than its population would strictly justify. It had also, as an interim measure, added a seat for Southern Togoland to the existing legislature and had established the Southern Togoland Council for this and other purposes.

[302] T/C.1/L.6, T/C.1/L.10.

[302(a)] The same conclusions appeared originally in the third report of the Standing Committee on Administrative Unions, document T/917.

[303] See below, *Suffrage: Election of Legislative Assembly.*

At its seventh session the Council welcomed the steps that were being taken to work out the details of constitutional reform and noted with satisfaction the measures taken to give Southern Togoland representation in the meantime on the Gold Coast legislature and other bodies. At the same time, it urged the Administering Authority to take such steps as might be necessary to ensure that the representation of Togoland on these legislative and consultative bodies in the Gold Coast was proportionate to the Trust Territory's population and interests.

The Administering Authority replied that the representation of Southern Togoland on the new Gold Coast legislature was roughly proportionate to its population and interests, being in the proportion of three members for a population of 204,000, as compared with seventy-five elected members for the whole country with a population of 4,118,450. It added that the representation of Northern Togoland was not distinct from that of the Northern Territories, and it drew attention to the representation of Togoland on the marketing boards and main government committees and also to the development of regional administration and local government.

A number of petitions have been received in the past by the Council which bear in a general way, such as those relating to the Ewe problem, on the constitutional position of Togoland, or relate more specifically to various aspects of it. The latter category includes a number which were received before or during the visit to Togoland of the 1949 Visiting Mission; they varied from requests made by all the paramount chiefs in the north to be annexed completely to the Northern Territories of the Gold Coast, to complaints made by organizations in the south, particularly the Togoland Union and the "Natural Rulers and People", against the existing form of administrative integration, together with requests that Togoland should have a northern and a southern council and a territorial legislature of its own, as well as representation on the organs of the Gold Coast proper.

As indicated in its previous report to the General Assembly, the Council disposed of these petitions either by deciding to continue to examine the questions involved in the course of its annual examination of conditions in the Territory, or, in the case of those related to the unification problem, by noting that the questions raised would come under consideration by the Standing Consultative Commission dealing with that problem.

At its ninth session the Council had before it a further petition from the Togoland Union on behalf of the Congress of British Togoland[304] declaring that the proposals on constitutional reform were not acceptable to the people because the people had not been represented on the Coussey Committee which drew them up, and because the proposals did not provide for representation of Togoland on the Gold Coast Executive Council. The petition maintained that the wish of the people, pending the unification of the two Togolands, was that administrative and budgetary autonomy should be established in the Territory and the Southern Togoland Council should be converted into a legislative body. Two further petitions,[305] from the Togoland Youth Association, contained similar requests and also stated that the report of the Standing Consultative Commission did not represent the wishes of the people, and that the Administering Authority was attempting to annex the Trust Territory to the Gold Coast.

The Administering Authority stated that the introduction of the new Constitution did not prejudice a solution to the unification question which might be reached. It pointed out that the majority of Togolanders had preferred to co-operate in making the new Constitution work smoothly.

In its resolutions[306] on these petitions the Council drew the attention of the various petitioners to the recommendations on constitutional reform and local administration adopted at its ninth session (see below).

At its ninth session the Council adopted the following conclusions and recommendation:

The Council commends the Administering Authority on the promulgation of the new Gold Coast Constitution which it considers to be an important step toward full responsible government in the Trust Territory to which the Constitution has been applied; notes with satisfaction that this Constitution will give the inhabitants of the Territory the opportunity of acquiring higher political experience; notes with approval the safeguards retained in the new Constitution (a) *that any Gold Coast law repugnant to any provision of the Trusteeship Agreement would be to the extent of that repugnancy void in the Territory,* (b) *that the Governor may use his reserve powers to make certain that there is no infringement of the Trusteeship obligations, and* (c) *that there will be representation of the Trust Territory in the Gold Coast Legislative Assembly; notes the assurance of the Administering Authority that it is not only preserving the status of the Trust Territory but also taking particular measures to ensure that full consideration will continue to be given to the interests of the inhabitants; expresses the hope that the Administering Authority will take all possible steps to ensure full recognition of Togoland's interests in policies and programmes developed by the Gold Coast Government and full participation of Togoland in all phases of Gold Coast progress.*

The Government of the Gold Coast (including Togoland)

Executive authority

The Gold Coast Executive Council, formerly a body purely advisory to the Governor and composed predominantly of his senior officials, has become; under the new Constitution, the principal instrument of policy for the Gold Coast (including Togoland) and has a predominantly representative and African membership. Eight of the Council's twelve members are Africans, and of these eight, six are members of the Convention People's Party. This Party, whose objective is to bring the Gold Coast as soon as possible to the status of a dominion within the British Commonwealth of Nations, won the first general election in the Gold Coast and Togoland by a substantial majority.

The Governor must consult the new Council in the exercise of all his powers, and must act in accordance with its advice in any matter on which he is obliged to consult with it. Exceptions remain, however, in the

[304] T/PET.6/206, T/PET.6/206/Add.1, T/PET.6/206/Add.2 and T/PET.6/206/Add.3.

[305] T/PET.6/275 and T/PET.6/278.

[306] Resolutions 397 (IX), 407 (IX) and 408 (IX).

case of certain matters on which powers are reserved to the Governor by the Administering Authority. In general terms he may, with the prior approval of the Secretary of State for the Colonies except in cases of urgent necessity, act against the advice of the Executive Council if he considers it "expedient in the interests of public faith, public order and good government".

Under the new Constitution, government policy is decided by the Executive Council, whose decisions are made by a majority of members present and voting. Legislation sponsored by the Government goes to the Legislative Assembly as a result of collective decisions of the Executive Council. A majority of its members also elect from among their own number a member designated as Leader of the Government's Business in the Legislative Assembly.

The statutory composition of the new Council is as follows:

The Governor as president; three *ex-officio* members (the Chief Secretary, the Attorney-General and the Financial Secretary); and not less than eight representative members.

The representative members are chosen from among the elected members of the new Legislative Assembly. Their appointment requires the approval of the Assembly, and may also be revoked by it; thus, the Administering Authority states, the Assembly is capable of exercising a strict control over the Executive Council.

The Governor may charge any member of the Executive Council with the responsibility for any government department or group of departments. Members are called "ministers", with or without portfolio depending on whether they have departmental responsibilities. To enable this policy to be applied, the central Government departments have been organized into nine ministries.

The composition of the Executive Council is not statutorily based on geographical considerations, and no seats are allocated specifically to Togoland or any other areas of the Gold Coast.

To assist each minister, the Governor is also empowered to appoint, from among the members of the Legislative Assembly, a ministerial secretary who is described as the counterpart of a parliamentary under-secretary in the United Kingdom. The first appointments included that of a Togoland member as Ministerial Secretary to the Leader of the Government's Business, Dr. Kwame Nkrumah.

In addition, the Governor is authorized to appoint a public officer as a permanent secretary to each ministry.

Legislative authority

The Legislative Council in existence before the new Constitution took effect consisted of thirty-two members, including a speaker, six *ex-officio* members, six members nominated by the Governor, and the balance elected mainly by indirect methods and, in the case of five members, by municipal electors in four Gold Coast towns. In the last year of its existence one of the seats was specifically allocated to a representative of Southern Togoland. The Council contained no representatives of the north, either of the Gold Coast or of Togoland, and it had no power to legislate for the north.

The new Legislative Assembly is nearly three times the size of the old Council, and seventy-five of its eighty-four members are elected. The Assembly elects its own speaker, and it has three *ex-officio* members (the three senior government officials who are also members of the Executive Council); and six special members, three of them chosen by the Chambers of Commerce and three by the Gold Coast Chamber of Mines, only two of these six having the right to vote on any question for decision in the Assembly itself.

The Legislative Assembly covers what the Administering Authority refers to as the whole of the Gold Coast, by which it includes both the Northern Territories, previously not embraced by the legislature, and the Trust Territory. The Gold Coast Colony has thirty-seven members, of whom three are from Southern Togoland; Ashanti has nineteen; and the Northern Territories (which term includes Northern Togoland) have nineteen.

Legislative measures are introduced either as government bills resulting from a collective decision of the Executive Council or as bills sponsored by any member of the Assembly. The consent of the Governor is required, however, before the Assembly may act on any bill, amendment, motion or petition which would amount to a money measure, affect the salaries or conditions of public officers, or provide for the final determination of constitutional questions affecting traditional authorities.

The Governor has other reserve powers affecting the Assembly. In the interests of public order, public faith or good government (including responsibility of the Gold Coast as a territory within the British Commonwealth of Nations and matters affecting the public service) he may declare to be effective any bill or motion that the Assembly fails to pass in reasonable time and form. However, he may not make such a declaration except in accordance with a resolution of the Executive Council, or failing that with the consent of the United Kingdom Secretary of State, unless urgent necessity demands it. Except in the case of bills, the Secretary of State may revoke any such declaration.

All bills require the assent of the Governor or, in the case of certain matters, of the Administering Authority. Unless urgently necessary, the Governor is required to obtain instructions from the Administering Authority before assenting to bills falling within certain classes affecting, to a specified extent, such matters as divorce, currency or banking, differential duties, traditional authorities, treaty obligations, armed forces, the prerogative of the Administering Authority, rights and properties of absentee British owners, and external trade and communications.

Suffrage: Election of Legislative Assembly

The reorganization of the legislature has introduced to the Gold Coast, and consequently to part of Togoland, a system of suffrage wider in its application than any previously used. On the old Council the majority of the African members were chosen by area organizations which are based on the Native Authorities and whose representation rests largely on traditional or customary principles; in the new Assembly one half of the much larger number of African members are chosen on a basis of popular election.

Direct, single-stage elections remain limited to certain municipalities in the Gold Coast proper, which elect

five members in all. Thirty-eight others are elected by the existing area councils of the Colony, Ashanti, the Northern Territories and Southern Togoland; these councils continue to be based on tribal or traditional organizations, but the composition of the Northern Council has already been broadened and further reforms not yet introduced envisage replacing the others by new regional councils having wider representation.

In the meantime a new element is the institution of elected "rural members", of whom the constitution provides for thirty-three and who are chosen by electoral colleges which in turn are elected by universal adult suffrage. It is proposed to extend the same system of suffrage to the election of the elected members of local councils intended eventually to replace the existing Native Authorities.

Togoland is assured of being represented in the Legislative Assembly by three of the thirty-seven members from the Colony area; one of these three is elected by the Southern Togoland Council and the other two are elected indirectly by the inhabitants as rural members. All of these members are from Southern Togoland; the northern part of the Trust Territory is represented through the members for the Northern Territories of the Gold Coast as a whole.

In the election of the thity-three rural members, including the two from Togoland, persons of both sexes have the right to vote as long as they are of British nationality or protected status, are at least 21 years of age, have lived in their constituencies for six months before the date of registration notice, and have paid their local tax where this is collected.

Preparations for the rural elections, which were held in February 1951, were begun in Southern Togoland in the latter part of 1950. Each phase was preceded, the Administering Authority states, by an elaborate public information campaign. The first phase was the registration of electors. The Administering Authority considers that the over-all result was not unsatisfactory, taking nto account the complete novelty of the proceedings and the comparatively short period available to prepare the people. In the Akpini-Asogli-Awatime constituency 23.9 per cent of the nominally eligible adults (not including persons ineligible on grounds of tax defaulting, residence, lunacy, criminal conviction, etc.) registered; in the Buem-Krachi-Atando constituency 30.7 per cent registered; and the Administering Authority compares these results with an over-all average of 31.9 per cent for the Gold Coast Colony and Southern Togoland rural areas combined.

The elections themselves were in two stages, both by secret ballot. In the first stage, the constituencies were divided into electoral sub-districts of about 1,000 persons, each electing one member to an electoral college consisting of about 100 members. In the second stage, each candidate to be elected to the Legislative Assembly was required to be nominated in writing by three electors of the electoral district. There were four candidates in each of the two rural constituencies, the successful candidates being Mr. Gerald O. Awuma and Mr. Kodzo. The third member, chosen by the Southern Togoland Council from six candidates, is Mr. F. Y. Asare.

The electoral system for the Northern Territories, which include Northern Togoland, is of a different kind. Instead of being divided into constituencies the area has a single electoral college. This college consists of the sixteen members of the Northern Territories Council, to whom are added one delegate per 10,000 of the population, or 104 such delegates in all, who are nominated by the existing district councils. The college elected nineteen members to the Legislative Assembly. In the first elections, three out of thirty-four candidates nominated were Northern Togolanders, and two of them were elected.

As already noted, and before the new Constitution took effect, the Trusteeship Council at its fourth session had adopted a recommendation favouring, if possible, the eventual granting to the inhabitants of Togoland of the right of suffrage. At its seventh session it noted with satisfaction that the constitutional proposals provided that a beginning would be made in this direction. The Council appreciated the difficulty of introducing at once a modern system of suffrage, and recommended that all necessary educative measures should be undertaken to prepare the population for the adoption of universal suffrage with the least possible delay.

The Administering Authority responded by drawing attention to the form of universal suffrage which has since been introduced into Southern Togoland and to the reasons for not introducing it at present into Northern Togoland.

Opposition to participation in the elections in Southern Togoland was expressed in five petitions brought before the Council at its ninth session. The Togoland Union[307] stated that "the Natural Rulers and people of Western Togoland" had decided not to register or vote in the elections because they had not accepted the Coussey recommendations for constitutional reform; it also complained that in spite of this decision the District Commissioner had been persuading and intimidating chiefs and individuals to register. The spokesman of the Togoland Congress, addressing the Council at its eighth session in support of this petition, stated that the three members subsequently elected from Southern Togoland in no way represented the people. Another petition, that of Mr. Kodjo Buachie[308] made a complaint of illegal registration in the Buem Native Authority area. A petition from Mr. S. G. Antor transmitted eighty-six forms allegedly forged during the registration of voters in the Territory.[309]

One of the southern Native Authority organs, the Akpini State Council[310] informed the Council that it did not intend to allow elections to be carried out because of the confusion among the people arising from the fact that they had at one and the same time to consider their representation on the Consultative Commission (dealing with the unification question) and on the Legislative Assembly, and that insufficient information and publicity had been given. A further petition from the Togoland Youth Association[311] stated that the boycott of the registration for elections to the Gold Coast Legislative Assembly was the result of the wish of the people of the Territory to have their own legislative, executive and judicial organs.

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[307] T/PET.6/206, T/PET.6/206/Add.1, T/PET.6/206/Add.2 and T/PET.6/206/Add.3.
[308] T/PET.6/219, T/PET.6/219/Add.1, T/PET.6/219/Add.2 and T/PET.6/219/Add.3.
[309] T/PET.6/243.
[310] T/PET.6/214.
[311] T/PET.6/275.

The Administering Authority pointed out that by no means all persons advocating unification were prepared to boycott the elections, and that no persons had been registered who did not apply for registration. It had taken measures to publicize the elections, registration procedure, etc. There had been no charges of forging of registration forms except from the sub-district of Jasikan; upon investigation, it was revealed that the forms, which had been filled out at the instigation of the local chief and were in no way prompted by the Administration, had been confiscated and never used.

The Administering Authority stated that the petition from the Akpini State Council came from only a small minority of that council. The Administering Authority had appreciated the possibility of confusion arising from the unfortunately short time between the elections for the Standing Consultative Commission and the registration for elections under the new Gold Coast Constitution and consequently every effort had been made to explain the purpose and significance of the two procedures to the people of Togoland.

In its resolution[312] on three of these petitions the Council expressed regret that there should have been any irregularities in the registration for elections to the Gold Coast Legislative Assembly, and urged the Administering Authority fully to explain election procedures to all concerned in the Trust Territory so as to avoid the recurrence of such irregularities. In this and two other resolutions[313] the Council drew the attention of the various petitioners to the importance attached by the Council to any democratic electoral system in the Territory designed to ensure their fuller participation in local and central government, and the importance, therefore, of the petitioners' co-operation in future elections and of the expression of their views by means other than boycott. The Council also urged the Administering Authority to devote special attention to preparing the indigenous inhabitants for participation in elections.

At its ninth session the Council adopted the following recommendation:

The Council notes with satisfaction the extension of suffrage and the secret ballot to Southern Togoland; notes further that the Administering Authority hopes that it will be possible to extend suffrage to the northern part of the Territory as soon as practicable, and recommends that this step be expedited and implemented as soon as possible.

Local administration

Under the over-all responsibility of the Governor of the Gold Coast, Togoland continues to be administered, as has been noted above, as parts of the Northern Territories and of the Gold Coast Colony. Each of these wider areas is under the charge of a chief commissioner and is divided into a number of administrative districts, to each of which a district commissioner is posted. The District Commissioner is responsible to the Chief Commissioner for the government of his district; his duties include supervising and assisting the one or more Native Authorities functioning in his district, to which certain local powers and responsibilities are delegated. The Native Authorities are in general a development of tribal institutions, each usually consisting of a paramount chief or group of chiefs, a council largely composed of elders or other tribal leaders, a Native treasury and courts of justice and a staff of technical and administrative employees. The technical departments and services of the Gold Coast Government, through their central staffs and officers in the field, co-operate with the administrative service and with the Native Authorities in the development of the districts.

Northern Togoland is divided into parts of three such districts which are not completely contained within the Trust Territory, and the greater part of the administrative supervision and technical services applying to the Territory are based on the Gold Coast side of the frontier. One of the districts (Dagomba) has its headquarters within the Territory, in the charge of a district commissioner to whom an assistant was posted in 1949. In that year also a medical officer and an inspector of works were posted to the same headquarters. Two of the Native Authorities have their headquarters in the same district; the three others functioning in respect of Northern Togoland are based outside the Trust Territory proper. The Administering Authority states that many functions of the central Government have already devolved upon them, and that it is on the gradual acceptance and successful discharge of fresh responsibilities by these local authorities that the surest hopes of political progress are founded.

Southern Togoland consists of one administrative district into which the Krachi area, transferred from the Northern Territories in 1950, has been included. This district falls under the responsibility of the Chief Commissioner of the Colony, whose headquarters are at Cape Coast in the Gold Coast. Southern Togoland has a senior district commissioner to whom a district commissioner and an assistant district commissioner at Kpandu, a district commissioner at Kete-Krachi and an assistant commissioner at Ho are responsible in the first instance.

These officers, as in the north, co-operate with the Gold Coast technical departments and supervise the Native Authorities. Senior departmental officers stationed in the Trust Territory in 1950 comprised an education officer, two medical officers, a magistrate, a police officer, an agricultural officer, an agricultural survey officer, a forestry officer, an inspector of produce, an inspector of rural water works and an inspector of public works. There are six Native Authorities in the Southern Section.

Steps have been taken, and others are in progress, both to reorganize the administration of the Gold Coast and Togoland as a whole on a regional basis and to reform the system of local government. The constitutional reform proposals provided for the establishment of four administrative regions — the existing Northern Territories, the Ashanti area, the Colony area, and a new region in which Southern Togoland would be combined with adjacent, and mainly Ewe-inhabited, districts of the Gold Coast. The central Government would decentralize its services as far as possible to these regions, each of which would have its own treasury and budget, representative council and executive committee.

These proposals were still under study at the end of 1950, but the Administering Authority stated that Northern Togoland would, as desired by its people, continue to be administered as part of the northern region.

[312] Resolution 397 (IX).
[313] Resolutions 397 (IX), 400 (IX) and 407 (IX).

The Native Authorities there are also represented on the Northern Territories Council, a consultative body, which has been given statutory authority. The question of the Southern Section was still under consideration; the Administering Authority had earlier withheld its approval of the proposal for a new region combining the Trust Territory area with part of the Gold Coast, stating that in view of opposition which had been expressed in Togoland and in view of the special status of the Territory the decision must clearly depend on the interests of the people concerned. Discussions on the matter during 1950 in the Southern Togoland Council were inconclusive. This Council, on which the six southern Native Authorities are represented, was established in 1949 as an interim consultative organ and an electoral body through which Southern Togoland sends one of its three members to the Gold Coast Legislature, and one representative each to the Cocoa Marketing Board, the Agricultural Produce Marketing Board, the Agricultural Development Corporation, the Library Advisory Board, the Vernacular Literature Board, four Central Advisory Committees and the Scholarships Selection Board.

The transformation of the present system of local administration by the Native Authorities into a more effective and democratic one has also been planned in detail, and proposals are awaiting action by the Legislative Assembly.

At its seventh session, the Trusteeship Council urged the Administering Authority to continue to develop as rapidly as possible local and sectional representative organs; and in this connexion the Administering Authority drew attention to the developments outlined above.

The Council noted with satisfaction, at the same session, an assurance it then received that full weight would be given to the wishes of all the people of Togoland before any decisions regarding proposed regional arrangements for the Territory were taken. It also expressed approval of the establishment of the Southern Togoland Council, and expressed the hope that this Council would provide increasing opportunities to develop the capacities of the inhabitants for self-government; and it noted with approval the enactment of ordinances providing for a more advanced pattern of Native administration in Southern Togoland.

At its ninth session the Council adopted the following conclusions and recommendations:

The Council, noting that the report of a Special Commissioner on the question of regional organization for the Gold Coast and the Trust Territory will soon be published, awaits with interest the receipt of this report and the decisions taken thereon by the Administering Authority as far as they may affect the Trust Territory, and recommends that the Administering Authority give consideration to the question of establishing a region under the Gold Coast Constitution consisting of Southern Togoland alone.

The Council, noting that the question of creating modern, advanced units of local government is still under active study by the new Government of Gold Coast, expresses the hope that it will be possible for the Legislative Assembly to approve reforms in local government during 1951 and for such reforms to be inaugurated thereafter as soon as possible in the Trust Territory.

Civil Service

The Administering Authority states that under the new Constitution the control of the Gold Coast Civil Service is removed from the arena of politics and placed under the control of the Governor, who will be advised by a Public Service commission. Two experts have been commissioned to make recommendations on the structure of the civil service.

The policy of recruiting suitably qualified Africans to senior posts in preference to non-local recruits has been endorsed by a select committee of the legislature, which has also, the Administering Authority states, made very wide recommendations covering the development of secondary, technical and higher education and the provision of scholarships to ensure that the flow of qualified Africans is increased as rapidly as practicable. An African officer was appointed in 1950 to a new post of Commissioner of Africanization for the Gold Coast.

The Administering Authority submitted figures showing that of 402 civil servants stationed in the Trust Territory at the end of 1948, fifty-eight were Togolanders; on the other hand, the total number of Togolanders in the whole Gold Coast Civil Service was no less than 940. Two of the senior officers stationed in the Territory in 1950 were Africans.

At its ninth session the Council adopted the following recommendation:

The Council notes with satisfaction the appointment of a Commissioner for Africanization, and the appointment of an African to that post, and urges that the Administering Authority continue to take necessary measures to ensure an increase of qualified Togolanders in all branches of the civil service, particularly the senior branch.

Judicial organization

The Trust Territory continues to share the judicial system of the Gold Coast, which compromises two sets of courts: (1) the Supreme Court and the magistrates' courts, which administer English law, and (2) the Native courts, which administer indigenous law and custom.

Administrative officers have powers of review and transfer in the Native courts; they also have limited jurisdiction as magistrates. One professional magistrate is stationed in the Territory, at Ho in the southern section. At its seventh session the Trusteeship Council noted his appointment with approval, and hoped that the Administering Authority would secure sufficient staff to make this a permanent arrangement.

Differences between the north and south

The relatively slow rate of political, economic and social development of the northern peoples, as compared with the south, has engaged the attention of the Trusteeship Council in the past. At its fourth session it recommended that the Administering Authority should take such measures as would rapidly develop the Northern Section; and the Administering Authority responded by giving an extensive account of the reasons for the differences in development between north and south and the steps it was taking to improve economic and educational conditions in particular.

At its seventh session the Council noted this statement with appreciation and expressed the hope that the Administering Authority would continue and accelerate its efforts. It also noted with satisfaction the steps taken to accelerate economic progress, and expressed the hope that a soil fertility survey then in progress in the Gold Coast could be extended to the Northern Section at an early date and that consideration would be given to providing the services of an agricultural officer for the area.

The Administering Authority replied that it regretted that it could not make any promises on the subject of the soil survey, explaining that other areas had higher priority. In the case of agricultural services, it stated that the draft ten-year development plan for the Gold Coast included provision for a district agricultural station at Yendi under an agricultural officer.

The Council at its seventh session also noted with satisfaction progress which had been made by the Native Authorities in the north, and urged the Administering Authority to push forward as rapidly as possible with the political education of the inhabitants so that they could play their full role in the political advancement of the Territory.

The Administering Authority drew attention in response to the recent political reforms as they affect the north, and to the pending introduction of radio-rediffusion, radio kiosks and increased supplies of Public Relations Department publications and vernacular literature, and to plans which had been discussed for extending mass education activities to the Northern Territories of the Gold Coast and to the Northern Section of Togoland.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general; Administrative integration of the Territory with the Gold Coast; Constitutional reform

The representative of Argentina observed that the Trust Territory was very closely linked to the Gold Coast by an administrative union. Although the Trusteeship Agreement permitted such a union, it did not permit the union to become a political annexation. He pointed out that the Territory should evolve toward independence as an autonomous political unit, in accordance with the provisions of the Charter. He considered that the new Constitution adopted for the Gold Coast so closely linked the political life of the Territory with that colony that any differentiation was made almost impossible. He expressed doubt whether the objectives of the Trusteeship System would thereby be fulfilled.

Noting that the Trust Territory was steadily merging into the neighbouring British colony, he wondered how the Administering Authority could inform the Council of the development and advancement of the Territory if it obtained this information only through a colony which was itself evolving toward autonomy. He further wondered what the situation of the Territory would be when the colony achieved its independence, since the United Kingdom would then lose authority and control over the Gold Coast and would, in turn, necessarily lose authority and control over the Trust Territory. He hoped that the next report would include more detailed information in this regard.

The representative of Thailand considered the promulgation of the new Gold Coast Constitution to be an event of prime importance and a substantial step toward full responsible government in the territory, to which the Constitution was to be applied.

In so far as the Trusteeship Agreement had authorized the United Kingdom Government to administer the Trust Territory of Togoland as an integral part of its territories, the attention of the Trusteeship Council should be directed not to the political evolution of the Gold Coast in general, but to the place reserved for the Trust Territory as a result of the recent reforms.

Noting the concern expressed in certain quarters at the eventuality of not merely an administrative union, but a political integration or even an annexation of the Trust Territory with or by the Gold Coast, he expressed the hope that the future would prove these allegations and apprehensions unwarranted. For the present, he welcomed the statement by the representative of the Administering Authority that, whatever development took place in the Gold Coast, it was the intention of the Administering Authority to ensure that it would accept and implement all obligations under the Charter of the United Nations and the Trusteeship Agreement.

He also noted with satisfaction the safeguard in the Constitution which proclaimed as null and void any law which might be inconsistent with the Trusteeship Agreement.

The representative of China noted with interest the promulgation of the new Constitution for the Gold Coast, but expressed concern about the resulting increased administrative integration of the Trust Territory with the Gold Coast. He believed that the extension to the Gold Coast of a much greater degree of self-government would result in a much greater degree of control on the part of the Gold Coast inhabitants and, correspondingly, less control by the Administering Authority over the administration of the Territory. He felt, therefore, that it was difficult to see how the Administering Authority would be able to preserve the separate identity of the Territory. He considered that an important step towards the preservation of the Trust Territory's separate identity would be the development in the Territory of its own organs of self-government.

The representative of Australia felt that the most important development in the Territory had been the promulgation of the new Gold Coast Constitution. He considered that this Constitution, which marked a significant advance toward full responsible parliamentary government, was a form of government which represented the best the Administering Authority had to offer out of its political experience to the territories for which it was responsible. The liberal powers conferred on the people by this Constitution far exceeded those given in the past to communities more politically mature. The extent of the powers provided under this Constitution and the relation of its principal organs *inter se* had been determined after a careful assessment of the degree to which the people were ready to assume political responsibility. He believed that the Council should note with keen satisfaction that this Constitution would give the people of the Territory the opportunity of acquiring actual political experience at all stages — elec-

tions, formulation of policy, legislation etc. — to a degree not yet open to any other Trust Territory.

The representative of the United States of America considered that the implementation of the new constitutional arrangements for the Gold Coast and Togoland represented an outstanding forward step in political advancement, for which the Administering Authority should be commended. Nevertheless, he noted that these reforms presented certain problems regarding the status and advancement of the Trust Territory itself.

He stated that the unsolved Ewe and unification questions constituted another factor hindering arrival at a definitive judgment of the new constitutional arrangements. He noted that some inhabitants had protested in petitions against the application of the Gold Coast Constitution to Togoland on the grounds that it jeopardized or perhaps conflicted with their aspirations for unification of the two Togolands in whole or in part. He considered that it was impossible to judge how far those reservations might prove to be justified until further developments had taken place with regard to the Ewe and unification questions.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had divided the Trust Territory into a Northern and a Southern Section and had annexed them to the neighbouring Gold Coast Colony and the Northern Territory Protectorate. This had rendered impossible the advancement of the Territory towards self-government or independence. Although the Administering Authority had referred to the Trusteeship Agreement to justify that policy, it was well known that nothing in the Agreement authorized the dismemberment of the Trust Territory and its absorption into neighbouring British colonies.

He noted that Togoland had no legislative, executive or judicial organs of its own. All power in the Territory was in the hands of the Governor of the Gold Coast who administered Togoland through two British High Commissioners. The supreme judicial authority of Togoland was the High Court of the Gold Coast. Revenues collected in the Territory were included without distinction in the common budget of the Gold Coast but the expenses of Togoland were allocated not on the basis of its needs but on the basis of the need of the various sections of the Gold Coast with which the Territory was combined. There were no organs of local self-government in the Territory based on democratic principles in which the indigenous population might participate. The political situation in Togoland was characterized by a complete lack of rights for the indigenous population, which was thereby prevented from participating in the administration of their own country and placed under the authority of British officials residing in adjoining territories. He considered that the subordination of Togoland to the Gold Coast Colony was contradictory to the Charter. The Council should recommend that the Administering Authority establish in the Trust Territory legislative and executive organs which would not be subordinate to any organs established on the basis of the unification of Togoland with the neighbouring Gold Coast Colony, and that for this purpose legislative and other measures be taken to ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory.

The representative of the Administering Authority considered that the noteworthy political developments in the Gold Coast, in which the people of the Trust Territory had fully shared, provided further proof that the administration of the Territory as an integral part of the Gold Coast in accordance with the Trusteeship Agreement was very advantageous to the Territory as well as absolutely necessary in view of its geographical and ethnic structure, and in no way prejudiced the status of the Territory. As a result of these developments, the indigenous inhabitants were now taking part in the most advanced form of government in any dependent African territory. He stated that these developments and those in the field of regional and local government demonstrated that the obligation imposed on the Administering Authority by the Charter and the Trusteeship Agreement to promote the advancement of the Territory toward independence or self-government had been carried out in full measure during the years under review. With regard to the suggestion that the extension of benefits deriving from progress made in the Gold Coast to the Trust Territory was somehow in conflict with the Charter or the Trusteeship Agreement, he reiterated that the Administering Authority had never undertaken to administer Togoland as a separate entity because it would be impossible to do so. He expressed assurance that in practice no difficulty would arise in this respect under the new Constitution, which contained provisions to ensure that the international obligations toward the Territory would be observed. The Administering Authority would do everything in its power to carry out its obligations under the Charter and the Trusteeship Agreement.

The Government of the Gold Coast (including Togoland)

Suffrage: Election of Legislative Assembly

The representative of New Zealand considered that the inauguration of the new Gold Coast Constitution, accompanied as it was by the introduction of universal suffrage and the secret ballot, was an encouraging advance toward full responsible government.

The representative of Thailand noted that the necessary steps had been taken to associate Togolanders in the election of representatives to the new Legislative Assembly, whose membership had been greatly increased, and that the last elections had brought forth three members from the southern part of the Trust Territory and two from the north. Future developments would show whether such representation would adequately safeguard the legitimate interests of the Territory in an Assembly in which the Gold Coast had a majority.

The representative of China noted with satisfaction the increased representation of the Trust Territory in the Gold Coast Legislature, the extension of suffrage to Southern Togoland and the use of the secret ballot.

Togoland administration

The representative of New Zealand expressed the hope that rapid progress would be made in the creation of extended forms of regional and local government, and in this connexion he would be inclined to support the establishment of a regional administration for Southern Togoland.

He further hoped that the Administering Authority would give careful consideration to the establishment within the Territory of a deliberative and advisory body of elected representatives solely from the Territory which would ensure full discussion and representation of the interests of its inhabitants.

The representative of China, noting that under the new Constitution the Territory would be more closely integrated with the Gold Coast, considered that an important step towards the preservation of the Territory's separate identity would be the development in the Territory of its own organs of self-government. He noted that various proposals concerning regional and local governments were still under consideration; he awaited with interest the results of this study.

The representative of the United States of America noted that the problem of creating more representative units of local government was still under active study by the new Government of the Gold Coast, and he hoped that it would be possible during 1951 to move from the planning to the action stage.

The representative of the Union of Soviet Socialist Republics stated that, in order to simplify the administration of the indigenous population and the collection of taxes, the British officials had availed themselves of the services of the tribal chiefs who were local agents of the British Administration. These chiefs were paid either a fixed salary or 10 per cent of the taxes which they collected from the indigenous inhabitants on behalf of the British administration. In view of the fact that the tribal system which now existed in the Trust Territory and which was encouraged by the Administering Authority was incompatible with the progressive development of the people towards self-government and independence, the Council should recommend that the Administering Authority take measures to ensure the transition from the tribal system to a system of self-government based on democratic principles.

The special representative of the Administrative Authority stated that the Territory was far beyond the tribal stage of development and would quickly be even further beyond it, although progress in the Gold Coast and the Trust Territory always had at its foundation respect for traditional institutions with their accumulated wisdom and experience. The political reforms in both central and local government which had been or would be introduced were entirely modern in their concept and execution, and the speed of evolution was such that the grant of full dominion status to the Gold Coast was likely to take place within less time than many people imagined. Such evolution made heavy demands not only on the Administration but on the general population as well.

He further stated that the collection of taxes by chiefs took place only in the Northern Section, not in the entire Territory. No chief alone had the power to levy a tax; this power was held by the Native Authorities, on which persons other than chiefs were represented.

Civil Service

The representative of New Zealand considered as commendable the appointment of a Commissioner of Africanization.

The representative of Thailand commended the Administering Authority on its declared policy of filling as many vacancies as possible from local candidates without distinction between inhabitants of the Gold Coast and those from the Trust Territory. He urged, however, that the Administration should take the necessary measures to ensure not only an increase in the number of Togolanders in the service, but also their appointment to senior posts of responsibility.

The special representative of the Administering Authority stated that the Administration recognized the need for professionally trained personnel, such as teachers and doctors, but since the selection of a career was a matter of free choice, the solution lay with the people.

He stated that the Commissioner for Africanization would be a valuable practical medium of further emphasizing to the rising generation of Togoland the needs of the Territory and the part they could play in meeting them. The highest inducements and conditions of service, particularly in the technical sphere, were being offered to suitably qualified persons, African and European, to take up posts in the Gold Coast and the Trust Territory; if the fullest recruitment had not been attained, it was not because of lack of effort on the part of the Administering Authority.

Differences between the north and south

The representative of Thailand expressed concern at the fact that the Territory has been divided and subdivided into many parts of many districts of the Gold Coast, and noting that the Administering Authority considered the profound differences existing between the northern and southern parts of the Territory as justifying the different systems adopted for electoral purposes and for local administration, he was nevertheless of the opinion that nothing should be done which might aggravate the north-south differences. Both sections had everything to gain by close association and co-operation. The efforts of the Administration should, in his view, aim at the uniformity of their political and administrative instrumentalities in order to achieve their ultimate unification. Therefore, he noted with satisfaction that a system of universal suffrage would soon be introduced in the north and that proposals had been submitted to the Legislative Assembly which would transform the present system of local government by the Native Authorities into a more effective and democratic one.

The representative of Belgium, considering that the policy of the Administration to equalize conditions in the Northern and Southern Sections of the Territory was in conformity with the Council's previous recommendations, noted that differences still existed but that the 1950 annual report had referred encouragingly to the virility, industriousness and intellectual capacity of the northern peoples. He expressed assurance that with increased mass communications, the Administering Authority would be able to establish closer contact with the thought and feeling of the peoples of the Territory. He anticipated that the application to the Northern Section of the recommendations made by the Committee of the Northern Territories Territorial Council, particularly those relating to district councils, would bring important results, as would the reform of regional administration.

The representative of China welcomed the statement of the special representative that, in the light of the recent experience in the south, suffrage would be feasible in the north within a short period; he hoped that the extension of suffrage to the Northern Section would be expedited and soon brought to completion.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

The stated economic policy of the Administering Authority is to give every encouragement to the indigenous inhabitants of the Territory to develop the natural resources of the Territory themselves. It explains that the law prohibits non-Natives of the Territory from acquiring land without the previous consent of the Governor, and that such transactions are in fact rarely authorized.

It states also that its economic policy is furthered by the demonstration of improved methods of farming and fishing, by the provision and improvement of water supplies, by the encouragement of co-operatives and assistance in the establishment of secondary industries, and also by the work of local development committees. The general situation, to which the policy is applied is one in which the natural resources at present in use consist almost entirely of the agricultural and pastoral capacities of the land itself; and its development, in the case of the majority of the indigenous inhabitants, is in turn limited to subsistence farming.

The General Assembly, at its fourth session, expressed full support of all steps leading to a greater participation of indigenous inhabitants in the profits and management of entities, public or private, engaged in the exploitation of minerals and other natural resources or in the production of, or trade in, raw materials and commodities basic to the Territory's economy. In reply, the Administering Authority gave an account in the report for 1950 of African participation in the economic activities of the Territory, and stated that the interests of the indigenous inhabitants were paramount in economic and social planning for the Territory.

The normal occupation of the adult population is the growing of foodstuffs in sufficient quantities to meet family needs. Farming and production methods generally are of a simple and traditional kind. The most important cash and export crop is cocoa, produced, according to statistics submitted, at the rate of somewhat over 20,000 tons a year by African farmers in the Southern Section. There is also a trade in surplus foodstuffs both internally and with the Gold Coast proper.

The Administering Authority states that in the north the majority of the people are living only a little above subsistence level. By the traditional system of shifting cultivation and the use of the hoe, they grow staples for local consumption, with only a small surplus for sale in the Gold Coast. The Administering Authority considers that if their economic situation is to be improved the aim must be the production of a reliable cash crop for which groundnuts offer the best prospects. It adds, however, that food supplies must first be assured, and that this in turn depends on intensified soil conservation work and improved agricultural methods, both of which are receiving the closest attention of the Gold Coast Departments of Agriculture and Forestry. In the south, too, the economy is basically agricultural, and methods of production are similarly simple; but there the cocoa areas provide the chief sources of wealth of the Territory.

In its statement of policy the Administering Authority gives as a cardinal point the demonstration of improved methods of farming. The Department of Agriculture had three senior officers in Southern Togoland in 1949; namely an agricultural officer, who supervises an agricultural station at Kpeve, and is responsible for extension work in the whole Southern Section and parts of the Gold Coast; an inspector of produce, who is concerned with cocoa, coffee and palm kernels; and a survey officer carrying out cocoa disease control and rehabilitation. Two other cocoa survey officers were posted there in 1950. In the Northern Section no senior officers are stationed; there is provision for an agricultural sub-station, in the charge of an agricultural officer, at Yendi in the draft ten-year development plan for the Gold Coast, but in the meantime agricultural work in the Territory is supervised by two officers based in adjoining areas of the Gold Coast. Agricultural demonstrations and advice are also given by the Native Authorities, and Agricultural Development Committees have been set up. A farm tractor was to be supplied to the Kpeve station in 1951 for use and demonstration.

The Administering Authority has found the northern farmers very conservative and reluctant to adopt new methods, but by 1951, 155 farmers in the Kusasi area of the Territory had been converted to mixed farming with bullock-drawn ploughs. The development committees offer financial and other assistance, and in 1950 legislation was enacted for the establishment of a Gold Coast Agricultural Loans Board, on which Southern Togoland will have one representative.

The examination by the Trusteeship Council at its seventh session of twelve petitions raising questions of agricultural development led the Council to adopt a recommendation in which, *inter alia*, it expressed the hope that the Administering Authority would intensify its assistance to the farmers in the development of their farms and in the improvement of agricultural methods.

Livestock is roughly estimated at slightly more than half a million head; by far the most numerous kind is poultry, and few cattle are found in the south because of disease. The quality of the stock is described as generally very poor.

Fish in limited commercial quantities are available in rivers running through or alongside the Territory, but most of the important fishing is done by Africans coming from outside Togoland and the fish is largely consumed elsewhere. A survey of the fisheries has been made by the Government and courses of instruction have been given in an effort to encourage the local inhabitants to fish.

About 6 million cubic feet of timber are cut annually from the forests of the Territory; nearly all of this is for charcoal and firewood purposes, and the local supply of sawn timber is not sufficient for the Territory's needs.

The provision and improvement of water supplies, which is another cardinal point of the Administering

Authority's economic policy, is a problem whose urgency and importance was emphasized by the Visiting Mission in 1949; and at its seventh session the Trusteeship Council recommended that the Administering Authority should devote the closest attention to securing an adequate supply for the inhabitants as rapidly as possible. The Administering Authority replied that in spite of difficulties arising from shortages of staff and materials remarkable progress had been made. Apart from further improvements to the piped supply at Ho and the establishment of numerous new wells, the first stage of construction of a piped supply at Yendi was completed, and construction of a piped supply at Hohoe was scheduled to begin in 1951. Further improvements provided for in future plans included piped supplies at three other towns.

The encouragement of co-operative organizations is another of the principal avenues by which the Administering Authority states that it furthers its economic policy for the Territory. In 1950 it had an assistant co-operative officer and two inspectors in the Territory, and the number of co-operative societies had increased to twenty-one from ten in 1947. Most of these were engaged in cocoa marketing; a consumer co-operative was expected to be established in the Territory in 1951.

There are no major manufacturing industries in the Territory, which the Administering Authority states is not well endowed with the requirements of industry. In the south there are two brick and tile works, one operated by a leper colony and the other by a mission. Weaving is carried on as a village industry in several centres and assistance given to it has included financial and advisory support to the weavers of Awatime by the Gold Coast Industrial Development Corporation, a statutory corporation established for such purposes. An output of some 1,500 yards of cloth per month was expected in 1951. Assistance has also been given to other craftsmen and artisans, including a potter and an ivory carver. Industry in the north is limited to local crafts, and the Administering Authority sees little chance that any of them will expand to any noticeable extent, particularly against the opposition of cheap imported goods.

Two groups having an active role in the economy of Togoland are European trading enterprises and individual Africans from other territories who are engaged in farming, fishing, trading and other pursuits. There are few non-Africans in the Territory, but European enterprise operates in the field of trade and commerce, in which seven companies of British, French and Swiss ownership bring in through the Gold Coast the bulk of the imported goods sold in the Territory and also operate as buying agents for cocoa in particular. The Administering Authority states that consideration is being given by a select committee of the Gold Coast legislature as to whether any form of financial or other assistance can be given to Africans engaged in commercial activities.

Non-indigenous Africans in Togoland were shown by the 1948 census as numbering nearly 65,000, or about one-sixth of the population. Africans from the Gold Coast, Nigeria and elsewhere are active in a number of economic pursuits in Togoland, including transport services, petty trading, commercial fishing and cocoa farming.

The Trusteeship Council has given attention in the past to the problem of providing adequate communications in the Territory; at its seventh session it concurred with the observations of the Visiting Mission on the importance of better communications to the general economic development of Togoland and noted the inadequacy of roads and river crossings as reported by the Mission, and recommended that the Administering Authority intensify its programme of road communications. The Administering Authority gave the Council a detailed account of recent and current improvements and extension works, indicating a material increase in funds provided for the purpose, and of considerable further development proposed under the draft ten-year plan.

In another recommendation adopted at its seventh session the Council recognized the need for the introduction of appropriate methods of improving communications and increasing agricultural production in order to raise the level of the economy and the standard of living of the people; it recommended that the Administering Authority explore and make use of every possible means of securing the necessary technical equipment and advice, and suggested that it should examine the possibility of securing technical assistance under the new United Nations programme.

The General Assembly at its fifth session drew the attention of the Administering Authorities to the facilities available for technical assistance from the United Nations and the specialized agencies and recommended that full use be made of these sources of assistance for economic expansion and other forms of development. It asked the Administering Authorities to report on aid requested and the manner in which such aid would be integrated into long-range plans for the Territory's development.

The Administering Authority replied that it would consider how it could avail itself of the United Nations technical assistance programme as soon as its ten-year development plan was approved and a decision taken on its Volta River scheme (see below). A grant of $303,555 for road construction machinery for the Gold Coast and Togoland as a whole had been made by the United States Economic Co-operation Administration; £100,000 for water supply development in the two territories had been provided by the Administering Authority itself, which had also financed other projects and expert advisers for a number of schemes in the Gold Coast. The Administering Authority considered, however, that broadly speaking the main obstacle to progress lay not so much in a shortage of funds or of expert assistance but in the provision of professionally qualified engineers, doctors, etc., and technicians to supervise and direct work on the projects themselves. It added that the long-term solution clearly lay in training an increasing number of Natives of the Gold Coast and Togoland, and drew attention to the existing scholarship schemes and university plans. In the meantime every effort was being made to recruit the personnel needed on comparatively short-term contracts. A tuberculosis study fellowship had been secured from the World Health Organization for a member of the Gold Coast Medical Department and a three months' rural education scholarship from UNESCO for a Native of the Territory.

At its ninth session the Council adopted the following conclusions and recommendations:

General

The Council notes with satisfaction the considerable progress achieved in the economic field during the period under review; commends the Administering Authority for its policy in encouraging the participation of the indigenous inhabitants in the economic development of the Territory, in particular by providing for their representation on all boards affecting their interests and by the establishment of local agricultural and rural development committees; and expresses the hope that similar committees in other economic spheres may be established. The Council further urges the Administering Authority to intensify its efforts to increase agricultural production by the indigenous farmers and to achieve greater diversification of types of production.

Co-operatives

The Council, noting with interest the increase in the number of co-operative societies during the period under review, recommends that the Administering Authority continue to foster the development of the co-operative movement.

Water supplies

The Council, noting with satisfaction the progress achieved by the Administering Authority in the provision of water supplies in the Territory and its plans for considerable further improvement, recommends that the extension of water supplies, particularly in the arid Northern Section, be increased.

Roads

The Council, noting the detailed account given by the Administering Authority of recent improvements to and extensions of the road system, the material increase in funds provided for this purpose and the further development proposed under the draft ten-year plan, recalls its previous recommendation that the Administering Authority intensify its programme of road construction, and recommends that particular attention be devoted by the Administering Authority to the construction of all-weather roads and that progress be accelerated in the improvement in the surfacing of existing roads.

Development plans

Togoland is included in an over-all ten-year development plan for the Gold Coast which was awaiting legislative approval in 1951. The draft plan provides for the setting up of a development fund which, when increased recurrent expenditure is taken into account, is estimated at more than £70 million. It is proposed to finance it mainly from loans (£25 million), general revenue (£15 million), new taxation (£10 million) including an additional duty on cocoa, and surplus assets (£7.5 million). United Kingdom colonial development funds will be available to the amount of £3 million.

Expenditure over the ten-year period would be divided mainly between economic and productive services, communications and social services, with smaller amounts for common services and general administration. The Administering Authority does not find it possible to provide at present any estimate of how much of the expenditure will be made in, and in connexion with the Trust Territory; but it lists a number of proposals for Togoland which include a new agricultural sub-station, town electricity supplies and piped water supplies, roads, buildings for the Ho secondary school and a teacher-training college in the north, hospital extensions, rebuilding of two prisons, five radio re-diffusion stations, and a labour exchange and district office. Provision has also been made tentatively for an irrigation and rice-growing project east of Ho, which is near the eastern border of the Trust Territory.

The plan is distinct from another large development scheme which is under investigation — that of damming the Volta River with the main object of providing hydro-electric power for an aluminium plant, but with concomitant plans for irrigation, wider distribution of electricity, a new seaport in the Gold Coast and improved communications. The Administering Authority explains that the direct benefits from such a scheme would be felt largely in the Gold Coast, although Togoland would derive both direct and indirect benefits.

Development on a local basis is fostered by the Administering Authority through the establishment of local development committees designed to encourage community improvement. During each of the past two financial years it has made grants of £10,000 to committees covering areas wholly within Togoland, and of £8,000 to others whose spheres of operation include parts of the Territory.

The Gold Coast Cocoa Marketing Board has made a first grant of funds for general development in the cocoa areas, of which those in Togoland are to receive some £5,500.

At its ninth session the Council adopted the following conclusion and recommendation:

The Council, noting the statement of the Administering Authority that the ten-year development plan will be before the Legislative Assembly in August 1951, looks forward with interest to the final approved form of the plan as it affects the Trust Territory and expresses the hope that prompt implementation will result.

Produce marketing; coca

Cocoa, the principal export produce of the Trust Territory, continues to be produced entirely by African farmers and marketed entirely under the guaranteed-price arrangements of the statutory Gold Coast Cocoa Marketing Board, which, in 1951, underwent certain changes in composition and powers. The less important quantities of coffee and palm kernels produced by the Territory have also been purchased and marketed since April of 1950 by a similar statutory organization, the Gold Coast Agricultural Produce Marketing Board. Togoland was in 1950 and early 1951 represented in the Cocoa Marketing Board and continues to be represented on the Agricultural Produce Marketing Board by a member elected by the Southern Togoland Council.

The function of the Cocoa Marketing Board is defined as "to secure the most favourable arrangements for the purchase, grading, export and selling of Gold Coast cocoa, and to assist in the development by all possible means of the cocoa industry of the Gold Coast for the benefit and prosperity of the producers". Togoland's crop is regarded as part of the Gold Coast's and has averaged about 8 per cent of the total.

The Board has its headquarters at Accra, and purchases the entire crop through trading firms, co-operative societies and other buying agents. It sells through a subsidiary company in London and the cocoa is shipped directly, where possible, to the purchasing countries, of which the most important in 1950 were the United States, the United Kingdom, Holland and Germany.

The Board as previously constituted determined, in advance, a fixed price for each crop, retaining normally a margin of profit from which to build up stabilization reserves to be used to support prices in the event of a world market decline, general reserves for its own needs, and funds for development purposes in the cocoa areas. The Board is not subject to income tax, and in its annual report for 1949-50 it states that the interest (nearly £800,000 in 1949-50) from its invested reserves alone amounts to more than thirty-five times its marginal overhead, or the cost of its existence.

In the year ended 30 September 1950 the Board spent some £23,500,000 on cocoa before shipment, and received £45 million in proceeds from sales. After paying freight and other costs and administrative expenses it made a surplus of some £18 million. Its accumulated surpluses then amounted to slightly less than £52 million, allocated principally as follows:

Stabilization reserve	£35,000,000
Rehabilitation of cocoa areas	8,053,750
Riot and civil commotion insurance	1,000,000
General trading and other reserves	7,750,000

The stabilization fund of £35 million exceeds the amount of £30 million to which it was originally intended to build this reserve. Because of the increase in the world price of cocoa, the Board in 1950 considered that it might have to increase the fund to about £50 million to ensure that it would be able, in the event of a serious fall in world prices, to stabilize the prices paid to the producers themselves.

As distinct from the £8 million set aside for the purpose, the Board has already spent some £787,000 on the rehabilitation of diseased cocoa areas, including compensation for trees which have had to be cut out and grants for replanting. It has also given £1 million to the Gold Coast University College for agricultural research and set aside another £1 million, invested in 3 per cent bonds, from which the interest is being used to finance a scholarship scheme for the cocoa areas.

All of these figures apply to the combined territories of the Gold Coast and Togoland. The annual fixed price paid to the Togoland farmer has varied considerably since 1947, when it averaged £73 per ton as compared with a mean selling price of £207 c.i.f. New York. In 1948-49 the Togoland average was £120 and the New York mean was £146; during part of this season world prices fell sharply to such an extent as to be below the price actually paid to the farmer and the Board showed a small net deficit on the year's operations. In 1949-50 the Togoland average was £84 and the New York mean was £178. For the 1950-51 crop year the price to the farmer was raised to £131 per ton, the highest price ever paid.

Purchases from Togoland in 1949-50 totalled 23,046 tons, out of a total Gold Coast purchase of 247,834 tons, and were the highest on record. The total amount paid out to the Togoland producers was £1,935,864. The trading companies and other agents buying the cocoa on behalf of the Board were paid fees amounting to £198,771. Export duty amounted to £354,684. For the Gold Coast crop as a whole, it cost the Board an average of £110 6s. per ton to buy, ship and market the cocoa; it sold the crop at an average of £178 per ton.

The Administering Authority informed the Council at its ninth session that at the instigation of the Executive Council of the new Gold Coast Government, an amendment to the Cocoa Marketing Board Ordinance was brought into effect on 23 May 1951 changing the constitution and powers of the board. Instead of consisting of a chairman and twelve members mostly appointed by regional or sectional bodies, the board now consists of a chairman and seven members appointed by the Minister of Commerce, Industry and Mines with the prior approval of the Governor-in-Council. The members include three producers, one of them being from the Trust Territory, and three persons having wide experience in commercial matters. The policy and operations of the Board have been brought more closely under government control by changes which include the requirement that it must obtain the prior approval of the Governor-in-Council before fixing the cocoa price.

In considering the operations of the Board, as previously constituted, as they applied to the Trust Territory, the Trusteeship Council has concerned itself with two aspects in particular: namely, the benefits derived by the farmers and the population in general of Togoland from the sale of the cocoa; and the representation of Togoland on the Board itself. At its fourth session the Council recommended that the Administering Authority should review from time to time its policy to the end that the producer might get the most direct benefits from his produce.

Subsequently, cocoa farmers in the Territory complained in a number of petitions that Togoland's interests were not properly represented in the organization of the industry and that the Territory was not receiving its proper share of the proceeds from the sale of its cocoa. These complaints were examined by the Visiting Mission of 1949, which while considering the stabilization policy to be sound in principle, expressed the view that the desire of the Togoland farmers to see concrete benefits brought to the Territory from the surplus profits was worthy of consideration. It noted, however, that it had been the policy of the Board to allocate its funds according to need rather than according to the production of the various cocoa areas. The Trusteeship Council, in examining these petitions, of which the principal ones — those of the Togoland Mandated Farmers' Association — were supported by oral presentations, expressed the hope at its seventh session that the Administering Authority would furnish separate figures on cocoa tonnage produced in Togoland in the next and subsequent annual reports; and it recommended that the Cocoa Marketing Board should be invited to consider the possibility of setting aside a fair and adequate proportion of its surplus funds over and above reasonable stabilization reserves, for developments and other benefits in the Trust Territory.

Separate figures of Togoland cocoa tonnage, with a breakdown of costs and prices, have been provided in the annual report for 1950. The Administering Authority informed the Council, in addition, of an interim scheme for spending up to £75,000 on local development projects in cocoa producing areas in the Gold Coast and Togo-

land as a whole. Of this sum £61,250 was being allocated to areas in accordance with the average annual tonnage produced in each over the past three years. The Trust Territory's share would be £5,500 and would be expended through the Southern Togoland Rural Development Committee on services for the benefit of cocoa farmers, e.g., feeder roads, wells and dispensaries. The Administering Authority also stated that a new graduated export duty on cocoa, additional to the existing 8½ per cent *ad valorem* duty, and starting at the rate of 1½ per cent is to be used exclusively for financing development generally.

On the other point — that of the representation of Togoland in the marketing organization — the Visiting Mission had noted that the Administering Authority had already decided to establish a seat on the Board for a representative of the Southern Section of the Trust Territory. The Togoland member, a chief, was elected in 1950. At its seventh session the Council welcomed this appointment and expressed the hope that it would be a successful means of bringing the farmers and the people of the cocoa areas into consultation with regard to the allocation of reserve funds. In its resolution on the petitions, in which continued dissatisfaction was expressed with Togoland's representation, the Council also recommended that the Administering Authority keep under constant review the representation of Togoland interests on the Marketing Board, continuing to bear in mind the principle that the Trust Territory should be adequately represented.

The Togoland Farmers' Union has put forward complaints on this question. At its ninth session the Council had before it a petition[314] stating that the Togoland member of the Board was not responsible to the body whose interests he was supposed to represent. The petition contained a resolution, addressed to the Southern Togoland Council (which the Administering Authority stated to have ignored the resolution), asking that the member be immediately withdrawn, and stating that if this was not done within three months all of the cocoa farmers in the Territory should at once discontinue the payment of their annual taxes to the Native Authorities. Another petition[315] from the Togoland National Farmers' Union, requested that there be no monopoly on the purchase of cocoa or other produce in the Territory, that the market be opened to nations of any Member of the United Nations, that the farmers be allowed to set up a Togoland Produce Marketing Board responsible for fixing minimum prices only, and that the purchasing of crops should not be left entirely in the hands of such a board.

The Administering Authority observed[316] that the member from Togoland on the former Cocoa Marketing Board had been chosen by the Southern Togoland Council which the Administering Authority considered to be a much more representative body than the petitioning union. Under the new method of representation nominations for members were to be made in consultation with farmers of Southern Togoland and from these one member would be chosen by the Minister of Commerce. Since the meeting of the National Farmers' Union had decided against representation on the Board, however, it was for the Minister to decide what steps should be taken. The Administering Authority considered that the representation of Togoland on the Board was liberal in view of the small tonnage of its production, which did not justify the establishment of a separate Board for the Territory. The Board now kept careful records of cocoa purchased in Togoland and its accounts had been widely publicized.

In its resolution on these petitions[317] the Council urged the Administering Authority to ensure that all elements among the Togoland cocoa producers were consulted in drawing up the list of nominees for the appointment of a Togoland producer to the new Board, and urged the cocoa producers to participate in such consultation; the Council further expressed the hope that the person chosen would receive the support of the majority of the cocoa producers of the Territory. It also drew the attention of the petitioners to the recommendation on the Cocoa Marketing Board adopted in connexion with its examination of the 1949 and 1950 annual reports and expressed the hope that the Administering Authority would continue to maintain a separate record of cocoa produced and purchased in the Territory and that such information would continue to be made available as widely as possible to the cocoa producers of Togoland.

A complaint of a different nature also came before the Council at its ninth session. The "Nkonya State Council"[318] forwarded a resolution protesting that the cocoa disease survey had been started in its area without the knowledge and consent of the head chief and by intimidation on the part of the District Commissioner. The petitioners complained that the cutting out of cocoa trees damaged the economy of the area; they were prepared to accept some other method of treating the cocoa disease but demanded the immediate withdrawal of the survey team. The Administering Authority observed[319] that the compulsory cutting out of infected cocoa trees, the only remedy for swollen shoot disease, had been authorized by the Gold Coast Legislative Council. Under the new policy of the Gold Coast Government, farmers were encouraged to cut out their own trees and were compensated for them. The Administering Authority explained, first, that Nkonya is not a state but only an unamalgamated Division, that no intimidation was used and that the survey which was merely intended to ascertain whether there were any diseased trees had now been postponed. The Administering Authority added that any neglect was the fault of the Division, which had in the past refused to join a local government unit. In its resolution[320] the Council noted the change in policy of the Government by which cutting-out was no longer compulsory and urged the Administering Authority to continue its efforts to explain to the indigenous inhabitants the necessity of cutting-out diseased cocoa trees.

At the same session the Council adopted the following conclusion and recommendation:

The Council notes the healthy financial position of the Gold Coast Cocoa Marketing Board; endorses the policy of the Board in maintaining adequate reserves while allocating surplus funds for projects of benefit to the cocoa producers and for scholarships for their

[314] T/PET.6/204.
[315] T/PET.6/280.
[316] T/929 and T/L.216.
[317] Resolution 409 (IX).
[318] T/PET.6/212.
[319] T/857.
[320] Resolution 399 (IX).

dependants; notes with satisfaction that in accordance with a previous request of the Council separate figures on the tonnage of cocoa production of the Territory have been provided; welcomes the recent reconstitution of the Board and expresses the hope that the revised membership will include adequate representation of the producers of the Trust Territory and that the Administering Authority will keep constantly in mind the desirability of securing the co-operation and support of the inhabitants of the Trust Territory for the policies of the Board.

Public finance; taxation

Revenue accruing in the Trust Territory is included without distinction in the budget of the Gold Coast as a whole and expenditures are allocated to it on the basis of its requirements in relation to those of the Gold Coast and the Trust Territory as a whole.

The separate figures for Togoland show a progressive increase since 1947 of both revenue and expenditure, and also a steady diminution and in fact disappearance of the customary deficit.

The estimated totals for the past three years are given as follows:

Year	*Revenue*	*Expenditure*
1947-48	£363,900	£625,540
1948-49	489,569	614,443
1949-50	812,971	799,735

By far the most important item of revenue is import duty, estimated at over £450,000 (56 per cent) in the latest year. The Administering Authority considers that the increase in total revenue was largely the result of the good cocoa season and the high price paid for it; export duties, mainly derived from cocoa, rose from over £70,000 in 1948-49 to £188,000 in 1949-50. Other main sources in the latter year were income and company tax (£52,000), and grants under the United Kingdom Colonial Development and Welfare Act (£33,350).

The largest items of expenditure in 1949-50, as compared with the previous year, were:

	1949-50		*1948-49*	
	Amount	*Percentage of total*	*Amount*	*Percentage of total*
Education	£166,626	20.87	£113,363	18.4
Public works	128,348	16.05	77,000	12.3
Military[a]	50,000	6.25	50,000	8.1
Medical	47,330	5.90	46,141	7.5

[a] The Administering Authority states that there are no military forces stationed in the Territory, and that no military expenditure is expressly allotted for the maintenance of law and order in the Territory. The item of £50,000 is given as the Territory's estimated share of the Gold Coast Government's expenditure on defence.

Other items were some £37,000 for pensions and gratuities, £34,000 for agriculture and £29,000 for police. Grants to local development committees totalled £11,636, and grants to Native Authorities £36,345. These latter maintain their own treasuries; the six in the south had a total revenue of some £65,000, of which government grants provided 40.6 per cent, and taxes, court and other fees and tolls yielded 50 per cent, and of the total expenditure education took 21.5 per cent, extraordinary expenditure 20.1 per cent, recurrent works 14.1 per cent, administration 11.1 per cent and health 10.4 per cent.

The dual Gold Coast tax system, with direct and indirect levies payable both to the Government and to the Native Authorities, continues to apply to Togoland. In practice, few Africans in Togoland pay direct income tax to the Government, whose chief source of revenue is import and export duty, the latter on cocoa in particular. The Native Authority taxes are mostly at flat rates and range in the south from four to ten shillings per male per annum, with a tax of two shillings for females in most areas, and in the north from five to eight shillings, with no tax on females. The rates have varied only slightly in the past two years.

At its ninth session the Council adopted the following recommendation:

The Council, noting the considerable improvement in the public finances of the Territory and that for the first time in the year 1949-50 there was a surplus of revenue over expenditure, expresses the hope that the improved financial situation will continue and will be reflected in increasing appropriations for the development of the Territory in all fields.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general

The representative of New Zealand noted with satisfaction the progress made in the field of economic advancement. He hoped that a greater diversification in the primary products of the Territory could be achieved, and noted with particular interest the investigations of the possibility of growing rice and of stimulating the African farmer's interest in pig production. He considered that the efforts of the Administering Authority to foster the use of manures were important for a Territory which was basically poor in natural resources, and that the Council would wish to urge the Administering Authority to intensify efforts to increase agricultural production by the African farmer in all fields.

The representative of Thailand expressed confidence that the Administration would ensure that nothing was done to prejudice the economy of the Territory, and that an appropriate and equitable programme of development would be carried out concurrently both in the northern and southern parts.

The representative of Belgium expressed assurance that the Council would note with interest future activities undertaken by the Gold Coast Department of Agriculture in various fields.

He suggested that the Council request the Administering Authority to provide the most detailed statistics possible in all fields relating to economic advancement, in particular for commodities imported and exported by the Territory.

The representative of China recalled that at the seventh session of the Trusteeship Council, an assurance was given by the special representative that the Administration would study methods of providing separate and detailed import and export statistics. He also pointed out that prior to the present session, the Standing Committee on Administrative Unions was assured that this information would be made available to the Council when it considered the reports on Togoland. Noting that this had not been done, he hoped that the

undertaking would be carried out by the Administration in its next report and in subsequent annual reports.

The representative of Australia noted with satisfaction the work of the Kusasi Agricultural Development Committee, particularly the increased membership in this Committee, the participation of the indigenous population in its work, and the introduction by the Committee of well-bred livestock and farming implements to the Northern Section. He also noted with interest that the Committee, through its activity in marketing groundnuts, might eventually develop into a co-operative society composed of the farmers themselves. He hoped that more information would be provided in future annual reports as to marketing schemes for products of the Northern Section.

The representative of the United States of America considered that substantial progress in the economic field had taken place during the period under review, and that if the present plans of the Administering Authority were successful, the Territory should enjoy even greater benefits in the near future.

He considered that the Council should endorse the policy of the Administering Authority and the Gold Coast Government that the people of Togoland be represented on all boards and committees which affect their interests.

The representative of the Union of Soviet Socialist Republics stated that the economic advancement of the Territory had been inhibited by the unification of the Trust Territory with and its subordination to the Gold Coast. He recalled that the Visiting Mission had noted expressions of dissatisfaction among the indigenous population with the slow rate of progress in general development. He stated that the Administering Authority had utilized the Territory as a source of raw materials for the metropolitan country and that as a result of that policy the economy of Togoland had been developed in an ugly, unilateral fashion.

Co-operatives

The representative of New Zealand, noting with great interest the development of co-operative activities, considered that the attention given by the Administering Authority to their progress was well-directed, and beginning to show very promising results.

The representative of Belgium expressed assurance that the Administering Authority would continue to encourage the development of the co-operative system.

Water supplies

The representative of New Zealand expressed the hope that under the ten-year development plan the schemes of the Department of Rural Water Development for improvement in the piped water supplies for rural areas would proceed with the least possible delay.

Roads

The representative of New Zealand expressed the hope that progress could be accelerated in the improvement of the surfacing of existing roads.

The representative of China recalled that the Council, at its seventh session, had recommended that the Administering Authority intensify its programme of road communications in order to provide more adequate communication facilities. The Administering Authority had given the Council a detailed account of recent improvements and extension work, indicating a material increase in funds provided for the purpose, as well as an account of the considerable further development proposed under the draft ten-year plan. He hoped that much further work would be accomplished under these plans, in view of the vast needs of the Territory and the present inadequacy of the road communications.

The representative of the United States of America expressed concern regarding the construction of all-weather roads, which he considered as very important for social as well as economic development and expressed the hope that the road-building and maintenance activities of the Gold Coast Government would be extended on a fully proportionate basis to the Territory.

The special representative of the Administering Authority stated that attention would be given by the Administering Authority to the practicable suggestions of Council members on water supplies, roads, and local government development, all of which were recognized to be of urgent priority and for which provision was made in the development plan. He pointed out that development had not waited on formal approval of the plan, but that several important items of the draft plan had already been put into operation. Much of the plan's execution would depend on the availability of skilled and technical personnel and of essential materials.

Land

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had maintained a policy of alienating land from the indigenous population and had failed to take appropriate measures to return to the inhabitants lands already alienated from them. He noted that a petition of the chief of the Ashanti Kpoeta district and the divisional sub-chief of Leklebi-Agfesia contained a request for the restoration to the indigenous inhabitants of 1,025 acres of land alienated from them. He further noted that the ten-year plan contemplated the establishment of forest reserves covering some 250 square miles in the Northern Section of Togoland alone. He stated that the forest reserve scheduling programme was a guise for the alienation of land from the indigenous inhabitants. The Council should recommend that the Administering Authority return to the indigenous population the lands alienated from it in any manner and that it should prevent the alienation of indigenous land in the future.

The special representative of the Administering Authority stated that the desire to alienate land and the actual alienation came from the indigenous inhabitants themselves, who sold the land to the Germans when Togoland was under German administration. There had been no failure to take appropriate measures to return to the indigenous population lands already alienated from it, and the case cited by the representative of the Union of Soviet Socialist Republics was distorted. The Custodian of Enemy Property had international legal obligations to see that the alienated land was sold at its fair value; this had been done, the people had re-purchased the land, and the proceeds of the sale had not gone to the Gold Coast Government or the people, as it was not their property.

The certificate of occupancy granted by the Governor in respect of four acres to a Roman Catholic mission merely approved the transfer of land by the indigenous inhabitants to a voluntary organization working for the benefit and advancement of the people of the Territory.

He pointed out that there was legal provision for the constitution of forest reserves to safeguard water supplies, to assist the well-being of the forest and agricultural crops thereon and in the vicinity, and to ensure the supply of forest produce to the indigenous inhabitants. Ownership of lands so constituted remained with the indigenous people; therefore it could not be correctly stated that land had been alienated under the guise of a forest reserve scheduling programme.

Development plans

The representative of the United States of America, noting the exceptional work of the Kusasi Agricultural Committee, the substantial accomplishments by the Southern Togoland Rural Development Committee and the successful revival of the Awatime weaving industry, expressed the hope that the Council would suggest that the Administering Authority continue and expand its policy of establishing these local development committees, which constituted a particularly effective means of associating the people of the Territory with Government development work.

He expressed the hope that it would be possible to complete the legislative consideration of the ten-year development plan at the next meeting of the Legislative Assembly so that prompt implementation could be effected. The Administering Authority should be commended for its complete and careful investigation regarding the benefits which would accrue to the Territory from implementation of the Volta River project; he considered that the successful carrying out of this scheme would be of such outstanding significance for the future welfare of Togoland that the Council should give every possible encouragement to it.

The representative of the Union of Soviet Socialist Republics noted from the report of the Administering Authority that the Trust Territory's requirements were not planned for separately but in relation to the needs of and the resources available to the Gold Coast as a whole. He stated that it was characteristic of the so-called Ten-Year Development Plan that expenditures for the construction of police buildings were eight times as much as expenditures for social welfare.

Produce marketing; cocoa

The representative of New Zealand noted with particular satisfaction the progress made in the marketing of cocoa, the main economic bulwark of the Territory.

The representative of Australia welcomed the statements of the special representative that provision had been made for the reconstitution of the Gold Coast Marketing Board; that instead of consisting of thirteen members and a chairman, with most of the members appointed by regional or sectional bodies, the Board would now consist of seven members and a chairman with all the members appointed by the Minister of Commerce, Industry and Mines with the prior approval of the Governor-in-Council; and that it was the intention to have a member from the Trust Territory on the Board. He expressed the hope that the membership of the new Board would include a representative of the Togoland producers as was the case previously.

The representative of the Union of Soviet Socialist Republics stated that as a result of the Administering Authority's policy to use Togoland as a source of raw material for the metropolitan country, the economy of Togoland had developed in a unilateral fashion with cocoa as the main commodity. All the cocoa produced in Togoland was purchased by the Gold Coast Cocoa Marketing Board which was a government monopoly. He recalled that this Board was set up without consulting the indigenous cocoa producers and that several petitions had pointed out that the interests of the producers were not defended by the Board. He stated that the Board collected tremendous profits from its operations and that the indigenous inhabitants of the Territory did not participate in the foreign trade which was entirely in the hands of large European companies.

The special representative of the Administering Authority, referring to the statement that the Administering Authority used the Territory as a source of raw materials, pointed out that of the total cocoa production of 246,000 tons sold in 1949-50, only 55,000 tons had been bought by the United Kingdom, which paid for it on the same terms as any of the numerous other purchasing countries. He stated that the Gold Coast Cocoa Marketing Board had been set up after close consultation with cocoa producers in all parts of the Gold Coast and the Trust Territory, and that it was grossly untrue to say that the Territory was not represented on that Board, as it had a member specifically elected from Southern Togoland, and an invitation had been extended for a Togoland producer to be on the new Board. It was incorrect to state that the foreign trade in cocoa was entirely in the hands of a number of large European companies, since all cocoa was produced by the indigenous inhabitants, and co-operative societies, composed entirely of these inhabitants, marketed almost 20 per cent of the total production in 1949-50.

Public finance; taxation

The representative of China noted with gratification that, for the first time, a surplus of revenue over expenditure was shown in 1950. He did not see why £50,000 was charged to Togoland as the latter's share in the Gold Coast Government's expenditure on defence; he noted that it had not been found necessary for Nigeria to make a similar charge on the Cameroons. He pointed out that this charge of £50,000 constituted 6.25 per cent of the budget, a percentage larger than the allocation for medical expenditure. He felt that this £50,000, if applied to the development of the Trust Territory, would be of great benefit to its inhabitants.

The representative of Australia stated that there was considerable improvement in the public finance situation.

The representative of the Union of Soviet Socialist Republics stated that the maintenance of the head-tax system — and the collective tax system which prevailed in the Nkonya district — did not take into account the financial resources of the indigenous inhabitants and their ability to pay. The Council should recommend that the Administering Authority take measures with a view to the replacement of the head-tax system by a progressive income tax system, or at least by a simple

income tax system which would take into account the financial position of the indigenous inhabitants and their capacity to pay.

The special representative of the Administering Authority recalled that in the Southern Section the recommended proposals for expanded local government included one to substitute for the existing tax system a system of taxation based on property assessment.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general

General social advancement, the Administering Authority states, is a process to which all agencies, voluntary, governmental, commercial and local, contribute. The principal governmental agencies are the Gold Coast Medical Department and the Social Welfare Department, both of which have staff working in the Trust Territory, and the Labour Department, which has no senior officers there. The Social Welfare Department has been particularly active in Togoland in the field of mass education and community development.

Human rights and fundamental freedoms

The Administering Authority states that all elements of the population are secured in the enjoyment of human rights and fundamental freedoms without discrimination as to race, sex, language or religion, and are subject to the same laws with regard to the safety of their persons and property.

The new Constitution of the Gold Coast (including Togoland) provides specifically that no law shall make persons of any racial community liable to disabilities to which persons of other such communities are not made liable.

The Trusteeship Council at its sixth session recommended the abolition of any existing discriminatory laws and practices contrary to the principles of the Charter and the Trusteeship Agreement.

In connexion with this recommendation, the Administering Authority stated that no discriminatory laws or practices contrary to the Trusteeship Agreement existed in the Territory.

Status of women

Women play an important part in the economic life of the Territory as traders in the local markets. Native custom does not recognize that women exercise formal political rights. The Administering Authority notes that in the Southern Section, however, they have become more and more vocal in their desire for political recognition. Under the new electoral laws the vote is granted to them in exactly the same circumstances as to men.

Child marriage used to be common in the Southern Section but is now less so, according to the Administering Authority. The annual reports for 1948-50 explain that girls are often betrothed, although not actually married, at an early age; the bethrothal is a most tentative one, and the contract is not enforced if the girl proclaims her repugnance to the union on reaching adult life.

At its fourth session the Council recommended that uncivilized practices which were gradually disappearing, such as child marriage, should be expressly forbidden by law.

Subsequently the Administering Authority pointed out that, in general, prohibition did little to hasten the extinction of social practices which were not repudiated by a large proportion of the community, and that the most effective means of eliminating practices which might not be consonant with civilized thought lay in the expansion of general and Christian education.

The Administering Authority stated that child marriages were, in fact, not customary in the Territory, and there was adequate legal provision for the prohibition of uncivilized practices which were known to have existed in the past.

At its ninth session the Council adopted the following recommendation:

The Council urges the Administering Authority to continue to give special attention to measures designed to improve the status of women.

Corporal punishment

The laws in force in the Territory permit the award of corporal punishment to both adults and juveniles. In the case of adults, flogging may be inflicted only in cases of rape, robbery with violence and a strictly limited number of similar offences. The Administering Authority has stated that no such sentence was imposed during the period from 1948 to 1950, nor for many years previously.

Whipping with a light cane of boys under 16 may be ordered in all serious crimes. In its annual report for 1949 the Administering Authority stated that the number of boys so punished decreased from 80 per cent of the juveniles appearing before the magistrates' courts in 1946, to 9 per cent (twenty-eight cases) in 1948. Statistics given for 1949 and 1950 show fifteen and six cases of whipping respectively.

The abolition of corporal punishment was recommended by the Council at its fourth session. At its seventh session the Council noted the decrease in the number of cases in Togoland and noted also a statement by the Administering Authority that its policy aimed at the gradual reduction of the use of corporal punishment with the object of abolition as soon as might be practical. The Council expressed regret that the Administering Authority had not yet seen its way clear to the complete and immediate elimination of corporal punishment, and reiterated its previous recommendation to this effect.

The General Assembly at its fifth session also recommended that measures be taken immediately to bring about the complete abolition of corporal punishment in all Territories where it existed, and requested the Administering Authority to report on the matter.

The Administering Authority responded by stating that in pursuance of the statements made by its representatives in the Trusteeship Council and in the General Assembly, steps leading to the reduction of the number of offences for which corporal punishment could be awarded, and to the eventual abolition of corporal

punishment were being carefully studied in all their implications. The Administering Authority has since stated that it has been decided to abolish corporal punishment for adults except in the case of the four serious prison offences for which it may at present be awarded and in such cases it may only be carried out with the approval of the Executive Council.

At its ninth session the Council adopted the following recommendation:

The Council, noting that the Administering Authority has undertaken in 1950 a further review of its position in the light of the General Assembly and Council resolutions regarding corporal punishment; noting further that it has been decided by the Executive Council of the Gold Coast that corporal punishment for adults will be abolished as a sentence of the courts; urges that measures be taken immediately to bring about the complete abolition of corporal punishment.

Medical and health services

The medical services available in Togoland are provided by the Gold Coast Medical and Health Department, the Native Authorities, and to a lesser extent the missions. The Administering Authority states that the southern part of the Territory is served by the central hospital at Accra in the Gold Coast and district hospitals within the Territory at Ho (thirty-two beds) and Hohoe (twelve beds, but now being rebuilt and enlarged to forty beds). The Northern Section is served by a thirty-six-bed hospital at Yendi which it is planned to extend to sixty beds, and by two hospitals at Bawku and Salaga outside the Trust Territory.

Twenty-five dispensaries, two of them just outside the Territory, also provide treatment, and compare with ten existing in 1949. Most of them are operated by Native Authorities. The Government runs ante-natal and child welfare clinics at four places in Southern Togoland and two in the north, one of the latter being outside the Trust Territory, and it operates a mobile dispensary based on Yendi. There is a Native Authority maternity clinic at Buem in the south, and another is placed at Nakpanduri in the far north. There are two leper settlements in the Territory.

In the period 1948 to 1950, two medical officers were stationed in Southern Togoland. Since the beginning of the latter year, a medical officer has also been stationed at Yendi in the north. The total number of all medical personnel increased from forty-nine in 1949 to seventy-eight in 1950, the government staff including the three doctors, four midwives and twenty-two qualified nurses. Five missionaries were engaged in medical work, and there was one private medical practitioner. The Administering Authority stated that the spread of dispensaries is resulting in a steady increase in public confidence in scientific medicine. The principal diseases treated by the regular medical services are yaws, skin diseases, malaria and pneumonia.

The total government expenditure for public health amounted to £59,860 in 1947-48, £46,141 in 1948-49 and £47,330 in 1949-50.

During the examination of the annual report for 1947 at its fourth session the Trusteeship Council noted with concern that only two medical officers were then stationed in Togoland and that hospital, dispensary and other medical and health facilities were inadequate for a reasonable programme of medical and health care for the population of the Trust Territory. The Council recommended that the Administering Authority should take measures to increase the numbers of doctors and other trained personnel and to take all further steps necessary to provide for the medical and health needs of the indigenous population; and also recommended that the Administering Authority should increase the budgetary allocations for the public health services.

The Visiting Mission of 1949 observed that the inadequacy of medical facilities in the Trust Territory was the subject of many complaints which it received. It noted, however, the current and projected expansion of hospital and other medical facilities and the fact that there was now a doctor at each of the three hospitals, and paid a tribute to the work being carried out at the leper settlement at Ho, which was managed with the assistance of the British Empire Leprosy Relief Association.

At its seventh session, the Trusteeship Council commended the Administering Authority for the excellent work being done at the leper settlement at Ho, as reported by the Visiting Mission, and emphasized the pressing need for an increase in medical officers and health services, particularly in the Northern Section.

In its report for 1950 the Administering Authority stated that the Medical Practitioners and Dentists Registration Ordinance was amended during 1950, in order to extend to the Northern Section the registration as practitioners of persons who held one of a wider range of medical diplomas than had been permitted in the Gold Coast. It indicated further that the total amount provided under the draft ten-year plan for the expansion of hospital facilities in the Territory was estimated at £91,000, of which £12,000 was proposed for the establishment of two model health centres; proposals were also made to create more medical field units as well as enlarge the scope of the existing ones, and to build, in the Northern Section, sufficient numbers of dispensaries to ensure that no patient would need go more than ten miles to secure treatment.

At its ninth session the Council adopted the following recommendation:

The Council, while appreciating the progress made in the field of health, notes the rather small number of doctors and hospitals, particularly in the Northern Section and the present shortage of trained indigenous medical personnel, recommends that the Administering Authority continue to expand the medical facilities and to train the indigenous inhabitants in the various aspects of public health to meet the extensive needs of the Territory, and continue to seek further assistance from the United Nations specialized agencies.

Nutrition

The Territory's over-all production of protein foods is insufficient, though the deficiency is to some extent made up by imports from the coast and overseas. The Administering Authority states that in terms of food factors the deficiencies are protein, calcium and riboflavin.

At its seventh session the Council invited the Administering Authorities to continue to explore, in co-

operation with the specialized agencies and also with competent scientific bodies, the possibility of utilizing and expanding the latest scientific methods in the improvement of nutritional standards among the inhabitants of Trust Territories.

The Administering Authority stated that the investigation being undertaken by the World Health Organization and the Food and Agricultural Organization respectively into *kwashiorkor*, which was perhaps the most widespread nutritional disease in tropical Africa, was welcomed by the Administration, which had given the experts every assistance during their visit to the Gold Coast. The Administering Authority explained also that the services of the nutrition officer in the Gold Coast were also available to the Trust Territory.

Incomes and standard of living

While noting that purchasing power is lower in the north than in the south, the Administering Authority described the standard of living in general as steadily rising in 1949. It observed in that year a general stabilization of economic conditions. In 1950 it found evidence throughout the Territory that more money was in circulation, but in the south it noted that the marked rise in the price paid for cocoa had been to some extent countered by a steady rise in the price of imported goods. Elsewhere in its report for 1950, it described this situation by stating that the increase in the price of cocoa and the high cost of agricultural products had (probably) compensated for the increased cost of imports. Market prices in the south also continued to rise in 1950.

The Visiting Mission of 1949 noted that no accurate assessment of incomes was made in the Territory; and for its part the Administering Authority has stated that very few Natives have sufficient income to be liable to income tax.

Regular wage-earners form a small minority of the population. Apart from labour seasonally employed on the cocoa farms, roughly estimated at 20,000-25,000, the Administration and the Native Authorities are the main employers of labour. Wage levels are described as being set by the Government. In September 1949 a temporary cost-of-living allowance of 15 per cent was granted, this being increased to 20 per cent in April 1950. Examples given of monthly wages paid by the Government in 1950 range from £3 18s. per month for labourers to £11 17s. 1d. per month for the highest-paid carpenters. The cocoa workers are employed either under caretaker systems, receiving one-third of the produce or a commission on each head-load; or at an annual contract rate of £12 to £20; or, less commonly, at a casual rate of about 2s. 6d. a day. Under the caretaker and contract systems, board, lodging, tools and working clothes are provided by the farm owner.

As far as costs and standards of living are concerned, no surveys are made and no statistics are available apart from lists of local market prices in the Southern Section of Togoland.

The Trusteeship Council, after examining the situation as it existed in 1947, made recommendations on both wages and cost of living. It recommended that the Administering Authority take appropriate measures to establish wages at a level which would not only enable workers to meet the expenses of everyday life, but would also raise progressively their standard of living.

The Council also expressed the opinion that cost-of-living studies would provide important information on conditions in the Territory, and might serve as a basis for a realistic policy designed to ensure the well-being of the indigenous population; and it recommended that the Administering Authority should undertake such studies as soon as possible.

The Administering Authority responded to the recommendation on wages by explaining to the Council at its seventh session the factors influencing wage levels and stating that the existing levels were considered to be fair and reasonable, having regard to the needs of the workers and the economic position of the Territory.

The Administering Authority stated that it recognized the desirability of obtaining detailed information regarding the cost of living, but it did not agree that such information would be an essential basis for a realistic policy of public well-being. It intended to carry out studies in the next few years.

At its ninth session the Council adopted the following recommendation:

The Council, noting the need for further improvement of wages and standards of living, expresses the hope that the Administering Authority will not relax its efforts to ameliorate the living conditions of the indigenous inhabitants and reiterates its previous recommendation that the Administering Authority undertake cost-of-living studies and review its wage policies in the light of such studies.

Observations of members of the Trusteeship Council representing their individual opinions only

Status of women

The representative of New Zealand stressed the desirability of raising as rapidly as possible the status of women, which did not appear to have kept pace with the political development of the Territory.

Corporal punishment

The representative of China hoped that the Administering Authority would seriously consider the possibility of complying with the recommendations of the General Assembly and the Council for the immediate abolition of corporal punishment.

Medical and health services

The representative of New Zealand considered that the Administering Authority should give the most urgent attention to the shortage of trained indigenous medical personnel. He felt that an endeavour should be made to provide increased training facilities, perhaps by a special school attached to the Gold Coast University College, so that Africans might assume responsibilities in the field of public health, thus compensating for the lack of trained medical practitioners until fully trained African doctors were available. He believed that the Council would wish to recommend an increase in the number of registered medical practitioners in the Territory, which had only three for a population of over 380,000 people. He also noted that more African nurses were needed.

The representative of the Union of Soviet Socialist Republics stated that the health services in the Territory were deplorable and that the Administering Authority had failed to take and did not anticipate taking any effective measures to improve the situation. He noted that there were only three hospitals and four physicians in the Territory and that there was only one hospital bed per 4,795 indigenous inhabitants. The ten-year development plan did not contemplate the construction of a single hospital in Togoland. He stated that it was characteristic that in 1950 expenditures for the police and for jails exceeded by far the expenditures for health services for which some £47,000 were allocated. He recalled that the Visiting Mission had noted that the shortage of medical facilities had been the subject of numerous oral and written complaints. He stated that the inadequate medical facilities and the miserable living conditions of the indigenous population were indicated by the fact that child mortality in the town of Ho in 1950 was 239 per thousand children as compared with 146 in 1949. The Council should recommend to the Administering Authority that it increase substantially the budgetary appropriations for health services.

The special representative of the Administering Authority stated that the Administering Authority and the Gold Coast Government were vigorously pursuing a practical policy of intensification of medical services through dispensaries, clinics, hospital extensions, health centres and mass treatment through mobile field units. These mobile units had already achieved great success in the treatment of sleeping sickness and yaws as well as in vaccination against smallpox.

He further stated that the Administering Authority and the Gold Coast Government recognized the need for more doctors and had taken every possible measure to meet it. The hospitals requested by the people required staff, and the solution to this problem lay with the people, to whom were available preliminary courses in medicine at the Gold Coast University College, where the fees were moderate and many scholarships were offered, as was the case for students going overseas to complete a medical course.

He further stated that while the expenditure of £190,000 for social welfare was less than that of £1,600,000 for the construction of police stations, that item was only one of those under the general heading "social services", for which total expenditure was well over £21 million.

Incomes and standard of living

The representative of Belgium considered that the Administering Authority should supervise the working conditions and wages of seasonal workers from Togoland under French administration on the cocoa plantations from the time of their arrival, taking into account their contractual position. In view of the possibility that migration might increase rapidly and suddenly, he considered that the two Administering Authorities concerned should make a joint study of measures to be taken, and that information on this problem in the next annual report would be desirable.

The representative of China stated that there was room for the improvement of wages and standards of living. He expressed confidence that the Administering Authority would not relax its efforts to ameliorate the living conditions of the indigenous inhabitants.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Policy and general; primary education

The educational system is being developed in accordance with a ten-year plan which came into operation four years ago. A principal objective of policy is to provide as soon as may be possible sound facilities for a six-year basic course of primary education (the infant-junior course) for every child of school-going age, and the Administering Authority believes that in the course of a decade the greater part of this task may be accomplished. It is also intended, ultimately, that all children should go on at the age of about 12 years to a four-year senior primary course, and it is considered that this can be achieved in two decades if the necessary finance is available; the immediate objective is to provide the course for one child in three. The Administering Authority adds that the development plan for the Gold Coast as a whole provides for great improvements in the staff, building and equipment of secondary (grammar) schools and for the establishment of several new schools; for a very substantial increase in the output of trained teachers; and for the expansion of technical, vocational and higher educational facilities.

Within Togoland there are one secondary school, opened in temporary quarters in 1950, two post-primary teacher-training colleges, fifty-one senior primary schools, and 269 infant-junior schools. Most of the schools (312 out of 320), are in the Southern Section of the Territory, and of these 306 are mission or church schools. The six other schools in the south, and all eight in the north, are managed by Native Authorities. The Administering Authority states that the Government of the Gold Coast manages only a few primary schools of its own, none of which is in Togoland, and that it does not propose to increase the number of schools under its direct management. It exercises control over the educational system through the Education Department, which is advised by central and district committees, and by granting financial assistance under prescribed conditions. Of the 320 primary schools in the Territory, 101 are given direct financial assistance. A smaller number (seventy-nine) of lower-quality schools are classified as "designated" schools, and the Government intends to give them every help short of direct financial assistance, by such means as providing trained teachers, the majority of the present staff in these schools being untrained. The Administering Authority states that the remaining 140, non-assisted, non-designated schools are in many cases still of a very low standard. All of them except two are church or mission schools, and the Administering Authority states that many of them receive small grants from Native Authority funds, as also do the designated schools.

The following table shows the development of primary education from 1948 to 1950:

Year	Section	No. of Schools	Enrolment	Teachers
1948	Southern	328	25,030	862
	Northern	13	762	28
1949	Southern	296[a]	25,057	935
	Northern	15	877	29
1950	Southern	312	27,509	985
	Northern	8[b]	428[b]	15[b]

[a] The apparent decrease was due to a change in the method of enumerating schools; in practice the number of schools remained unchanged.

[b] The decrease was due to the transfer of Krachi area from the Northern to the Southern Section.

The Administering Authority stated that the 1949 enrolments represented 16.6 per cent of the total population of the Southern Section, 0.43 per cent of that of the Northern Section, and 7.8 per cent of that of the Trust Territory as a whole. The Administering Authority stated that the enrolment in Northern Togoland in 1950 no longer compared favourably, as it did in 1949, with that in the schools of the adjoining Northern Territories of the Gold Coast.

Out of 27,937 children in the schools, 22,526 were in the infant and junior groups (5 to 11 years) in 1950. In the senior classes (12 to 15 years) the enrolment in 1950 was 5,465 all except forty-seven being in the Southern Section.

Primary education is free at the eight Native Authority day schools in the Northern Section; fees are required in respect of all other schools. In general the rates in the Southern Section are fifteen to eighteen shillings per year for the infant classes; thirty shillings for the junior classes; and forty-eight shillings for the senior classes.

At its fourth session the Council recommended that the Administering Authority should press forward energetically with its plans for educational development, especially in the north. It noted that education was still backward and almost entirely left in the hands of private initiative, that it was not available free of charge and that generally the fees payable were too high. It urged the Administering Authority to press forward more vigorously in its efforts, and to devise ways and means to make education as inexpensive as possible so as eventually to make primary education free.

The General Assembly at its fifth session recommended that the Trusteeship Council devote particular attention, in consultation with the Administering Authorities and the specialized agencies, to long-range programmes of educational development in the Trust Territories, with a view to enabling the inhabitants of those Territories to take over the responsibilities of complete self-government at the earliest possible date.

In the course of a detailed statement, reproduced in the previous report of the Trusteeship Council to the General Assembly, the Administering Authority stated that although the rate of quantitative progress in the north appeared to be slow, it was in advance of the rate in the Northern Territories of the Gold Coast. The controlling factor was the rate of production of teachers, and in this connexion it stated that in 1953 it was proposed to open a two-year post-primary teacher-training college in the Northern Section. It added that it was misleading to say that education was backward in Southern Togoland, where the situation compared favourably with that in various other parts of the world, not excluding a considerable number of sovereign States. In respect of the management of the great majority of the schools by church and mission educational units, it stated that all were subject to inspection by officers of the Education Department, none was profit-making, the educational policy was approved by the Government and the schools were very largely financed by public funds. On the question of fees, the Administering Authority stated that the whole population contributed through taxation to the support of the schools and it would be manifestly unfair if those children who attended schools were to do so entirely at the community's expense before universal primary education became financially possible. Further, the fact that the majority of schools had waiting lists for admission afforded *prima facie* evidence that the parents did not consider the school fees to be beyond their means.

In its observations on educational development in Togoland, the Visiting Mission stated that the large number of complaints which it received about the inadequacy of educational facilities, together with its own observations, tended to confirm the views expressed by the Council at its fourth session. It appeared to the Mission that in their complaints the petitioners, mainly from the south, devoted particular attention to two aspects: the provision of free education, and the control of schools by religious missions. It noted on the latter point that while there appeared to be ready appreciation of the achievements of the missions in education, petitions given and statements made to the Visiting Mission reflected a certain uneasiness at the absence of Government schools, even as an alternative to the mission schools, and some made the direct request that the entire school system should be taken over by the State.

At its seventh session the Council examined thirty-two petitions raising the question of the inadequacy of educational facilities. At that session it noted the progress achieved in education, expressed awareness of the difficulties in the way of advancement in the north, and considered that for that reason special attention and vigorous efforts should be devoted to the educational needs of the area. It noted that the management of schools was largely left to the religious missions and to the Native Authorities; and, considering that the Administering Authority itself had the primary responsibility of ensuring that adequate educational opportunities were available for all people of the Territory, urged it to take more vigorous initiative for the expansion of education and teacher-training.

The Administering Authority stated that by the end of the ten-year period of the development plan it should be possible to accelerate the extension of facilities for education in the north and to make each year substantial headway in overtaking the south. The limited facilities in the north were being energetically increased. On the question of the management of the majority of schools by missions and churches, it again explained that this situation did not imply that the religious organizations directed the educational system. It added that the strain imposed on them by the rapid growth of their educational work in the last decade was severe, and that it was recognized that local authorities must come to their aid to an increasing extent. It was not intended that the Government should assume the management of

the schools but that local governments should be trained to participate to an increasing extent. The Administering Authority also stated that the practical meaning of the word "managed" was "administered according to the education rules made by the Boards of Education, and according to the policy laid down by the Administration".

Subsequently, at its ninth session, the Council was informed by the Administering Authority of certain recent decisions affecting education in the Territory. These included a decision by the new Government of the Gold Coast that junior primary education should, as from a date yet to be fixed, be free from the payment of fees, this being part of a policy of making both primary and secondary education eventually free. The Minister of Education had also announced that no obstacle would be placed by the Government in the way of local authorities and communities which desired to open senior primary schools as a means of local self-help.

The Administering Authority also stated that the transfer of the management of mission primary schools to the proposed new local government authorities was already under amicable discussion.

At its ninth session the Council adopted the following recommendation:

The Council, noting with satisfaction the progress achieved in educational advancement during the period under review, particularly the decision that junior primary education will be free, the plan to transfer the management of primary schools to the new local authorities to be established, the increase in primary school enrolment and the measures taken to increase educational facilities in the north, noting further that there is a wide discrepancy between educational progress in the Northern and Southern Sections and that much remains to be done to achieve a satisfactory level of education throughout the Territory, recommends that further measures be taken to meet the educational needs of the Territory, particularly in the north and that the Administering Authority consider in this connexion the desirability of establishing government or local authority schools.

Secondary education

Facilities for secondary education within Togoland itself comprise the newly-opened secondary school at Ho, which had thirty-five pupils in 1950, twenty-eight of them coming from the Trust Territory, and two teacher-training colleges, one of which had 110 trainees of Togoland origin and the other fifty-two. All three schools are managed by missions. At the same time, the Administering Authority points out, Togoland pupils have access to post-primary schools in the Gold Coast proper; and in 1950 these pupils numbered 146 as against 112 in 1949. In addition, there were 100 Togoland teacher-trainees in the Gold Coast, as against 113 in 1949, and twenty-four other pupils at technical schools in the Gold Coast, as against ten in 1949.

The school fee at tht new secondary school at Ho is £43 per year, including board. The rates in the Gold Coast schools range from £9 at trade-training centres to £43 10s. at Government-assisted secondary schools. Forty Togolanders held Government scholarships for secondary education and teacher-training in 1950, as against thirteen in 1949.

At its fourth session the Trusteeship Council urged that ways be devised to provide, eventually, that secondary education should not be dependent on means. The Administering Authority stated subsequently that it was wrong to imply that secondary education was entirely dependent on means. It pointed out that Togoland pupils were eligible for Education Department scholarships as well as for financial assistance from the King Edward VII Memorial Fund.

The General Assembly at its third session suggested to the Administering Authorities that the existing facilities for the training of indigenous teachers should be improved and expanded. At its seventh session the Trusteeship Council expressed the hope that every possible encouragement would be given to continued expansion of teacher-training facilities and to increasing opportunities of secondary education.

The Administering Authority stated that the capacity of the new secondary school at Ho would be increased to 100 at the beginning of 1951. In the case of teacher-training facilities, it referred to the two existing colleges, with their total capacity of about 170 trainees, and the additional total of more than 100 teachers in training at colleges in the Gold Coast proper. The draft ten-year plan provided for another college to be established for the Northern Territories and Northern Togoland which would probably be situated within the Trust Territory.

At its ninth session the Council adopted the following recommendation:

The Council notes with satisfaction the opening and expansion of the secondary school at Ho in Southern Togoland and recommends that similar facilities, adequately supervised by the Administering Authority, be developed and extended as rapidly as possible. The Council further notes the plans for the establishment of a teacher-training college at Pusiga in the northern part of the Territory and expresses the hope that it will be in operation as soon as possible.

Higher education

There are no institutions of higher learning in the Territory. The Administering Authority states that scholarships are available in the university colleges of West Africa and in the United Kingdom for qualified Togoland students on exactly the same terms as those from the Gold Coast, and twenty-seven such awards have been made.

The following shows the number of students from the Territory undertaking higher education in the period 1948-50:

	University College of the Gold Coast	*Universities in the United Kingdom*	*Total*
1948:			
Scholars	1	3	4
Private students	—	2	2
1949:			
Scholars	4	7	11
Private students	—	12	12
1950:			
Scholars	11	16	27
Private students	—	16	16

The Trusteeship Council at its fourth session welcomed the present attempts of the Administering Au-

thority to encourage higher education and expressed the hope that efforts in this direction would receive added momentum through an increasing number of Government scholarships abroad.

During the same session the Council, acting upon the resolution of the General Assembly concerning the expansion of facilities for higher education in the African Trust Territories, adopted a resolution under the terms of which it recommended that with a view to facilitating the expansion of higher education the Administering Authority should take all possible steps to increase the number of scholarships for students from the Territory.

At its seventh session the Council expressed the hope that the Administering Authority would give every possible encouragement to increasing opportunities of higher education.

In its annual report for 1950 the Administering Authority stated that overseas scholarships would continue to be available at approximately the present level for some years to come, while the short-term target for the University College of the Gold Coast was to increase the total number of students from 213 to 800 and ultimately to 4,000 or 5,000. In addition it was proposed to start in the near future a College of Arts, Science and Technology at Kumasi in Ashanti (Gold Coast).

One petition[321] examined at the Council's ninth session expressed interest in the United Nations technical assistance and UNESCO fellowships and scholarships, and requested that a committee of the local inhabitants be established in order to advise on the selection of persons for these fellowships and scholarships.

The Administering Authority stated that the UNESCO and United Nations technical assistance fellowships had been publicized in the *Gold Coast Gazette* and newspapers; that the 1950 UNESCO fellowship which was designated for a Togolander had been awarded to one; and that the Gold Coast Scholarship Selection Board, which screened applicants for all fellowships, included a Togolander appointed by the Southern Togoland Council. Since the majority of the fellowships offered under the United Nations technical assistance programme were in the field of public administration, it was desirable that the preliminary selection of candidates be made by persons familiar with the field and with the overseas opportunities for advanced education; the request of the petitioners was therefore unrealistic.

In its resolution on this petition[322] the Council urged the Administering Authority to continue to make known throughout the Territory the availability of scholarships and fellowships; to take all necessary measures to ensure that the indigenous inhabitants profit to the fullest extent from those offered; to ensure that, with regard to those designed primarily or specifically for the Territory, the qualifications of candidates would be examined in co-operation with representatives of the inhabitants of the Territory, and to this end the Council requested the Administering Authority to consider the possibility of establishing a sub-committee of the Scholarship Selection Board to examine these cases.

[321] T/PET.6/260.
[322] Resolution 405 (IX).

At its seventh session the Council adopted the following recommendation:

The Council, noting with approval the various scholarship programmes for higher education, recommends that, in the absence of institutions of higher learning in the Territory, an adequate number of scholarships for study abroad should be provided for qualified Togoland students.

Adult and community education

Evening classes for adults continue to be held at centres in Northern Togoland. In the south, the experimental mass literacy and community training scheme, started in 1948, was extended in 1949 and 1950.

At its fourth session, the Council had urged the Administering Authority to institute a programme of mass and adult education. The Visiting Mission subsequently expressed the opinion that the experiment in the south deserved the warmest commendation, and the hope that it would lead to mass educational programmes on the widest possible scale. It also commended an extra-mural project financed by the Government and conducted by the University College of the Gold Coast. At its seventh session the Council commended the Administering Authority for the notable progress made in the field of mass education and endorsed the Visiting Mission's hope for an extension of the programme. At the same time, the Council expressed the hope that the social development programme would be extended to the Northern Section.

The Administering Authority informed the Council subsequently that three assistant mass education officers were posted to the Southern Section in 1950 to follow up the activities of the mobile teams and to visit some eighty literacy class centres, the average membership at each of which was about forty; two locally produced educational films were used as a means of mass instruction; legislative provision was made for the establishment of a Gold Coast Vernacular Literature Board for the production and distribution of community development literature, as well as a Gold Coast Library Board empowered to organize and maintain libraries, each of the Boards to have a member representing Togoland and plans were also laid for the extension of the social development programme to the Northern Section.

As for the extra-mural project, the Administering Authority stated that a tutor was assigned to the Trans-Volta district of the Gold Coast and the Southern Section; a central committee of the People's Educational Association was also established there, consisting of six representatives, three of whom were from the Territory; and there were nine centres conducted by the Association in the Southern Section (an increase of five over the previous year), and one in the Northern Section.

At its ninth session the Council adopted the following recommendation:

The Council commends the Administering Authority on the considerable success that has attended the experimental programme for mass education begun in 1948 and recommends that the programme should continue to be expanded in the south and that every effort should be made to introduce mass education into the north where it is urgently needed.

Expenditure

The estimated Government expenditure for education in the Trust Territory rose from £84,260 in 1947-48 to £113,363 in 1948-49 and £166,626 in 1949-50.

The Trusteeship Council at its fourth session recommended that the Administering Authority should increase the budgetary allocations for educational requirements and other cultural needs.

The General Assembly at its third and fourth sessions requested the Administering Authorities to intensify their efforts to increase educational facilities even if this should mean an increase in the budgetary provisions for the purpose.

In connexion with these recommendations, the Administering Authority stated that every effort would be made to increase these allocations, but such increases must take into consideration the economic resources of the Territory and expenditure on development of other essential services.

Development of indigenous cultures

The Administering Authority stated that in the past the development of cultural activities has been mainly through the educational system and the churches, and to this there have recently been added those of the British Council and the Extra-Mural Department of the Gold Coast University College.

At its fourth session, the Trusteeship Council urged the Administering Authority to make an earnest effort further to develop through educational channels the various indigenous cultures.

Observations of members of the Trusteeship Council representing their individual opinions only

Policy and general; primary education

The representative of New Zealand noted with approval that it had been decided that junior primary education would be free as from a date yet to be fixed. He noted with interest that the transfer of management of mission primary schools to the new local authorities was intended and already under discussion. He commended the missions on their painstaking and patient educational work in the Southern Section of the Territory, as evidenced by the very large extent of literacy achieved there.

He considered that the main problem in the educational field was the advancement of the Northern Section, and that the statements of the special representative regarding the manner in which this problem was to be undertaken were encouraging. He noted the very wide discrepancy between educational progress in the Northern and Southern Sections, and considered that the Council should continue to urge the Administering Authority to expand teacher-training facilities and to open more schools in the Northern Section as soon as practicable.

The representative of Thailand considered that, although certain progress had been achieved during the period under review, he considered that much remained to be done before modern standards of education could be satisfied. He noted that there were only eight primary schools in the north, where less than one per cent of school-age children were enrolled, and that the Administration had as yet established no governmental school in the Territory. He therefore deemed it essential that the Administering Authority should take the initiative in establishing, where needed, Government schools, and not confine itself to providing financial aid to private or locally-managed institutions. If the problem was not one of financial means but a lack of teachers, then the Administration was responsible for providing the necessary teaching staff. He noted with satisfaction that junior primary education would be made free of the payment of fees, and would await anxiously the announcement that such education had become compulsory throughout the Territory.

The representative of China noted with gratification the decision of the Administration to free junior primary education from the payment of fees. He hoped that the date of implementation would be very soon. He also hoped that the fees now charged for senior primary and secondary education would gradually be reduced.

The representative of the United States of America commended the decision of the Administering Authority that junior primary education should be free, and expressed the hope that the implementation of this decision would be proceeded with as rapidly as possible. While appreciating the educational work of the missions, he nevertheless noted with satisfaction the Administering Authority's plan to transfer the management of primary schools to the new local authorities, a plan which seemed well calculated to encourage a local sense of responsibility for and pride in the community's educational facilities.

The representative of the Union of Soviet Socialist Republics stated that the educational services in the Territory were deplorable and that the Administering Authority had not displayed any concern for the educational advancement of the inhabitants. As a result, educational conditions in the Northern Section of the Trust Territory were worse than in the Northern Territories Protectorate with which that Section was united. Only one-third of the potential school population of the Territory received schooling and in the north it was only one per cent. He noted that education in the Territory, miserable as it was, was fully in the hands of religious missions; the administration had not maintained in Togoland a single school nor did it propose to assume directly the management of schools. Thus the Administering Authority had ignored its obligation to promote the educational advancement of the indigenous inhabitants. He stated that the petition from the Nkonya State Council indicated that the Nkonya district had no financial assistance from the Administering Authority to build schools in that area and, as a consequence, the people there were building schools out of their own resources. The petitioners noted that this showed clearly that in twenty-three years the Administering Authority had done nothing to foster the welfare of the people of the Nkonya district. The Council should recommend that the Administering Authority establish a system of universal, compulsory, free, secular primary education and that it increase the budget appropriation for educational and other cultural services.

The special representative of the Administering Authority stated that the Administering Authority and the

Gold Coast Government attached the highest priority to the question of education, and that expansion in that field in recent years had been outstanding. He asserted with confidence that the next few years would show great progress in all spheres of education in the Territory, including the Northern Section where he predicted a largely increasing tempo of advancement.

He pointed out that it was quite false to state that educational matters in the Territory were fully in the hands of religious missions, or that they were miserable. The missions were fully subsidized agents. The central Government controlled education, and the standard of education throughout the Territory as a whole was, both in quality and quantity, far from miserable.

Secondary education and teacher-training

The representative of Thailand believed that, as no secondary schools for teacher-training colleges existed in the northern part of the Territory and as the existing facilities in the south were managed by the missions, the Council might reiterate the desire expressed at its seventh session for an extension of these facilities, recommending in particular that the Administration take a more active and positive part in the establishment of institutions of its own, so that adequate opportunity be fairly and equally offered to the indigenous inhabitants of the entire Territory.

The representative of China stated that he was aware that the Administering Authority had given its attention to the increase of secondary schools and teacher-training centres and of scholarships for all branches of education. He felt, however, that increased attention should be given to the extension of such facilities to the less advanced Northern Togoland.

The representative of the United States of America noted with satisfaction the establishment of the new secondary school at Ho in Southern Togoland, and expressed the hope that it would be able to expand rapidly enough to accommodate the increasing number of students prepared for such education. He considered that the small beginnings of secondary education planned for Tamale in the north were particularly worthy of encouragement, and expressed the hope that these arrangements could be developed in the near future into a full secondary institution. Although the Administering Authority's efforts to attract teachers to the north from elsewhere were necessary, the most effective way to meet the shortage there was by training northern teachers. The Council might wish to urge that the Administering Authority push forward with the building of the teacher-training college at Pusiga with all possible speed.

The representative of the Union of Soviet Socialist Republics observed that there was only one secondary school in the entire Territory.

The special representative of the Administering Authority stated that the Administering Authority and the Gold Coast Government recognized the need for more teachers, and had taken every possible measure to meet it. However, he considered that the solution lay with the inhabitants themselves who must come forward to utilize the available facilities. Many more than the 271 pupils at present training as teachers would be necessary in order to staff the additional schools requested by the people. If out of the total number of 246 students from the Territory enrolled in secondary schools in Togoland or the Gold Coast a high proportion would turn to the professions and work in Togoland, the need for professional personnel would to a great extent be met. He observed that the secondary school at Ho had shown a remarkable expansion in its enrolment during its short existence.

Adult and community education

The representative of New Zealand considered that the work of the Department of Social Welfare in the field of mass education had shown very promising results.

The representative of China noted with satisfaction that the mass education campaign had already yielded successful results and that illiteracy had been considerably reduced. He stressed, however, that the north deserved greater attention in this respect than it had received.

The special representative of the Administering Authority stated that the success of this enterprise in the Southern Section would be maintained and would be extended to the North as soon as the intensive technical preliminaries were completed.

Expenditure

The representative of the Union of Soviet Socialist Republics stated that the utter inadequacy of the educational expenditure of £166,000 in 1950 might be judged from the fact that the building of a single secondary school would cost more than £200,000.

Chapter VII

TOGOLAND UNDER FRENCH ADMINISTRATION

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

The Territory of Togoland, which extends between 6 degrees and 11 degrees north latitude, has a total area of 55,000 sq. km. and a coastline of approximately 70 km. It nowhere exceeds 150 km. in breadth, and does not, therefore, constitute a geographic entity. The sandy, inhospitable coastal area with its lagoons rises abruptly to a plateau 70 to 100 metres high with a sand and clay soil. A higher crystalline plateau leads on to the central mountain region with its fertile valleys. The plain which comes next is well watered by the Oti and its tributaries and forms the route to the savannah lands of the Sudan.

The climate of each region gives it its own particular characteristics. The four seasons, two dry and two wet, are determined by the rains.

Throughout the Territory the population is relatively dense, but unevenly distributed. On 31 December 1949, it was composed of 980,884 indigenous inhabitants and 1,399 Europeans, and at the end of 1950, of 997,217 indigenous inhabitants and 1,443 Europeans. It is concentrated chiefly in the south and the north. Lomé, the principal town, has a population of 31,458.

Togoland is a medley of races: the south is inhabited by tribes belonging to the "Benin" family, particularly the Ewes and the Fons, the north by tribes belonging to the "Voltaic" family; between them lies an area with a very mixed population.

At its ninth session, the Trusteeship Council examined the reports on the administration of the Territory for the years 1949 and 1950 and adopted the following general conclusions:

The Council congratulates the Administering Authority on the form and completeness of the reports submitted and commends the Administering Authority for the all-round progress in the Territory.

Observations by members of the Trusteeship Council representing their individual opinions only

The representative of New Zealand stated that the reports of the Administering Authority for the years 1949 and 1950 indicated that a satisfactory situation existed in the Territory and that good progress was being made in many fields. He felt that the Administering Authority should be commended.

The representative of the Union of Soviet Socialist Republics stated that the reports for 1949 and 1950 and the report of the Visiting Mission, as well as the petitions received from the Territory, led inevitably to the conclusion that the policy of the French Government with regard to Togoland was not conducive to the progressive development of the Territory towards self-government and independence as required by the Charter.

The special representative of the Administering Authority stated that he realized that great strides were still to be made. The Administering Authority would carefully scrutinize the recommendations and resolutions adopted by the Council, and would exert every effort to put them into effect.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General observations; status of the Territory

Under international law, the Territory continues to be administered under the Trusteeship Agreement approved by the General Assembly on 13 December 1946 and incorporated into French law by the Decree of 29 January 1948.

Since 1946 the Territory has formed part of the French Union under the designation of "Associated Territory"; French legislation is applied to it under article 4 of the Trusteeship Agreement.

The Territory is accordingly granted the right of representation in each of the organs of the French Union in which legislative powers are vested; it enjoys a system of suffrage intended eventually to be universal; it has an elected Representative Assembly empowered with financial authority and rights of decision or consultation on local administrative matters; and the population has been accorded the rights and freedoms guaranteed by the French Constitution.

Association of the Territory with the French Union

During its fourth session, the Council did not take a stand on the question of the incorporation of the Territory into the French Union as the question was under study by a special committee. Nevertheless, it welcomed the important assurance given by the Administering Authority that the inhabitants would have the right at the appropriate time to determine for themselves whether they wished to remain in the Union or to become independent.

At its seventh session, the Council transmitted the report of the Committee on Administrative Unions to the General Assembly stating that the Committee had

not re-examined the question of the administrative relationship of Togoland under French administration with the French Union.

At its ninth session, the Council adopted the following recommendation:

The Council, noting that the association of the Territory with the French Union is not without its benefits; nevertheless considers that the Administering Authority should continue to preserve the separate status of the Territory with a view to its final self-government or independence.

Status of the inhabitants

The inhabitants of Togoland have their own status of "persons administered under French trusteeship" which differs from that of the nationals of the Administering Authority in that they can acquire the status of French citizen by naturalization only. Nevertheless, all the measures taken for the political advancement of the populations of other French Territories are extended to Togoland. Under the Constitution of 1946, the inhabitants of Togoland are citizens of the French Union; they are thus eligible for all public offices without distinction as to origin, race or religion and they enjoy, individually and collectively, the rights and freedoms guaranteed by the Constitution of the French Union. As persons administered under French trusteeship, they are exempted from conscription for military service.

The Visiting Mission reported that the freedom of speech prevailing in Togoland deserved to be commended.

Administrative structure

The chief of the local administration is the *Commissaire de la République* in whom are vested the powers of the Republic; he represents the French Government and is directly responsible to the Minister of Overseas Territories. He directs the local services and is responsible for the implementation of the decisions of the Representative Assembly. He is assisted by a secretary-general, who ensures the preparation of administrative matters by the various services and represents the Administration in the Assembly. The *Commissaire* is also assisted by a Privy Council of eight members, two of whom are "persons administered under French trusteeship" and by an Administrative Legal Council of five members.

The Administering Authority stated in the course of the ninth session of the Trusteeship Council that the Privy Council, which was an advisory body composed of high officials, and of notables appointed by the *Commissaire de la République*, was the object of a study leading to its replacement by a body organized on a more representative basis.

The Territory is divided into *cercles* and *subdivisions* headed by administrators responsible to the *Commissaire*. The Territory now consists, going from south to north, of the *cercles* of Lomé and Anécho, the Klouto *cercle*, the central *cercle*, the Sokodé *cercle*, and the Mango *cercle*. In 1950 the *subdivision* of Lama-Kara was made an independent *cercle* at the request of the inhabitants.

Administrative personnel

The 1950 report states that the administrative personnel amounted that year to a total of 5,413 persons: 176 Europeans, eight of whom held subsidiary posts, and 5,237 Natives, 185 of whom held higher posts, as compared with 183 Europeans, five of whom held subordinate posts, and 4,841 Natives, 248 of whom held higher posts, at the end of 1949. These posts include those of police commissioners and inspectors, assistant foresters, teachers, assistant topographers, African doctors, midwives, senior clerks, chiefs of section, chiefs of departments, and postmasters.

The report for 1950 also states that women holding the same qualifications are eligible for the same posts as men in education, health and general administration.

At the end of 1950, 120 women held administrative posts as teachers, midwives, nurses, clerks in the communications services, meteorological and general administration services, etc. as compared with ninety-seven in 1949 and seventy-seven in 1948.

In 1950, a paritative commission was instructed to study the employment of local staff in higher official grades; in particular, to make provision to open such employment to African officials who do not possess the qualifications required by the regulations, but have satisfactorily filled responsible posts.

At its fourth session, the Trusteeship Council commended the Administering Authority for creating a common civil service for Africans and Europeans and recommended that it intensify its efforts to bring about greater participation of the indigenous population in responsible posts in the administrative and judicial services.

The Administering Authority stated in its report for 1950 that the purpose of the current public administration reform was to ensure such participation. In the course of the ninth session of the Council, the Administering Authority declared that among the indigenous inhabitants appointed to higher posts were three State physicians put in charge of medical *circonscriptions*, a licensed professor of sciences and two *chefs de bureau* in general administration offices. All special agents responsible for the treasuries of the *subdivisions* were indigenous inhabitants; others were school directors, and railway stationmasters; another was Chief of the Railway Police.

At its ninth session, the Council adopted the following recommendation:

The Council, considering that increased participation by the indigenous inhabitants in the administration of the Territory is essential for the advance towards self-government or independence, recommends that the Administering Authority increase the number of the indigenous inhabitants holding public office, especially in senior posts, and to this end continue to give them the necessary training.

Maintenance of public order

The military force responsible for internal security consists of a body of troops attached to the French West Africa Command, comprising 154 non-commissioned officers and men, the cost of which is charged to the metropolitan budget, and a body of indigenous

gardes-cercles, comprising 420 non-commissioned officers and men, the cost of which is charged to the territorial budget. The various civil police duties are carried out by the uniformed and detective services directly under the *Commissariat de la République,* the higher ranks consisting of seven commissioners and inspectors, three of them indigenous. The *gendarmerie* corps performs the duties of police commissioner, *huissier,* etc., as well as those of the judiciary and administrative police. Since 1 January 1945 the cost of the *gendarmerie* has been charged to the metropolitan budget.

Representative Assembly

The Representative Assembly, in association with the Administration, is responsible for the management of the Territory's special interests. Under the decree of 25 October 1946 creating it, it discusses and adopts the budget submitted by the Administration, and discusses and takes decisions on certain subjects, in particular on the administration of the domain of the Territory; the Administration is bound to consult it about other matters pertaining to the management of local interests and it may also express its wishes and make proposals on matters of concern to the Territory, but may not express an opinion on political problems.

It elects a Permanent Commission which intervenes with the Administration in the periods between sessions within the powers delegated to it by the Assembly.

It consists of thirty members, six of whom are elected by the college of French citizens and twenty-four by the college of qualified indigenous inhabitants. A candidate for election must fulfil the following main conditions: he must have attained the age of 23 years, must be able to read, write and speak French, and must have held no major post in the Administration.

The Assembly meets in ordinary session twice yearly. Extraordinary sessions may also be held; in 1949 and 1950 there were two ordinary and four extraordinary sessions.

The Trusteeship Council, at its fourth session, noting that the powers of the Assembly were limited to financial and administrative matters and in particular that the Assembly had no power to initiate legislation, urged the Administering Authority progressively to extend the powers of the Representative Assembly, particularly in the field of legislation.

In a petition which they submitted to the United Nations, which Mission visited Togoland in 1949, the members of the Assembly stated that they had appealed time and again to the French Government to grant legislative powers to the Assembly; only in a legislative assembly with power to discuss all the public matters of the Territory, they explained, would that Territory be able to acquire the political experience necessary for the achievement of self-government or independence.

The Visiting Mission reiterated the recommendation adopted by the Council at its fourth session urging the Administering Authority, irrespective of the present or future relationship of the Territory to the French Union, progressively to extend the powers of the Representative Assembly particularly in the field of legislation.

At its seventh session, the Council, noting that a bill had been introduced in the National Assembly providing for reforms in the election and composition of the Representative Assembly, endorsed the policy officially adopted by the Government and Parliament of the Administering Authority in favour of the progressive extension of the powers of the Representative Assembly and expressed the hope that the policy of the Administering Authority contemplated widening the authority of the Representative Assembly and granting it legislative powers now being exercised by the organs of the metropolitan Power.

In the report submitted for the year 1950, the Administering Authority pointed out that it was taking steps along the lines suggested by the Council and that a bill extending the Assembly's powers had been drafted. During the ninth session of the Council, the Administering Authority stated that if it were true that legislative powers in French legal terminology were reserved for Parliament, which exercised them by passing laws, this did not mean that Parliament legislated in all matters. In the management of territorial affairs the Representative Assembly had in fact legislative powers on a large number of subjects, even if its decision did not become final until after a certain delay.

The Administering Authority added that a bill had been placed before Parliament which proposed a very definite extension of the powers of the Representative Assembly. It was the intention of the French Government to transfer a maximum number of questions on which the Assembly was now only consulted to the category of topics on which the Assembly must decide.

In a recent petition,[323] the Togoland Representative Assembly, protesting against the decision of the Administration not to communicate to the Assembly the documents relating to the Enlarged Consultative Commission (dealing with affairs concerning both the Togolands), requested that the law now in force which precluded debate on political matters in the Representative Assembly should be altered as soon as possible. At the ninth session of the Council, the special representative of the Administering Authority stated that the Administration's decision not to communicate to the Assembly the documents relating to the Enlarged Consultative Commission was fully in conformity with the legislative provision defining the Assembly's functions and powers and reiterated the fact that draft legislation to extend the powers of the Representative Assembly of Togoland was before the French National Assembly.[324]

At its ninth session, the Council adopted the following conclusions and recommendations:

The Council, recalling its recommendations at its fourth and seventh sessions that the Administering Authority should progressively extend the powers of the Representative Assembly particularly in the field of legislation, noting with satisfaction that the Administering Authority intends to amend its legislative proposals now before the French Parliament in order to extend the powers of the Representative Assembly, expresses the hope that the Administering Authority

[323] T/PET.7/169.
[324] Resolution 413 (IX).

will inform the Council, in the next annual report, that increased legislative authority has been granted to the Assembly.

Suffrage

Under the terms of the law of 5 October 1946, the electoral system of Togoland comprises two electoral colleges: the first consists of persons of both sexes possessing the status of French citizens; the second consists of indigenous inhabitants, also of both sexes, retaining their own personal status. No special qualification is required of the first group for registration on the electoral lists; the second group must fulfil one of the conditions provided by law, the most general condition being ability to read French or Arabic.

The Togoland deputy to the French National Assembly is elected by all the electors of both colleges combined in a single body. The two representatives to the Council of the Republic are elected by the members of the Representative Assembly, as is the representative to the Assembly of the French Union.

Election to seats in the Representative Assembly is carried out on the basis of two separate electoral lists, one for each of the two electoral colleges.

The number of persons who registered on the electoral lists was 7,563 in 1947, 12,793 in 1948, 16,830 in 1949 and about 28,000 in 1950.

At its fourth session, the Trusteeship Council commended the Administering Authority for the introduction into the Territory of a system of suffrage, and noting that the right to vote was still limited to certain groups, it also welcomed the policy of the Administering Authority to take measures for the progressive establishment of truly universal suffrage.

At its seventh session, the Trusteeship Council noted with interest the increase in the number of electors and recommended that the Administering Authority continue its efforts to bring about universal suffrage as well as conditions in which a single electoral college could be established.

In its report for the year 1950, the Administering Authority pointed out that, in order to facilitate as much as possible the registration of indigenous persons on the voting lists, an *arrêté* dated 30 December 1950 had set up boards of review not only in the *cercles*, but in the *subdivisions* as well. The Administering Authority considered the increase in registered voters for 1950 to be another step toward the final goal of truly universal suffrage, and an indication that the population was becoming more and more conscious of its political rights and responsibilities.

It also noted that, with a view to establishing personal records for individuals and thus promoting participation in electoral activities, efforts were being made to encourage the creation and maintenance of civil register offices; an *arrêté* dated May 1949 empowered the *chefs de village* to keep such registers and it was hoped that, in that manner, the civil register of the inhabitants could be established throughout the Territory. In addition, in the course of the ninth session of the Council, the Administering Authority stated that the qualifications for voting had been extended, by a law of 23 May 1951, to heads of families and to mothers of two children. A total of 32,500 persons took part in the elections of June 1951; the greatest number of persons—about 5,000—benefiting from the law of 23 May 1951, were women.

At its ninth session, the Council adopted the following recommendations:

The Council notes with satisfaction that considerable progress has been made in increasing the number of electors in the Territory during the period under review, urges the Administering Authority to continue its efforts in this field, and expresses the hope that continued progress will be made towards universal suffrage.

The Council, recalling its earlier recommendations concerning the establishment of a single electoral college, and noting that in the Territory the deputy to the National Assembly, the municipal commissions and the local councils are already elected by single electoral colleges, recommends that the Administering Authority establish a single college of voters for the Representative Assembly as soon as possible.

Chefferies

The *arrêté* of 2 December 1949, adopted after approval by the Representative Assembly and subject to parliamentary decision, lays down the principle that the indigenous administration of the Territory is to be carried out by the chiefs of varying rank, appointed in accordance with customary practices and assisted by councils, the composition and functions of which are determined by custom. The appointment of chiefs is notified to the Administration for approval.

The categories of chiefs are as follows: the *chefs de village*, the *chefs de quartier*, the *chefs de canton* and the *chefs supérieurs*. The village is the first indigenous administrative unit. No chief may be employed in an administrative capacity or in the liberal professions.

The administrative functions of the chiefs, which are additional to their customary duties, cover general and rural policing, road maintenance, sanitation, civil registration and taxation; in judicial matters they are authorized to effect conciliation and may be called upon to preside over customary tribunals sitting as civil courts.

At its fifth session, the Trusteeship Council considered the question of the status of the chiefs, in particular when it examined a petition requesting the repeal of the *arrêté* of 1 March 1945 then in force, and asked the Visiting Mission to look into the matter. Several petitions received by the Visiting Mission dealt with the status of the chiefs. That submitted by the Representative Assembly complained that the chiefs had become administrative officials. In its reply, the Administering Authority stated that the legislation under consideration strictly respected customary practices in that it strengthened the authority of the chiefs and gave them traditional guarantees respecting their appointment.

At its seventh session, the Council expressed the hope that the legislation would permit a greater degree of initiative and responsibility by the indigenous inhabitants in the conduct of local affairs.

The report for the year 1949 points out that henceforth the chiefs cannot be removed or suspended from office save in exceptional circumstances; they have no fixed salaries but receive allowances on the taxes collected and for expenses incurred in the discharge of

their duties. Another *arrêté,* of 6 December 1949, allows the chiefs to be assisted by administrative agents placed under their orders.

The report for the year 1950 noted that the new regulations had worked smoothly and to the general satisfaction, and that the chiefs had remained the traditional representatives of the indigenous groups and were quite distinct from the civil servant category. The report noted that the draft law on the status of the chiefs on which those regulations were based was under review by the National Assembly.

Local councils

The *arrêté* of 2 December 1949 specifies that the chiefs shall be assisted by councils whose composition and functions shall be determined by custom and made known to the Administration. The councils are consulted by the chiefs in accordance with customary practices on all matters relating to customary law and property; they play an active part in the appointment of the chiefs.

The *Conseils de notables,* reorganized by an *arrêté* of November 1924, also operate on the regional basis; they are consultative bodies composed of administrative officers, chiefs and notables. A *décret* of 3 January 1946 provides that they would continue to exercise their functions until they are replaced by new organs, the *Conseils de circonscription.* Experiments were made to broaden the composition of the *Conseils de notables* to include representatives of trade unions, economic groups, etc.

At its fourth session, the Council approved the experiments undertaken by the Administration. At its seventh session, the Council noted with satisfaction the adoption by the Representative Assembly of the Order setting up the *Conseils de circonscription,* which it considered an effective medium of political education, and recommended that the Administering Authority should implement its plans for their establishment.

The report for the year 1950 pointed out that the plan to set up councils for each *cercle* and *subdivision* would very shortly be in operation. After preliminary studies and consultation with the Representative Assembly, the French Ministry for Overseas Territories was attempting to bring the proposed councils into harmony with other similar bodies already in existence. In the course of the ninth session of the Council, the Administering Authority stated that a Ministerial *arrêté* had approved the Constitution of the *Conseils de circonscription;* secondary electors were to be elected by village, according to custom, and they would be called upon to elect delegates to the *Conseils de circonscription,* which would be in a position to begin functioning at the end of 1951.

Municipalities

Up to 1950, there was only one *commune* in the Territory, Lomé, which enjoyed municipal government. The report for 1950 explained that municipalities could be established only where the population centres were active and mature enough to have the necessary administrative machinery to run the public services.

When a *commune* ceases to be merely an administrative centre, it may be raised to one of the three degrees having the status of the *commune-mixte,* according to whether the municipal commission is appointed by the Administration, or elected by partial or universal suffrage. The status of *commune de plein exercice,* enjoyed by the French *communes,* may be granted only by a decision of the central authority.

The *commune* of Lomé, established in 1932, was a *commune-mixte,* with its own budget and a municipal commission appointed by the Administration. At the request of the Representative Assembly and pending the decision of the central authority granting it the status of *commune de plein exercice,* it was set up as a third-degree *commune,* i.e., with its municipal commission elected by direct universal suffrage, under an *arrêté* dated 12 July 1950. As a result of the elections held on 19 November 1950, all the members of the commission, including one woman, are indigenous inhabitants.

An *arrêté* of 12 July 1950 also granted the *commune* of Anécho the status of a third-degree *commune.* The municipal commission, also elected in November 1950, is composed entirely of indigenous inhabitants.

In the course of the ninth session of the Trusteeship Council, the Administering Authority stated that the Representative Assembly had approved an *arrêté* of 16 July 1951 which raised the towns of Palimé, Atakpamé and Sokodé to the status of *communes mixtes du troisième degré,* with municipal commissions elected by direct and universal suffrage; elections would be held at the end of 1951.

At its ninth session, the Council adopted the following conclusions and recommendations:

The Council notes with satisfaction the measures taken by the Administering Authority for the successful reorganization of indigenous administration and the modification of the role of the chiefs; notes with approval the well-advanced plans for the setting up of local councils in each cercle *and* subdivision *in the rural districts as well as the intention of the Administering Authority to grant Lomé the status of* commune de plein exercice *while other urban centres are to be set up as* communes *of the third degree, and expresses the hope that it will be possible for the Administering Authority to assimilate the chiefs into the administrative structure and that the plans for municipal and local government will soon be implemented and progressively extended to all part of the Territory.*

Judicial system

The judicial organization for civil cases is as follows:

(*a*) Where the parties to disputes are Africans, local customs are followed as a rule, the competent tribunals being the indigenous conciliation tribunals presided over by the chiefs and the civil tribunals of the first and second degree, presided over by senior administrative officers. In the cases of appeals the competent tribunal is the *Tribunal d'appel* at Lomé, the *Chambre d'homologation* at Dakar being the final court of appeal.

(*b*) In disputes between French citizens and other persons of the same standing, or in matters concerning indigenous inhabitants who opt for French jurisdiction, the Tribunal of First Instance at Lomé is competent; appeals against its decisions are lodged with the Court at Dakar.

In penal cases, the organization is as follows:

The French penal code applies to all inhabitants of the Territory; the indigenous tribunals are not competent in such cases. The competent tribunals are: the *Tribunal Correctionel* at Lomé and the *Justices de paix à attributions correctionelles limitées* at Anécho, Atakpamé and Sokodé. The *Cour d'appel* at Dakar is the final court of appeal. A *Cour d'assises* meets from time to time at Lomé to deal with criminal cases. Its judgments can be appealed against only on such grounds as irregularity of procedure.

At its fourth session the Trusteeship Council commended the Administering Authority for the abolition on 20 February 1946 of the *indigénat* system.

The report for 1950 stated that the experiment conducted at Lomé during the last two years of having a customary tribunal composed entirely of indigenous inhabitants had proved a success. This type of tribunal is presided over by a chief or notable assisted by two assessors and a literate secretary, all of whom are paid, and has the same civil jurisdiction as the tribunals of the first degree. Its judgments are enforceable, and the tribunal of the first degree assumes jurisdiction only in the event of a conflict of customs. Fifteen such tribunals have recently been established, and only the Mango region is still without one.

At its seventh session the Council noted with approval the experiment made at Palimé with a court composed of indigenous inhabitants, and the proposal to extend this plan to other parts of the Territory. The Council also expressed the hope that the Administering Authority would avoid the necessity of administrative officials exercising judicial functions by intensifying its efforts to recruit and appoint more career magistrates.

In the course of the ninth session of the Council, the Administering Authority stated that there were now fifteen customary courts composed only of indigenous judges with competence in civil matters. A recent *décret* had altered the competence of the justice of peace by extending it from *compétence restreinte* to *compétence étendue*, all these posts being filled by career magistrates. Furthermore, the assessors for the jury of the *Cour d'assises* were now chosen from among Togolanders of local status as well as those of French status.

At its ninth session, the Council adopted the following conclusions and recommendations:

The Council, noting with approval that the Administering Authority has taken steps to divest administrative officers of judicial functions, and noting the increase in the number of courts composed of indigenous judges, the extension by decree of the competence of the justices of the peace and the contemplated increase in the number of career magistrates, recommends that the Administering Authority train sufficient indigenous career personnel to fill all posts in the judiciary.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of the Union of Soviet Socialist Republics stated that legislation for the Territory was adopted by organs of the French Union and the solution of political questions had been removed from the purview of the organs of Togoland and had been handed over to the central organs of the French Union. The memorandum of members of the Representative Assembly of Togoland to the Visiting Mission indicated that 90 per cent of laws adopted by the French National Assembly took no account of the real interests of the Territory. He considered that the Council should recommend that the Administering Authority establish in the Trust Territory of Togoland under French administration, legislative and administrative organs not subordinate to any organs formed on the basis of a union between the Trust Territory and the French colonies, and that for this purpose legislative and other measures be taken to ensure the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

The special representative of the Administering Authority felt that the Council had recognized that great steps had been taken to bring about increasing and more effective participation by the indigenous population in the management of the Territory's affairs. He listed a series of reforms such as the establishment of five mixed communes with elected municipalities; the organization of elected local councils advising the administrator on all local matters; the changes in the roles and functions of traditional chiefs; the organization of indigenous courts and the strengthening of the justices of the peace; and finally, the broadening of suffrage, all of which had been recommended by the Council and all of which were now a fact. This indicated the willingness of the Administering Authority to associate the indigenous inhabitants fully with the administrative and political life of the Territory. He also declared that the great majority of the Territory's inhabitants had expressed their desire to remain under French trusteeship until they became completely emancipated.

Association of the Territory with the French Union

The representative of China stated that although the association of the Trust Territory with the French Union was not without benefit to the Territory and its inhabitants, every precaution should be taken to preserve the separate identity of the Trust Territory in accordance with the spirit and the letter of the Charter.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority, in violation of the Charter and of the Trusteeship Agreement, had united the Territory with French colonies within the framework of the so-called French Union. This had inhibited and even thwarted the political development of the Territory as a separate entity towards self-government and independence.

Administrative personnel

The representative of the United States of America noted with satisfaction the growing role of women in the administrative services, and felt that every encouragement should be given to this trend. While recognizing that commendable efforts had been made to train indigenous inhabitants for responsible positions in the Administration, he urged the Administering Au-

thority to intensify these efforts, especially in the field of specialized training, so that an ever-increasing number of Africans might take an increasingly responsible part in the various specialized activities of a modern administration.

The representative of the Union of Soviet Socialist Republics stated that information contained in the reports of the Administering Authority, in the petitions and in the report of the Visiting Mission, showed that the Administering Authority had taken no measures to allow the indigenous population to take a genuine part in the administration of the country. Information supplied in the report for 1950 showed that all key posts were held by Europeans. All power was held by the French Commissioner and his officials, whose power was in fact unlimited.

The special representative of the Administering Authority contested the charge that the indigenous inhabitants were prevented from reaching senior positions. He gave details of appointments made and training facilities offered to the inhabitants which contradicted that suggestion.

Representative Assembly

The representative of New Zealand noted that the Representative Assembly, although it appeared that it might not express any opinion on political problems, nevertheless had a considerable voice in budgetary and other matters of local interest. He would await with interest further clarification of the proposals of the French Government to grant more powers to the Representative Assembly.

The representative of Belgium felt unable to endorse views which had been expressed in the Council urging a larger membership for the Representative Assembly. When a new political era was being opened, the task had to be performed thoroughly and in depth, and this meant a gradual, not a rapid, increase in the number of representatives. He considered that this gradual process was favoured by the presence in the Assembly of four Europeans, whose small number constituted a guarantee of their purely educational role.

The representative of the United States of America stated that the extension of powers of the Representative Assembly was a potential development of primary importance which had concerned the Council for some time. Keeping in mind the explanations given by the representative of France on the question of terminology, he considered that the important point was that the Representative Assembly should in fact be clothed with the right to exercise real legislative powers, whether they were so-called formally or not, and that among the questions with which it would be empowered to deal would be political matters.

The representative of the Union of Soviet Socialist Republics stated that the so-called Representative Assembly was deprived of real rights and prerogatives and was actually a mere advisory organ. The report of the Visiting Mission indicated that the Assembly had no right of legislative initiative, nor had it the right to discuss political questions; the budget discussed by the Assembly consisted primarily of compulsory items and the Assembly had no right of supervision over the implementation of the budget. Even in this purely advisory organ, the Administering Authority was conducting a policy of bold racial discrimination against the indigenous population and had taken measures to ensure the ruling position of Europeans. He added that 1,443 Europeans, of whom 977 were electors, elected six members, or one member per 240 Europeans, while 997,000 indigenous inhabitants, of whom 27,603 had the franchise, elected twenty-four members, or one member per 41,550 inhabitants. Even when based on the group of so-called qualified Africans and not the total number of inhabitants, this ratio of representation indicated discrimination which was no less flagrant.

The special representative of the Administering Authority stated that the latter planned to take a substantial step towards autonomy in Togoland and that the Representative Assembly would receive wider powers. The provisions of the new law would meet the wishes of the inhabitants, and he hoped, those of the Council.

Suffrage

The representative of New Zealand noted with satisfaction that considerable progress had been made in granting suffrage to the indigenous inhabitants by according the right to vote to heads of families and to mothers of two children, and that the number of electors in 1951 was about three times as large as in the elections held in 1946. He urged the Administering Authority to continue its efforts in this field and to devote special attention to increasing the number of female voters.

The representative of Thailand hoped that the present system of restricted suffrage for indigenous inhabitants would very shortly be replaced by a system based on universal suffrage.

The representative of China noted with satisfaction the increase of the electoral body; he was, however, concerned about the existence of two electoral colleges, the members of one of which—the French College—enjoyed the special privilege of not having to possess the qualifications that were required of the indigenous voters. He welcomed the information given by the special representative that the French Government had decided to eliminate the double system, and he hoped that this would be done without undue delay.

The representative of the United States of America noted with satisfaction the progressive increase in the number of registered voters and the increasing number of *commissions de révision* which constituted a very useful step in facilitating increased registration. He hoped that the Administering Authority would further liberalize the registration and voting requirements and intensify its efforts to make the eligible inhabitants aware of the significance of these rights. He noted with satisfaction that on the occasion of the last elections, 82 per cent of the registered voters had in fact exercised their voting rights. He hoped that future reports would show, with the number of registered votes, the number or estimated number of those eligible to register as well as the total number of persons of voting age. He felt that every encouragement should be given to improving the position of women, a process already noticeable in the Territory, as shown by the election of a woman to the Municipal Commission of Lomé. He

hoped that future reports would indicate that women were playing a more and more important role in the life of the Territory.

The special representative of the Administering Authority noted that several delegations had been preoccupied with the establishment of a single electoral college. He declared that this problem had occupied the attention of the French Government, and that during the recent elections in almost all the overseas territories there had been only one electoral college. He assured the Council that the system now in operation had tried to guarantee, in equitable proportions, the representation of both indigenous and European interests and that no racial discrimination was involved.

Chefferies

The representative of China observed that the Administering Authority had issued two decrees of great significance, one laying down the principle that the indigenous administration of the Territory was to be carried out by the chiefs of various ranks and the other permitting the chiefs to be assisted by administrative agents placed under their orders. He observed that in the 1950 report the Administering Authority had stated that the new regulations had worked smoothly and satisfactorily, and noted with satisfaction that according to the declarations of the representative of France it was the intention of the Administering Authority to assimilate the traditional chiefs into administrative sections and *cadres*.

The representative of the Union of Soviet Socialist Republics stated that the reports made it evident, as it appeared from an order of 2 December 1949 issued by the Commissioner, that the Administering Authority had encouraged the tribal system and even preserved it by legislation in order to ensure its sway over the indigenous population. He noted that, as reported in the report for 1949, an increasing number of the younger generation had expressed dissatisfaction at the maintenance of the backward tribal system. He considered that the Council ought to recommend to the Administering Authority that it take measures ensuring a transition from the tribal system to a system of self-government based on democratic principles, in view of the fact that the tribal system which now existed in the Trust Territory and which was encouraged by the Administering Authority was incompatible with the progressive political development of the population of the Trust Territory towards self-government and independence.

Local councils

The representative of China noted that the Administering Authority intended shortly to put into operation a plan to set up a district council for each *cercle*. He hoped that the Council would receive further information in this connexion, especially if the establishment of these councils were carried out as had been recommended by it at the seventh session, namely with "progressively increasing and widening powers".

The representative of the United Kingdom noted that plans were well advanced for the constitution of divisional councils which should serve as a useful field of political experience for the inhabitants of rural districts. He considered that this was a further step for which the Council should commend the Administering Authority.

The representative of the United States of America expressed some disappointment that the pace of progress with regard to the replacement of the councils of notables by the *Conseils de circonscription* had not been more rapid. He hoped that district councils for each *cercle* would very shortly be in operation; and that these new local bodies would be genuinely representative in character and might serve as an effective medium of political education.

Municipalities

The representative of New Zealand stated that very satisfactory progress appeared to have been made in the field of municipal government.

The representative of the United Kingdom felt that the Administering Authority was to be congratulated on the bold and successful steps taken to modernize and democratize local government institutions.

The representative of the United States of America felt that the Administering Authority should be congratulated on the substantial progress achieved in the realm of municipal government, especially the raising of five municipalities to the status of *communes* of the third degree with indigenous elected councils and mayors. He hoped that it would be possible to continue progressively to extend municipal reform to other urban communities, since this development would appear to be one of the most effective means of bringing about a transition from a tribal political structure to more representative institutions.

Judicial system

The representative of Belgium noted with interest that customary courts were now fully functioning. The policy followed in this matter by the Administering Authority could only be strengthened by the active participation of the indigenous population in the exercise of judicial power. He was sure that the Council would take note with satisfaction of this development, which fully coincided with its past recommendations, and that it would express the hope that future reports would continue to inform it, perhaps in greater detail, about this excellent institution.

The representative of China noted with interest the increase in the number of courts composed of indigenous judges, the extension by decree of the competence of the justices of the peace and the contemplated increase in the number of career magistrates. He regretted, however, that the provision of these career magistrates had been limited by the shortage of available personnel. He expressed the opinion that it was incumbent upon the Administering Authority to expedite the training of the personnel required to fill the posts in the judiciary and he recommended that the Administering Authority undertake this task.

The representative of the Union of Soviet Socialist Republics stated that the report for 1949 indicated clearly that the Territory was subordinate to the adjacent French colony as regards judicial organization; the Territory was under the jurisdiction of the *Cour d'appel* in Dakar and the *Procureur-général* in Dakar

was the chief of the judicial services of Togoland. He considered that the Trusteeship Council should recommend to the Administering Authority that it set up in the Territory organs that would not be subordinate to any organs set up on the basis of union with any French colony.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

Almost all the inhabitants of the Territory depend on agriculture for their livelihood. The crops cultivated vary widely. Production in 1950 was satisfactory, particularly as regards palm kernels, cocoa and copra. There is very little industry in the Territory; such industry as exists mostly takes the form of processing of agricultural products. Internal trade is confined to the marketing of foodstuffs and retail trade in imported goods; there are about 800 Togolese traders. External trade is in the hands of British and French firms.

Although there was an evident decline in exports in 1949 as compared with 1948, the economic situation is stated to have improved in 1950; imports increased and made it possible for the Territory to build up stocks of goods and to obtain equipment for future production efforts.

The annual reports for 1949 and 1950 show that full freedom of trade has been almost completely restored. The system of free competition has been re-established in respect of production and export prices; only slight restrictions remain. For instance, coffee may be exported only to hard currency countries, and cotton remains subject to an official price scale. Exports of maize and *gari* to neighbouring territories are subject to authorization.

Imports from the United States, chiefly under the Marshall Plan, still play an important part in the economic life of the Territory, particularly in the case of goods which cannot be obtained from other parts of the world market.

In 1948, a programme for re-organizing the stock breeding service was put into effect. The 1950 report indicated that great progress had been made at the material level in equipping the service with instruments and medicines. In 1950, the service had to combat several epidemics of contagious disease. The construction of a laboratory for producing vaccine and serum at Dapango was completed.

As regards mining, it was found in 1949 that the chromite deposits on Mont Ahito were favourably situated and that the ore, if worked, might be conveyed to the railway by the use of a gravitation system.

As regards communications, the 1949 and 1950 reports indicate that the road and railway systems and port and airfield facilities are on the whole adequate for the needs of the Territory, but that a great effort must still be made to improve and modernize them. This work will be carried out with funds from the FIDES Plan. A sum of 1,291 million francs CFA has been set aside for work on and cost of railways, 479 million of which is already earmarked for special purposes; 1,233 million has been set aside for roads and bridges, 532 million being already allocated for special purposes; 51 million (43 million already allocated) has been set aside for harbour works and 168 million (113 million already allocated) for communications (posts, telephones, etc.). Since 1 January 1950, automobile traffic has been able to move freely over all roads in the Territory.

By its resolution 322 (IV) of 15 November 1949, the General Assembly expressed full support of the recommendations of the Trusteeship Council and of all steps leading to a greater participation of indigenous inhabitants in the profits from and management of public or private undertakings engaged in the exploitation of natural resources or in the production of, or trade in, raw materials and commodities basic to the economy of Trust Territories.

The 1950 report stated that the legislation dealing with this matter was based on the principle of full equality and that no discrimination was allowed on grounds of origin or race. Participation of the indigenous inhabitants in the management of undertakings depended entirely on individual qualifications; the largest business in the Territory was under the direction of a Togolander and a Togoland engineer had just set up a building company.

The above mentioned resolution of the General Assembly also affirmed the principle that the interests of the indigenous inhabitants must be paramount in all economic plans or policies in Trust Territories, particularly in raising the standards of living and the level of wages, and in improving housing, nutrition and health conditions.

The 1950 report stated that the Administering Authority had taken steps in all these different fields. (Details of various problems concerned are given under the relevant headings below.)

At its ninth session, the Council adopted the following recommendations:

The Council, noting the efforts of the Administering Authority to increase production in the Territory as well as the satisfactory results already attained through the ten-year plan for economic development, recommends that the Administering Authority encourage active participation by the indigenous inhabitants in all aspects of the economic life of the Territory and particularly in policy-making and managerial activities.

The Council, noting that the President and Treasurer of the Chamber of Commerce must by law be French citizens, recommends that the Administering Authority consider the possibility of opening these posts to indigenous inhabitants.

Population pressure in the Lama-Kara Area

The problem of population pressure is manifested in the *subdivision* of Lama-Kara in the northern part of the Territory, where the total population is 187,000 and the average density sixty-eight persons per square kilometre, with a maximum of 200 in certain cantons. This population pressure has led to food shortage and the threat of famine.

The Visiting Mission requested from the Administering Authority a brief statement on steps taken to

remove this threat. According to information received from the Administration, these steps are as follows: the establishment of food reserves sufficient to feed the entire population for one month, the extension of the planting of root crops for harvesting in the month of June, and the expansion of a village at Sokodé designed for the settlement of immigrants. The Visiting Mission stated that it was satisfied that the Administering Authority was alive to the dangers of population pressure and famine, and expressed the opinion that the problem should be kept constantly under review, and that it would also be useful to consider ways and means of attracting the population to other parts of the country and exploiting the latter's resources, should a dangerous saturation point be reached.

At its seventh session, the Trusteeship Council expressed support of the views of the Visiting Mission and made recommendations to that effect to the Administering Authority.

In its report for 1950 the Administering Authority gave a detailed analysis of indigenous agricultural methods and the efforts made for improvement; it mentioned in particular those made for the recovery of farmed-out land in the Cabrais area, including the formation of a pilot area which, after a pedological and an agrological survey, would be subjected to a recovery process by the competent services.

Agriculture

In 1948, the total production of food crops amounted to 556,275 tons; in 1949, it fell to 540,024 tons, and in 1950, it rose to 642,698 tons. In 1948, the total production of industrial crops was 79,113 tons, 31,919 tons of which were exported. In 1949, production fell to 66,002 tons, 20,782 tons of which were exported. In 1950, it rose to 82,238 tons.

The Visiting Mission noted that the output of food crops in 1948 was affected by the drought in the northern and southern regions and that conservation measures were necessary both in the thickly-populated and newly-populated areas.

At its seventh session, the Trusteeship Council recommended that the Administering Authority institute intensive programmes for land reclamation and conservation so as to ensure adequate food resources in the two types of region mentioned by the Visiting Mission. The Council furthermore noted the observation made by the Visiting Mission that drought was still a serious problem in the Territory; noting the programme being carried out by the Administering Authority for increasing the water supply, it also expressed the hope that such programmes would be carried forward as rapidly as possible.

The Administering Authority reported that the year 1949 had been marked by the introduction and development of modern agricultural methods. Special attention was being paid to the improvement of crops and selection of seeds by the Agricultural Service. Sixty-eight tons of various chemical fertilizers had been applied for demonstration purposes on coffee, cocoa and coconut plantations belonging to indigenous inhabitants. Various types of work were carried out with a Farmall H tractor at the Glidji farm, and some initial demonstrations were held for indigenous farmers with two "Garden All" power-driven cultivators. There was much scope throughout the Territory for the use of draught animals for cultivation, even in the Cabrais and Moba areas. It appeared that the use of power-driven cultivators was likely to spread rapidly throughout the red earth region of Southern Togoland. Efforts were continued in 1950, special stress being laid on maintaining soil fertility and therefore on the adoption of improved agricultural methods.

As regards the water problem, the 1950 report indicated that this was a matter of special concern to the Administering Authority of the Territory and that exploratory well-drilling had been undertaken all over the Territory. Work on bringing water to Tsevie and the neighbouring villages was in progress, and numerous wells were being sunk in the Anécho district.

In the course of the ninth session of the Council, the Administering Authority stated that several regions of the Territory had been the object of a survey by the *Bureau des Sols* in 1950, and the results made it possible to envisage agricultural developments which had earlier appeared very limited.

At its ninth session, the Council adopted the following conclusions and recommendation:

The Council notes with satisfaction that the campaigns for increased food production have successfully minimized the risk of famine, commends the Administering Authority for the efficient measures taken in promoting the agricultural development of the Territory, suggests that the policy of encouraging increased food production be reaffirmed and recommends that the Administering Authority give continued attention to the provision of agricultural services to the indigenous farmers, such as training in modern methods of farming, the improvement of plant strains and the combating of pests, and expand its already successful campaign for the conservation of the soil.

Fisheries

Fishing is carried on along the whole coast of Togoland and in the coastal lagoons. It is entirely unrestricted. Sea fishing is collective and the catch is divided according to custom. Trade in dried or smoked fish is reported to be considerable.

The 1950 report stated that questions relating to fishing in Togoland were considered by the Dakar Sea-Fishing Conference which was held in January 1948. It appeared from the study made by various specialists that no changes in the existing fishing methods could be contemplated for the time being; the coast afforded no shelter and it would be almost impossible to construct ports even in the lagoons. There could therefore be no question of a commercial fishing fleet or of deep-sea fishing.

At its seventh session the Trusteeship Council recommended that the Administering Authority increase its efforts to encourage the development of fisheries by financial and technical assistance and that measures be adopted to facilitate the marketing of fish.

The 1950 report stated that the fishing equipment, and in particular the canoes currently in use, were admirably suited to the coast of Togoland. It added that under existing conditions there was little likelihood of

any change in or expansion of sea fishing and the fish industries.

Land and land tenure

According to the 1950 report the lands of the Territory are divided approximately as follows:

	Sq. Km.
Arable land including uncultivated land	20,000
Commercially exploitable forests	2,000
Meadow-land and permanent pasture land	2,000
Fallow land, insufficiently exploited areas (the development of which has been begun)	24,700
Hunting and forest reserves	1,800
Miscellaneous	4,500
	55,000

The report added that almost half of the land suitable for cultivation was idle, being inaccessible, infested with the tsetse fly or without water. The Visiting Mission stated in its report that the land was nowhere very fertile.

Under the system of land tenure the land is divided into three main categories: (*a*) public or private domain of the Territory; only land listed as private domain can be transferred by sale or concession; (*b*) land held by indigenous communities or individuals under rules of local custom, a vague form of ownership which, according to the 1950 report, is a source of dispute, in particular when the Administration proposes to classify domain lands, apparently unoccupied, as "vacant and ownerless land"; (*c*) land in respect of which proceedings for the recognition of property rights have been taken, either by virtue of a simple and inexpensive procedure peculiar to Togoland or by virtue of "registration", which alone confers the property rights recognized by the Civil Code with all their guarantees.

On 31 December 1949, 6,814 hectares of land had been claimed for registration in the Land Register by the indigenous inhabitants as against 3,252 hectares in 1948; 553 hectares of land had been registered in the names of non-indigenous inhabitants as against 546 hectares in 1948; land forming the private domain of the Territory amounted to 2,963 hectares as against 2,403 hectares in 1947. Five-sixths of the land registered in the names of indigenous inhabitants is owned by private individuals.

Forests

The legislation in force in Togoland provides that the classification of forests in the private domain of the Territory must be effected by decree of the *Commissaire* after discussion in the Representative Assembly; its purpose is to place forests under a system of restriction and special protection.

Classified forests and reafforestation areas belonging to the domain of the Territory amounted in 1950 to 38,450 hectares, or 0.7 per cent of the Territory and 1.75 per cent of the forested areas.

The 1950 report stated that the forestry service had launched a propaganda campaign to overcome the people's hostility to the classification of uncultivated lands and to convince it of the all-important part played by forests in soil conservation and the regulation of waterways.

The Visiting Mission's report stated that the inhabitants of the Territory and most of the members of the Representative Assembly were opposed to any attempt at forest classification; they saw in such proceedings a restriction of their liberties and were unable to understand the general purpose of the Administration's forestry policy. The Visiting Mission was informed by the Administration that on account of this opposition no forests had been classified in 1948 and 1949.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting that the importance of forest classification and forest reserves has yet to be driven home to the local inhabitants, expresses the hope that the Administering Authority will continue to take measures to educate the population on the importance of the preservation of forests for the welfare of the Territory so that local opposition may soon be overcome.

Industry and mines

The annual reports state that, owing to the poor quality of the sub-soil and the irregularity and lack of waterways, Togoland cannot become an industrial country in the near future. There are at present four cotton ginning mills, three kapok ginning mills and one palm oil extracting mill, the latter having been set up by the metropolitan country and presented to the Territory and being capable of producing 2,000 tons of oil. Only such small undertakings as a grated coconut factory set up in 1949, or a starch (tapioca) factory which is to be built soon can be envisaged for the future.

At its fourth session the Trusteeship Council recommended that the Administering Authority should do everything in its power, by making grants and loans or other forms of assistance available, to encourage and enable indigenous inhabitants to take a full part in industrial development.

The 1950 report stated that the indigenous inhabitants' present industrial activities were confined to the processing of agricultural products (mechanical decortication of coffee and the mechanical crushing of palm kernels) and the manufacture, for sale of certain building materials, such as bricks and parpens. These activities were carried out under the auspices of the provident societies which themselves received encouragement and financial assistance.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting that steps have been taken by the Administering Authority to ascertain the extent and value of minerals in the Territory, expresses the hope that the Administering Authority will provide further information on the subject, with special reference to the exploitation of chromite and bauxite deposits.

Foreign trade

In 1950 the value of the Territory's foreign trade amounted to 5,363,159,500 CFA francs (3,786,744,500 francs in 1949), representing 1,528,141,500 francs in exports (844,714,000 francs in 1949), 1,824,020,000

francs in imports (1,454,430,000 francs in 1949), 35,455,000 francs in re-exports (14,512,000 francs in 1949) and 2,175,543,000 francs in transit (1,473,088,-500 francs in 1949).

In 1949 the drop in exports was due basically to the slump in tapioca exports, which fell from 11,609 tons in 1948 to 2,270 tons in 1949, and also to a drop in exports of palm kernels and palm oil. In 1950 the export of palm kernels was almost double that of the preceding year.

Most of the exports (80 per cent of the 1949 tonnage and 45 per cent of the 1950) went to France. The Gold Coast was the second largest customer followed by Morocco, Germany and the Netherlands.

Imports have risen considerably since 1949, i.e., by 6 per cent in tonnage and 73 per cent in value as compared with 1948. France and her territories account for 63.4 per cent of the total, the United Kingdom and British territories in Africa for 14 per cent, and the Union of South Africa for 9.2 per cent. In 1950, imports from France and the French Union did not amount to more than 58.8 per cent of the total imports; the United Kingdom and the British territories in Africa furnished 14 per cent of the total. Germany and Japan are assuming increasing importance among the Territory's suppliers.

In 1948, the chief imports were still subject to administrative regulations for distribution upon their arrival in the Territory. The annual reports state that these products arrived in such quantities in 1949 that it became possible for them to be sold without any controls, a decision which was particularly welcome in the case of cement and petrol. At the beginning of 1950 the controls on the sale of flour and petroleum were also lifted.

Customs system

In the petition which they submitted to the Visiting Mission, the members of the Representative Assembly stated that under the existing system of exchange control the export of certain commodities (coffee, groundnuts and cotton) was permitted only to France. When the Visiting Mission asked for confirmation on that point, the Administration replied that it was a consequence of exchange control resulting from the war. It pointed out that such restrictions had been relaxed in large part during 1949 and that at the present time they applied solely to the three commodities mentioned above, which represented only 10 per cent of the total exports. It was added that such controls could not be regarded as discriminatory since they applied to all the inhabitants regardless of nationality.

Indigenous provident and co-operative societies

The report for 1950 states that at present no real co-operative movement has been set up in Togoland but that there is an organization whose aims are very similar to those of co-operatives, namely the indigenous provident societies and their joint fund. There are nine such societies in the Territory. Their aim is to promote production, the improvement of the harvest and the preparation and sale of the goods produced. They grant loans to their members through the joint fund; in 1949 the loans granted amounted to 400,000 francs CFA and in 1950 they had risen to 2,650,000 francs, besides a few short-term loans granted to provident societies.

At its seventh session, the Trusteeship Council expressed the hope that the Administering Authority would encourage the formation of agricultural co-operatives and that the indigenous inhabitants would be given real opportunity for responsible participation therein.

The report for 1950 stated that a first attempt at setting up co-operatives had failed but that, at the request of representatives of the population who wished the Administration to organize such societies, statutes for producers' and consumers' co-operatives had been drawn up and distributed on a large scale. Thus far they had not aroused any interest.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting with disappointment that the Administering Authority's efforts to encourage co-operatives have not met with success, expresses the hope that the Administering Authority will continue its efforts in this direction and recommends that it educates the indigenous inhabitants with a view to stimulating their interest in and understanding of co-operative institutions.

Public finance

The total revenue of the Territory was 1,039,859,-772.40 francs in 1949 and 991,738,350 francs in 1950, as compared with 703,426,526 francs in 1947. The principal source of revenue continues to be customs duties which amounted to 491,742,812.20 francs in 1949 and 494,300,000 francs in 1950, as against 376,-791,847.60 francs in 1948. Direct taxation represented 18.36 per cent of the total ordinary revenue in 1949, i.e., 103,012,288 francs, and 14.3 per cent in 1950, i.e., 111,838,053 francs.

The total expenditure in 1949 was 891,216,310.50 francs, as against 488,573,828.80 francs in 1948. The total expenditure in 1950 was 798,318,415.80 francs.

The local currency, which is the franc CFA, can be freely exchanged for the metropolitan currency at the rate of 1 franc CFA for 2 metropolitan francs.

The following taxes are collected in the Territory:

(*a*) Scheduled taxes levied on all forms of income (industrial and commercial profits, income from liberal professions, wages, salaries, etc.) and, in addition, a general income tax with rebates in respect of dependants;

(*b*) A poll tax levied on all males over 14 years of age;

(*c*) Real estate taxes on land and built up property;

(*d*) Permit and licence fees.

There are also various other taxes such as road taxes, firearm permits, and bicycle licences.

Taxes are only paid in kind and, as in the metropolitan country, only administrative proceedings can be taken against defaulting taxpayers.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council commends the Administering Authority for the steps that have been taken to replace the head-tax by a progressive income tax and recommends the establishment of a general system of income tax as soon as possible.

Development plan

In 1949 and 1950 further progress was made with the execution of the economic and social development plan for Togoland, provided for in the Act of 30 April 1946.

The plan provides for a total expenditure of 5,816,-070,000 francs CFA; 3,700 millions will be devoted to economic development, and 2,024 millions to social development. By the end of 1950 an expenditure of 2,219 million francs had been authorized and 1,422 million francs had been paid out.

The following amounts will be spent on work of economic importance: 637 millions on agricultural production, 47 millions on forestry, 47 millions on livestock, 1,291 millions on railways, 1,233 millions on highways and bridges, 51 millions on ports, 168 millions on communications, and 359 millions on urban and rural works.

The following amounts will be spent on social work: health, 716 millions, of which 470 millions have already been allocated for specific projects; education, 686 millions, of which 233 millions have already been allocated for specific projects.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of the United States of America noted with satisfaction that further progress had been made in the economic field under the ten-year development plan. He considered as very sound the emphasis which the plan laid on extending and improving the system of railways, highways and bridges and hoped that the Administering Authority would succeed in overcoming the many material difficulties and make substantial progress in its communication programme.

The representative of the Union of Soviet Socialist Republics stated that the lack of industry and the extraordinarily backward state of agriculture were characteristic of the economic situation of the Territory.

The special representative of the Administering Authority stated that in the economic field the Council could evaluate what had been done in a Territory which was not particularly generously endowed by nature.

Population pressure in the Lama-Kara area

The representative of China commended the Administering Authority for the steps taken to remove the danger of food shortages resulting from the population pressure and expressed the view that it was most essential to continue this action in order to ward off the calamity which constantly threatened the Territory.

Agriculture

The representative of New Zealand noted that successful work appeared to have been done in agriculture, particularly in maintaining the fertility of the soil and adopting improved methods of farming.

The representative of Belgium considered that in a territory such as Togoland soil study and conservation required active attention and that this had been conscientiously provided by the Bureau of Soil Study of the Administering Authority. He expressed a desire to learn more details about the activities of this agency in future reports. He also expressed the hope that the indigenous population was being kept informed about and induced to participate in the experimental work of the Administering Authority.

The representative of the United Kingdom noted with approval the careful and vivid analysis in the 1950 report of the agricultural problems of the Territory. Scientific study most interestingly had revealed that traditional crop rotations were actually well suited for the natural conservation of soil productivity and that these differences in soils and crops were matched by differences in land tenure systems. He thought that the activities of the Administration to provide improved strains of the main commercial and food crops as well as the very effective phytosanitary services provided by the agricultural agencies of the Administering Authority to the indigenous farmers deserved congratulations. The success met with by these activities had also demonstrated the value of the central research services provided by the metropolitan Government. He noted that these agricultural services had succeeded in eliciting the full co-operation of the cultivators, which was frequently difficult to obtain, and showed that the technical skill of the Administering Authority's staff was matched by their human qualities. He remarked also upon the efforts of the Administering Authority's soil conservation agencies in restoring the fertility of the worked-out lands in the Cabrais area. He considered them to be a model for such operations and expressed the hope that the valuable experience gained would be diffused throughout tropical Africa through the *Bureau International des Sols* in Paris which had been established to promote international co-operation in this field.

The representative of the Union of Soviet Socialist Republics stated that it was evident that the Administering Authority had no intention of taking effective measures to advance agriculture in the Territory or to assist the indigenous inhabitants to improve agricultural methods, to acquire draught animals and so on. He cited the description of agricultural methods prevailing in the Territory, as given in the 1949 report, showing that all field work was done manually. Furthermore, the Administering Authority was merely seeking to bolster the production of crops which were designated for export and not the production of crops which were essential for the needs of the indigenous population itself.

Land and land tenure

The representative of the Union of Soviet Socialist Republics stated that it was worthy of note that the Administering Authority had not only failed to restore to the indigenous population lands alienated from it.

but, on the contrary, persisted with further land alienation. The Council should recommend that the Administering Authority return to the indigenous population lands alienated from it in any manner and that it should not in future allow the alienation of land belonging to the indigenous population.

Forests

The representative of China stated that the importance of forest classification and reserves had yet to be driven home to the local inhabitants. He hoped that the campaign already conducted by the forestry service had borne some fruits and that the Administering Authority would not cease to educate the population to the important part played by the forests in the welfare of the Territory and its inhabitants, so that the opposition at present manifested by the members of the Representative Assembly might soon be overcome.

The representative of the United Kingdom noted with regret that insufficient co-operation was given by the indigenous population to the Administration's efforts to establish forest reserves. The present reserves constituted only 1.75 per cent of the wooded area and were frankly inadequate. He felt that the Council should recommend that, with the utmost co-operation of the local inhabitants, the Administering Authority should pursue its policy of protecting the forests from spoliation and guaranteeing the future productivity of the soil.

Industry

The representative of Belgium considered as a sign of progress the establishment of factories at Tsévié and Anécho. The measures taken by the Administering Authority in such fields as the cocoa industry might also be viewed as embryo stages in the industrialization of the Territory.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to take appropriate measures for the establishment even of such industries as were necessary for the processing of local agricultural crops. Cotton, for example, was exported in its raw state.

Foreign trade

The representative of the United States of America noted with satisfaction the liberalization of exchange regulations and hoped that it would prove possible still further to liberalize them.

Indigenous provident and co-operative societies

The representative of China considered that it had been disappointing to observe that the co-operative system had not been developed as far as was desired. He recommended that the Administering Authority increase its efforts to educate and induce the local inhabitants to take a keener interest in this most beneficial system.

The representative of the United States of America considered as somewhat disappointing the fact that the Administering Authority's efforts to encourage the formation of indigenous co-operation had met with no success whatever. He believed that co-operatives, more effectively than provident societies, might provide a satisfactory training-ground for giving indigenous producers experience in managing their own economic affairs on a modern, organized basis. He hoped that the Administering Authority would intensify its efforts, as already recommended by the Council, to encourage the formation of agricultural co-operatives and to give indigenous inhabitants a real opportunity for responsible participation therein. He suggested that the Administering Authority might consider the possibility of employing a trained expert in co-operative work in order to carry out an intensive programme of education with a view to stimulating interest in co-operatives and an understanding of the techniques necessary for their success.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had sought to set up a system of State societies with compulsory membership whose purpose was to help European companies to pump raw material out of the Territory.

Public finance

The representative of the Union of Soviet Socialist Republics stated that a head tax system still prevailed in the Territory and that the bulk of the burden of taxation weighed upon the poorest part of the population, which was the overwhelming majority of the indigenous population. The Council should recommend to the Administering Authority that it take measures to replace the head tax by a progressive income tax system or at least by a simple income tax system which would take account of the financial resources and capacity of payment of the population.

The special representative of the Administering Authority stated that the indigenous inhabitants contributed to the cost of public expenditure to a much lesser degree than they were able, despite what might have been alleged in certain petitions. He added that in its concern for the welfare of the indigenous inhabitants, the Administering Authority had not failed to accept rather burdensome sacrifices in the interests of the economic and social advancement of the Territory. Furthermore, it had assumed the burden of paying part of the salaries of some of the higher officials.

Development plan

The representative of China noted with approval that progress had been made with the execution of the economic and social development plan. He also noted with approval that funds from the plan had been set aside for improving communications and public health conditions. He expressed the hope that the Administering Authority would press forward with the plan, which would doubtless confer tremendous benefits upon the indigenous inhabitants.

The special representative of the Administering Authority stated that without the ten-year programme of economic and social development the Territory would have remained quite static.

Communications

The representative of China noted with interest that the 1949 and 1950 reports indicated the general ade-

quacy of the road and railway system and the port and airfield facilities for the needs of the Territory. He also noted that the reports emphasized that a great effort must be made to improve and modernize the present communications system. He hoped that the Administering Authority would take concrete steps to meet and solve the transportation problems. He noted approvingly that funds for the FIDES plan had been set aside for this purpose and expressed the hope that the next report would give the Council an account of the stage of the work being undertaken in this respect.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations by the Trusteeship Council

Fundamental freedoms

According to the annual reports for 1949 and 1950, the enjoyment of human rights and fundamental freedoms is guaranteed to all inhabitants of Togoland without distinction. The legislation on freedom of the Press and freedom of association is modelled on that of France. No censorship was established during 1949 and 1950.

The Visiting Mission stated in its report that it was gratified to note that the inhabitants of the Territory expressed their views with the utmost freedom, and the Mission was of the opinion that this freedom of expression prevailing in the Territory was highly commendable.

Freedom of assembly, freedom of labour and freedom of thought, conscience and worship are guaranteed either by the Constitution of 1946 or by preceding legislation.

The penal law is the same for all: no one can be arrested except under a warrant issued by the competent magistrate; and no arrest may be made by administrative or police order.

The reports state that during the years 1949 and 1950 no case of slavery properly so-called was observed. In 1949 the public prosecutor had to deal with two cases of the abandonment of persons to third parties as pledges for the payment of debts, acts which are punishable under the penal law.

The reports also state that the legislation in force places no restriction on the movement of workers inside the Territory, and that it recognizes no racial discrimination; such acts of discrimination would be liable to judicial prosecution.

Two petitions received by the Visiting Mission raised the question of racial discrimination, particularly as regards the composition of assize court juries. At its seventh session, the Trusteeship Council heard the explanation given by the Administering Authority's special representative, who said that, under a recent decision, any indigenous inhabitant of Togoland might be a member of such a jury, provided he could read and write. The Council drew the petitioners' attention to a recommendation adopted at its fourth session, which noted the assurance of the Administering Authority that all vestiges of racial discrimination had been eliminated and expressed the hope that future reports would give an account of the effective implementation of that policy.

Status of women

From the legal point of view and under French law the two sexes are equal. The Administering Authority states, however, that in Togoland the status of women still depends on their position in society and the customs governing their social environment. As the report for 1950 explained, women in Togoland have acquired the same civil rights as French women, but the great majority remain subject to the rules dictated by custom.

Access to the civil service and the liberal professions is open to women; and women have the same political rights as men. An indigenous woman was elected a member of the Lomé Municipal Council in 1950. According to the report for 1950, there are now 120 women officials in the civil service, as against seventy-seven in 1948.

At its seventh session, the Trusteeship Council, noting that the status of women in the Territory was inferior to that of men, expressed the hope that a continuous campaign of education would enable their status to be raised.

The reports for 1949 and 1950 stated that it would take a long time to raise the status of women in Togoland, as indeed in all "black" Africa, for custom must not be rudely flouted. The reports also stated that polygamy, while still persisting, was nevertheless becoming rarer.

Labour legislation and labour conditions

The reports for 1949 and 1950 stated that labour legislation did not undergo any change during those years.

The Visiting Mission reported that the minimum wage for unskilled labour varied between 40 and 70 francs a day and that the wages of workers and employees other than officials were revised periodically to correspond with the increase in the cost of living.

At the end of 1950, there were thirty-seven trade unions or professional associations with a total membership of 3,750. Two new trade unions were being formed. Nineteen workers' trade unions had combined to form an association of trade unions.

Although there were some labour conflicts in 1949 and 1950, they are reported never to have become violent.

The Territory possesses relatively abundant labour resources. Supply and demand are in approximate equilibrium. In 1950 there was some slight unemployment among the office workers at Lomé.

According to the reports for 1949 and 1950, forced or compulsory labour has been absolutely abolished since the Act of 11 April 1946. The Government recruits labour only for its own needs. Labour is recruited through the unpaid services of the *Office de Placement* or directly by the employer. Emigration of workers is very slight and no workers are recruited outside the Territory.

At its fourth session, the Trusteeship Council noted that the French Parliament was working on labour legislation for the Overseas Territories designed to fill

the gap left by the absence of a suitable labour code. It expressed the hope that the Administering Authority would complete such legislation and secure its enactment at an early date.

At its seventh session, the Trusteeship Council, noting with regret that the labour code had not yet become law, expressed the hope that that legislative provision would be enacted soon that it would fully safeguard the rights and interests of labour. The Council furthermore considered that, in determining a scale of minimum wages, workers should be ensured a decent standard of living and be protected in respect of illness and accidents arising from employment, and that allowance should be made for the participation of labour unions in the undertaking of studies on such questions as illness and old age.

The report for 1950 stated that the Labour Code of the French Union was under discussion by Parliament, which had already voted on a number of articles. In the course of the ninth session of the Council, the Administering Authority stated that the text of the Labour Code had been adopted by the Assembly of the French Union and by the National Assembly, and that it would be discussed by the Council of the Republic in the near future.

The report for 1950 also stated that the workers' wages were determined either by collective conventions or by order of the *Commissaire,* and that the minimum wages had been increased following an agreement reached in December 1950, the wages of a labourer per month in the first category having risen from 3,100 francs to 3,725 francs, and those of a skilled labourer from 10,600 francs to 11,975 francs.

The report added that at Lomé the wages of unskilled labour rose from 20 francs a day in 1946 to 72 francs in 1949 and 82-95 francs in 1950. The increase was even greater in the case of civil servants. Furthermore, to the minimum wage there is added a seniority bonus of 5, 10 or 15 per cent according to whether the worker had served five, ten or fifteen years in the same undertaking, and also, in certain branches of industry, output bonuses and end-of-year gratuities.

In the course of the ninth session of the Council, the Administering Authority stated that in 1950, the total number of the unemployed for the whole Territory was 156.

At its ninth session, the Council adopted the following conclusions and recommendations:

The Council, recalling its recommendation at the seventh session, notes the statement of the Administering Authority on the question of the labour code, requests the Administering Authority to make this document available as soon as possible to the Council and expresses the hope that when this code is promulgated it will furnish an adequate basis for the protection of the rights and interests of indigenous labour.

Wages and standard of living

According to the report for 1950, the removal of restrictions on the sale of imported goods and the revision of wages have largely contributed to raising the standard of living. A great improvement is observable in respect of nutrition, clothing and housing, particularly in the south and the urban centres.

At its fourth session, the Trusteeship Council noted that in Togoland indigenous wage rates were low and sometimes did not exceed the minimum subsistence level of the inhabitants, and it recommended that the Administering Authority should carry out a special study of the problem of wages and standards of living of the indigenous population. It urged the Administering Authority to take positive action to raise the wage level and to improve the standard of living in terms of clothing, housing, medical and social services.

At its seventh session, the Trusteeship Council had at its disposal the very detailed information provided by the Administering Authority on wages and the standard of living in Togoland. It expressed the view that, in determining a scale of minimum wages, workers should be ensured a decent standard of living.

The report for 1950 stated that while there was no study of the local domestic economy, the *Commission consultative du travail* took the cost-of-living indices into account in establishing minimum basic wages, and that those indices were themselves established in relation to the usual diet of the indigenous inhabitant and his minimum requirements. The indices were provided by the representatives of the trade unions.

The report added that there was no compulsory insurance scheme, but that a legislative bill on the prevention of and compensation for accidents at work and occupational diseases was under study and would be submitted to Parliament in the immediate future. Various risks are already covered by free medical assistance covering medical attention, diseases and maternity.

At its ninth session, the Trusteeship Council adopted the following recommendation:

The Council, noting the upward tendency in the cost of living, recommends that the Administering Authority keep the relationship between wages and cost of living under constant review and take such measures as may be necessary to ensure the continued improvement in the standard of living of the indigenous inhabitants.

Public health

The health service is divided into two branches: the stationary Indigenous Medical Assistance Service, which is responsible for therapeutical medicine, and the mobile medical and prophylactic service.

The appropriations for the health service under the local budget for 1950 totalled 186,686,000 francs CFA, or 20 per cent of the ordinary expenditure of the local budget as against 108,994,000 francs in 1949 and 66,321,000 francs in 1948.

To these amounts must be added credits under the FIDES plan for the modernization and extension of the service amounting in all to 716,625,000 francs CFA, of which 175 million have already been spent and 139 million were to be spent during the year 1950-51. From 1948 to 1950 inclusive, twenty-five dispensaries were built as well as twelve permanent medical posts. Forty pavilions and various facilities for the modern 600-bed hospital under construction (at Lomé) were completed in 1950.

So far as the mobile medical and prophylactic service is concerned, the programme of visits is so arranged

that the whole of the population of the Territory will be examined once a year.

The Visiting Mission, which refers to the spaciousness and modernity of the new hospital at Lomé, had received a memorandum from the Administering Authority concerning an epidemic of cerebro-spinal meningitis which occurred in the Lama-Kara area in 1949. The report for 1950 stated that 10,531 cases were reported in 1949 and only 2,804 in 1950. Preventive action was still, however, being taken.

At its seventh session, the Trusteeship Council urged that the Administering Authority should intensify its efforts to control the spread of epidemics of cerebro-spinal meningitis, by all means possible, including an increase in the staff of doctors serving centres established to treat the disease. Furthermore, noting the impression made upon the Visiting Mission by the new hospital at Lomé, the Council commended the Administering Authority for the steps taken in the field of public health and expressed the view that the Administering Authority should give particular attention to the training of African medical personnel in greater numbers.

The Administering Authority stated in its report for 1950 that at the end of that year the medical staff included twelve doctors of medicine (two of them indigenous) and seventeen African doctors, twenty-six midwives including one European, and miscellaneous personnel. In 1950, twelve Togoland students took medical courses in France, seven students took courses in pharmacy and one student took courses in dental surgery. Since October 1950, it had been possible for Togoland graduates to pursue their medical studies at the Dakar school. Thus, the report stated, the training of "African doctors" would come to an end. In future they would be replaced by doctors of medicine with degrees obtained in the metropolitan territory. In the course of the ninth session of the Council, the Administering Authority stated that a recent *décret* enables African doctors, pharmacists and midwives to acquire State diplomas after having passed a special examination and a course of study in France.

The reports for 1949 and 1950 state that particular efforts have been and are being made to ensure maternal and child welfare, particularly by education and the work of African matrons under the control of doctors and receiving regular remuneration. Fifty-nine African matrons are at present engaged in the villages and centres of the Territory. In addition, in the twelve maternity homes in Togoland there were 6,412 deliveries in 1950 as against 5,544 in 1949 and 4,320 in 1948. Lastly, anti-tubercular vaccination has been practised in maternity homes since April 1950.

At its seventh session, the Trusteeship Council concurred with the tribute paid by the Visiting Mission to the zeal of the French women who devoted themselves to the task of providing help and attention to the lepers at the isolation and treatment centre at Abota.

At its ninth session, the Council adopted the following conlusions and recommendations:

The Council, noting the important advances made in the health services in the Territory, especially through increased appropriations for buildings, equipment and recruitment of personnel, which in 1950 represented 20 per cent of the total budget, and noting with approval the extension of medical facilities through the establishment of mobile groups, expresses the hope that the Administering Authority will find it possible still further to increase the number of hospital and other medical facilities.

The Council, noting with satisfaction the extended facilities provided for the training of medical personnel at Dakar and for the acquisition by indigenous inhabitants of State diplomas in France, expresses the hope that the Administering Authority will further increase the facilities for advanced training open to the indigenous inhabitants, including the provision of scholarships and other forms of financial assistance.

Penitentiary organization

There is a prison in the chief centre of each *cercle* and *subdivision*. A *Commission de surveillance*, presided over by the president of the tribunal of the first degree, ensures the observation of regulations, particularly in respect of nutrition, hygiene, work, and medical care. The *Procureur de la République* makes regular visits.

By an *arrêté* of 12 November 1950 the provisions enabling convict labour to be placed at the disposal of private individuals and undertakings were repealed. An *arrêté* of April 1949, amended in May 1950, established a prisoner's savings plan in respect of the work done by them. The prisoners receive half their earnings immediately and the rest is given them on their discharge.

By an *arrêté* of 9 February 1949 a Reformatory Centre for juvenile delinquents was organized at Tové. The centre provides primary educational courses and carpentry work. At the end of 1950 there were seven juveniles at the centre.

Alcohol and spirits

The report for 1949 stated that the rates of import duty on fermented and distilled beverages in Togoland were considerably below those applied inside the neighbouring territories, and this gave rise to a certain amount of fraudulent export to the latter. In 1949, with a view to discouraging such exports, and also to diminishing the local consumption of alcoholic beverages, the Administration submitted to the Representative Assembly two bills, one to increase the rates of import duty and the other to institute strict control over the circulation of such beverages within the Territory. The *Assemblée* rejected both bills. The retail sale of alcoholic beverages was nevertheless regulated by an *arrêté* of 27 April 1949 adopted in the *Conseil privé*.

At its seventh session, the Trusteeship Council considered various petitions concerning alcohol, particularly a petition presented by the Representative Assembly. The Council, noting the endeavours of the Administration to combat the excessive consumption of alcohol, drew the attention of the Representative Assembly to the necessity for co-operation with the Administration in this matter.

Town planning and housing

The town plan for the modernization of Lomé is now being carried out. Eleven and a half kilometres of streets were laid out in 1950 and lighting facilities are

being extended. In 1950, 150 buildings were constructed by private individuals as well as eighteen dwelling houses for civil servants, ten of which were assigned to Africans. The *Palais de l'Assemblée* has been enlarged.

The report for 1950 stated that work approved in September 1950 on the town plan for Sokodé would begin shortly and the town's lighting system would be installed in 1951.

The report for 1950 also stated that the Administration was giving particular attention to the problem of water supplies; that work on the supply systems for Palimé and Bassari had been completed, that work on the supply system for Tsévié and the surrounding villages was in progress and that work on the Atakpamé system would be begun very shortly.

Civil registry

At its seventh session, the Trusteeship Council noted that civil registration in the Territory was not compulsory, and recommended that the Administering Authority should inaugurate a system of compulsory registration in certain communities or districts where civil registry centres already existed as a first step toward the eventual extension of the civil registry throughout the Territory.

The reports for 1949 and 1950 stated that, under an *arrêté* of 10 November 1938, civil registry declarations had been made compulsory for certain classes of persons, officials, chiefs, etc., while in the case of others they were compulsory only at chief towns and centres possessing a public school, and within a radius of 5 kilometres of such localities.

An *arrêté* of 5 May 1949, however, empowered the village chiefs, assisted by literate secretaries, to carry out the functions of civil registrar. By the end of 1950, 246 centres had thus been established. The report for 1950 stated that the centres would continue to increase in number in future years.

Observations of members of the Trusteeship Council representing their individual opinions only

Fundamental freedoms

The representative of Argentina expressed his gratification at the freedom of expression which prevailed in the Territory.

Legislation on labour conditions

The representative of Argentina stated that he had wished to comment on the labour code, but this was impossible as the Administering Authority had not carried out the relevant resolutions of the Council. Considering that the availability of such a document might perhaps have permitted more precise conclusions to be made about the actual status of workers in the Territory, he urged the Administering Authority to speed up the necessary measures.

The representative of China noted with approval that the draft labour code was on the point of adoption by the French Parliament. He hoped that when this code was promulgated it would furnish an adequate basis for the protection of the interests of indigenous labour, including measures of social welfare and social security.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had done nothing to organize social security for the indigenous population.

The special representative of the Administering Authority noted the concern of some members of the Council at the delay in the promulgation of the labour code and explained that the length of time consumed by the procedure was due to the care taken by the Assembly of the French Union in studying the code so as to adapt it to conditions prevailing overseas. He added that the labour code, which included the main provisions in force in the metropolitan territory as well as the provisions of various applicable international conventions, was now being discussed publicly and would soon be promulgated. The setting up of a social security system was also being studied and the only delay was due to measures taken to adapt its provisions to local conditions. The conditions of workers were ensured by a labour inspection service and various legislative provisions.

Wages and standard of living

The representative of Argentina noted with approval the changes which had been made in minimum wage rates, the old age benefits, and the paid vacations. He suggested that wherever such provisions did not cover all workers and employees, legal means should be taken to ensure this. It was imperative to formulate comprehensive plans to free all workers, without exception, from the economic uncertainties of old age through an adequate pension system. He also noted that some Togoland enterprises retained commissions owed to employees for years or until they left the firm's employment. He considered that commissions were an integral part of the salary and that as a form of voluntary savings they left much to be desired, as, in the light of experience, they could be a means of pressure exerted upon the employee. It was quite impossible to determine whether the consent of the employee had been obtained. He felt that the Administering Authority should intervene immediately to see that commissions were paid simultaneously with wages or if that were impossible, then soon afterwards within prescribed limits of time. This would facilitate control by labour inspectors. The representative also noted that sometimes the employer was authorized to deduct the cost of food or housing from wages. He restated the principle that salaries should be paid without any deductions and urged the Administering Authority to take the necessary measures to correct this situation.

The representative of China stated that it seemed satisfactory that during the two years under review wages had been steadily increased, but in view of the upward trend of commodity prices during the same period, it was uncertain whether the wage increases had been commensurate with the rise in commodity prices. He recommended that the Administering Authority keep the matter under constant review and ensure that the indigenous inhabitants were able to maintain a decent standard of living.

The representative of the Union of Soviet Socialist Republics stated that, as far as wage scales were concerned, the reports of the Administering Authority showed that the indigenous inhabitants were subject to overt discrimination. The pay of a European police inspector, for instance, was almost double the pay of an African police inspector. In addition to their salaries, Europeans received all sorts of allowances and bonuses, as shown by the Order of 22 June 1949 issued by the Commissioner.

The special representative of the Administering Authority stated that a comparison between wage scales and the cost of living indicated that the subsistence minimum set by the Administering Authority was equitable and was in conformity with the cost of living. He added that in the Territory employment was abundantly available for anybody who wanted to work and there was virtually no unemployment.

Public health

The representative of New Zealand expressed the hope that the Administering Authority would make every effort to increase the number of doctors, since the existing proportion of one doctor to 34,000 inhabitants appeared to be unquestionably low.

The representative of Thailand considered that the mobile service and the prophylactic unit should broaden their activities so that the indigenous populations might be visited more frequently.

The representative of China considered that the increase in budgetary appropriations for public health in the general budget and the additional appropriations in the FIDES plan were impressive. He commended the Administering Authority for the tremendous amount of work which had thus been made possible in the public health field together with the notable increase in the medical personnel. He noted with approval the measures taken by the Administering Authority to meet the medical personnel requirements of the Territory. He considered that the opening of a medical school at Dakar, as provided in a recent decree, would be an adequate step towards this end.

The representative of the Union of Soviet Socialist Republics stated that the situation of health services was unsatisfactory and that the Administering Authority had failed to take the necessary measures to improve this deplorable situation. The disease rate was exceptionally high and there were numerous cases of illness calling for surgery, cases of syphilis, cancer, etc. Infant mortality was 76.8 per thousand new-born infants. He stated that information given by the Administering Authority indicated that in the field of medical services the indigenous inhabitants were subjected to gross discrimination, and cited pages 279 and 282 of the 1949 report which indicated that the number of hospital beds in the Lomé-Tsévié and Atakpamé districts at the disposal of Europeans far exceeded the number of beds at the disposal of the Africans. He considered that in order to improve the situation as regards health services, the Council should recommend to the Administering Authority that it increase substantially the budget appropriations for health needs.

The special representative of the Administering Authority pointed out that in the field of public health, the statistics of the Directorate of the Health Service appearing in the report were very eloquent. The large expenditure for public health purposes had permitted the modernization of medical and hospital facilities. He added that hospital facilities were open, without any discrimination, both to Europeans and to indigenous inhabitants. He further added that the training of physicians with State diplomas was one of the fields in which the Administering Authority had exerted considerable efforts.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

The objective of education in Togoland, states the 1950 report, is to fight against illiteracy and to train the necessary staff for the administration and economic development of the Territory.

At its fourth session the Trusteeship Council congratulated the Administering Authority on establishing free education in Government schools but considered that the development of public education should be further intensified. It also noted with interest the ten-year development plan for education.

In the course of the same session it further recommended that the Administering Authority should pay special attention to the training of indigenous teachers.

The Visiting Mission noted that the African teachers in private schools were exclusively monitors recruited without competitive examinations. They were frequently young and in need of guidance.

At its seventh session the Trusteeship Council, noting that the teacher-training programme required considerable expansion, recommended that teacher-training facilities should be expanded. Noting further the limited number of girls attending schools, it recommended that the Administering Authority should continue its efforts to enrol more girls in schools. Lastly, the Council noted at the same session that the Administering Authority had initiated a programme of adult education, and invited it to increase its efforts in that respect and to pursue a vigorous programme to reduce illiteracy.

Primary education is given in Government and mission schools; the latter are subsidized by the Government, follow the same educational programme and are under the supervision of the Education Department.

In 1948 the total enrolment in the two types of schools was 24,601; in 1949, 37,285; and at the end of 1950, 40,833 of whom 21,504 were attending Government schools and 19,329 private schools, the total representing 30 per cent of the whole school-age population. In 1950 1,270 students received the *certificat d'études* for the primary grade as compared with 749 in 1949.

The Administering Authority indicated that 20 per cent of the children attending school were girls; at the end of 1950 they numbered 7,818 as against 4,729 in 1948 and 5,621 in 1949. The 1950 report pointed out that in the Moslem districts in the north, existing customs were unfavourable to education for girls; in

the south, on the other hand, schools for girls were already operating with qualified teachers.

Primary education was not compulsory; in Government schools it was entirely free, and provided free books and school supplies.

As regards teacher-training, the annual reports stated that under the *arrêté* of 18 December 1949 the staff had been reorganized and European and indigenous teachers placed on completely equal footing, the only distinctions made being on the basis of diplomas. The 1950 report stated that important steps had been taken for the recruitment and training of teachers, such as the organization of pedagogical conferences for monitors and efforts to raise the educational standards of the teachers, many of whom took the examination for the teacher's proficiency certificate, in some instances with outstanding success.

Lastly the 1950 report noted that the teachers' training school at Atakpamé would give four-year courses for pupil teachers leading to the elementary certificate, after which the candidates would spend a certain period in schools as student-teachers.

With reference to adult education, 105 courses were opened in 1950 with an attendance of 4,975; further, a mobile *cinebibliobus* was organized to tour the villages with a lecturer, library and cinema.

The Administering Authority believed that if the construction of schools continued at the same rate for a few more years, education should become universal within five years. Fifty-six new classes were opened in 1949, and 112 in 1950. The 1950 report explained that most of the funds made available under the ten-year plan were used for basic, i.e., primary, education. The total appropriations under the plan were 686 million francs CFA, of which 233 millions had already been committed. The 1950 report stated that in 1950, 31 million francs CFA were paid out of the local budget in subsidies to private schools.

Secondary and technical education are also being developed, according to the annual reports.

At its fourth session the Trusteeship Council, noting the almost complete absence of facilities for secondary and technical education in the Territory itself, urged the Administering Authority to make every effort to carry out its plan for the development of such facilities. It also drew the latter's attention to the need for setting up institutes, universities and technical or professional colleges.

At its seventh session the Trusteeship Council noted with satisfaction the use by the Administering Authority in its education programme of pilot farms to provide training in the field of agriculture, and reiterated its recommendation that the Administering Authority should carry out its plan for extended facilities for technical education with the utmost vigour.

The Administering Authority stated in its 1950 report that secondary education was now offered locally at two Government schools, one of which was at Lomé —the only school with a full course leading to the baccalaureate, which was taken at the school itself—and three religious schools. At the end of 1950 the number of pupils receiving secondary education—including those at the Atakpamé teacher training school—was 855, of whom 437 were in the Government schools and 398 in the religious schools.

Seven pupils received the baccalaureate diploma in 1950; it was expected that from fifty to 100 pupils would sit for it in the near future. Thirty-three pupils received the study certificate of the first cycle.

Almost all the pupils had the benefit of Territory scholarships.

The teaching staff was recruited from among French holders of the teacher's diploma; in October 1950 an indigenous teacher trained in France was for the first time put in charge of a course.

In 1950 there were thirty-two Togoland scholars in France receiving secondary education, and two receiving training in domestic science.

The Sokodé Trade School, which had received the necessary equipment and would shortly receive qualified staff, provided technical education. The school would prepare pupils for French proficiency certificates and enable them to continue their studies at technical schools in France. At the end of 1950 there were sixty-nine pupils at the School; fifteen internes were at training centres in France.

Two pilot farms were opened in 1949 at Oubidja and Tové. A commercial section was opened in 1950 at the Lomé regional school.

As regards higher education, the Trusteeship Council urged the Administering Authority at its fifth session to make available to qualified students from Trust Territories fellowships, scholarships and interneships which have been or may be established by the United Nations or by its specialized agencies, and invited it to give full publicity to all available scholarship programmes.

The 1950 report stated that the Territory was too small to support a university, but that there were then fifty-seven scholars pursuing higher studies in metropolitan France, among whom five were in Faculties of Letters, six in Faculties of Science, four in Faculties of Law, twenty in Faculties of Medicine and Pharmacy, nine in agricultural and veterinary institutes, and nine in public works colleges.

In the course of the ninth session of the Council, the Administering Authority stated that the possibility would be examined of putting at the Council's disposal the publications of the *Institut d'Afrique Noire*, a governmental body whose primarily cultural activities affected Togoland under French Administration.

At its ninth session, the Council adopted the following conclusions and recommendations:

The Council commends the Administering Authority on the fact that education in the Territory is free at all levels, notes with approval the intention of the Administering Authority to establish universal primary education within five years and further notes with approval that in the years under review, a substantial increase has been made in the appropriations for education, which in 1950 amounted to 15 per cent of the total budget.

The Council, noting that the two chief obstacles to the further development of facilities for primary education are the difficulty in the procurement of building materials for schools and the lack of teachers, expresses the hope that the substantial school building programme envisaged under the ten-year plan will not be held up and that the Administering Authority will continue

to expand the facilities for teacher-training at the Lomé school and elsewhere.

The Council, noting the importance of promoting mass education and reducing illiteracy, recommends that the services rendered by the mobile cinema and library vans be extended.

Local languages

The language of instruction in the Territory is French. A number of petitions received by the Visiting Mission, including that from the Representative Assembly, ask that local languages, and particularly the Ewe language, should be used in the schools. The Visiting Mission received the Administering Authority's assurance that, in spite of the great difficulties involved, an attempt would be made to teach the Ewe language.

At its seventh session, the Trusteeship Council, recalling the recommendations adopted at the fourth session that the Administering Authority give further study to the possibility and desirability of employing the vernacular languages for the purpose of mass education, noted with approval the steps taken by it to preserve indigenous cultures and the fact that part of the instruction in the primary schools was now given in the vernacular. The Council expressed the hope that the Administering Authority would continue to give increasing attention to this matter.

The latter stated in its 1950 report that instruction in the Ewe language had been organized in the Ewe regions, but that the experiment was a failure: of 115 pupils enrolled, only ten or so remained at the end of a six-month course. The report explained that the Ewe language did not lend itself to scientific study.

The report also pointed out that the Representative Assembly had recommended the organization of instruction in the Mina, Cotocoli and Haoussa languages. During the ninth session of the Council, the Administering Authority stated that in view of the desire expressed by African educated circles to see local languages used in schools, but in view also of the considerable difficulties which were experienced in a first experiment during which students showed lack of interest and text-books were lacking, the local authority had requested the Administering Authority to appoint a committee for the study of the problem. In the meantime certain courses, in schools and adult classes, were given in local languages.

In a recent petition,[325] Mr. Augustino de Souza protested, on behalf of the *Unité Togolaise* party, against the obstacles placed by the French Administering Authority in the way of education in the Ewe language, which the Togolanders considered as an essential condition to their emancipation. At the ninth session, the special representative of the Administering Authority stated that the measures adopted by the Administration were in accordance with the wishes of the petitioner and that, in spite of practical difficulties, the Administration had introduced courses given in the vernacular languages, including Ewe, as well as the teaching of these languages in education programmes.[326]

[325] T/PET.7/124.
[326] Resolution 411 (IX).

At its ninth session, the Council adopted the following recommendation:

The Council notes with interest the reports of the Administering Authority on its efforts in the field of education in the local languages, which were undertaken at the Council's request, and urges the Administering Authority to continue to give as many details as possible concerning this problem in future reports.

Budget appropriations for education

Appropriations for education amounted to 113 million francs in 1950; the estimates for 1951 amount to 158.8 million francs, or more than 15 per cent of the total budget of the Territory.

Information regarding the United Nations

In its resolution 324 (IV) on educational advancement in Trust Territories, the General Assembly recommended that the annual reports on the Territories should include data as to the dissemination of information about the United Nations.

The Administering Authority stated in its 1950 report that dissemination of such information had been slowed down owing to the difficulty of obtaining a sufficient number of copies of French texts dealing with the United Nations, but that as soon as they were received they had been distributed in the schools of the Territory. In the Government schools, lessons were given on the United Nations and the functioning of the Trusteeship Council.

Observations by members of the Trusteeship Council representing their individual opinions only

The representative of Thailand regretted that due attention had not been paid to adult education, the increase of adults attending courses from 1,575 to 4,975 in the period from 1944 to 1949 showing that urgent needs remained to be satisfied. He recommended that the Administering Authority should use every possible method to bring education to the remotest areas of the Territory and provide all possible educational facilities including secondary and higher education as well as professional and vocational training. He further recommended that scholarships in every field should be granted in increasing numbers.

The representative of China commended the Administering Authority on its efforts in the development of education in all fields and hoped that the intention of the Administering Authority to make education universal within five years' period would be successful. He added that the importance of promoting mass education and reducing illiteracy could not be over-estimated and expressed the hope that the service rendered by means of *cinebibliobus* would be extended. He further stated that the need for teacher-training was perhaps as vast as in other Territories. He recommended that the Administering Authority continue its efforts and give further attention to this problem because, as education became universal, the need for additional teachers would be even more pressing than it was now.

The representative of the United States of America considered that the Administering Authority should be

congratulated upon its general accomplishments in the field of educational advancement during the previous two years. He hoped that the admirable progress made by the Administering Authority in the field of primary education might be continued and extended. He noted a steady and substantial increase in the number of school children attending primary schools during the years 1949 and 1950, and considered as interesting the fact that the number of girls in schools was increasing more rapidly than the number of boys. However, he noted with concern the figures indicating a decrease in the number of students attending secondary schools. He hoped that the report for the subsequent year would either explain what might be only a fortuitous decrease or, if the figures did reveal a real trend, indicate that effective steps would be taken to correct it.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority had failed to take appropriate measures to improve the situation as regards educational services; the overwhelming majority of the indigenous population remained in a state of illiteracy, only 20 per cent of the African population being able to read and write French or English and only about 5 per cent being literate in the Native language. As could be seen in the report for 1950, three-fourths of the potential school population received no schooling whatsoever. There were no higher educational institutions and the Administering Authority had no intention of establishing any.

The special representative of the Administering Authority declared that the Territory now had secondary education facilities which largely met its requirements, as well as adequate technical education facilities. He stated that the Territory had a greater proportion of schools and a greater proportion of scholarships in relation to population than any other African territory. He assured the Council that the Administering Authority would do everything in its power to ensure the continuation of such efforts. He declared that within five years all children would have access to schools and would be able to have a complete primary education. Within the same period, the first group of scholarship holders would have returned to the Territory to constitute the nucleus of the *cadres* which would take into their hands the destiny of the country.

Budget appropriations for education

The representative of New Zealand noted with satisfaction that the most recent budget estimates devoted 15 per cent of the total expenditure to education. He considered unsatisfactory, however, the fact that only about 30 per cent of the children population were attending school, and hoped that the Administering Authority would make a continued and substantial effort in this field.

The representative of the Union of Soviet Socialist Republics considered that in order to improve the situation as regards educational services, the Council should recommend to the Administering Authority that it increase substantially budgetary appropriations for educational and other cultural purposes.

Local languages

The representative of the United States of America considered as a matter of great interest the experimental work being carried out by the Administering Authority in respect of the use of indigenous language as a medium of instruction in the schools. He considered also as of particular interest the request of the Administering Authority to the Representative Assembly to establish a commission to give further study to a possible programme of teaching in the vernacular. He felt that this question should not be permitted to be abandoned until clear evidence was forthcoming that the decided majority of the inhabitants preferred that instruction should be given in the metropolitan language.

The representative of Belgium noted with particular interest the candid reports of the Administering Authority concerning their efforts in the field of education in local languages, undertaken at the request of the Council. He considered the time not ripe for definite pronouncements and urged the Administering Authority to give as many details as possible concerning this delicate problem in future reports.

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority must encourage the study and development of languages and culture of the indigenous population.

Chapter VIII
WESTERN SAMOA

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Western Samoa is situated between 13 degrees and 15 degrees south of the Equator and between 171 degrees and 173 degrees west longitude. It consists of two large islands, Upolu and Savai'i, and a few small islands and islets, with a total land area of about 1,130 square miles. The islands are of volcanic formation, with rugged, mountainous terrain which rises to a highest point of 6,094 feet in Savai'i and 3,608 feet in Upolu. The Territory generally is covered with dense tropical vegetation, but soils on the whole are thin and rocky, and some sections are surfaced with lava flows from relatively recent volcanic eruptions.

The climate is tropical, with only a few degrees' difference in mean temperatures between the warmer and cooler months. Rainfall is heavy and severe storms occasionally occur.

On 31 March 1950, the population consisted of 71,900 Samoans, 5,693 persons of part-Samoan blood possessing European status, 322 Europeans, 176 Chinese and 64 Melanesians. The capital and chief port is Apia, on the island of Upolu, with a population of about 10,000.

The Territory of Western Samoa, which was administered by Germany until the First World War, is administered by New Zealand under a Trusteeship Agreement approved by the General Assembly on 13 December 1946. It was previously administered by the same country under mandate of the League of Nations confirmed by the Council of the League on 17 December 1920.

At its eighth session, the Council adopted the following conclusion:

The Council congratulates the Administering Authority for the progress it has achieved in the administration of the Territory during the period under review, and expresses the opinion that the Administering Authority has been successful in continuing to retain the beneficial elements of the social structure of the inhabitants, while extending to them the benefits of modern civilization.

Observations of members of the Trusteeship Council representing their individual opinions only

The representative of the Union of Soviet Socialist Republics concluded that the Administering Authority was not taking effective action to carry out the essential provisions of Article 76 of the Charter. It was not promoting the political, economic, social and educational advancement of the inhabitants nor their progressive development towards self-government or independence.

The representative of the Administering Authority felt unable to agree with the interpretation and presentation of facts made by the representative of the USSR, or with the conclusions which he drew. At the same time, and particularly during the questioning of the special representative, the representative of the USSR had exposed a number of very fundamental problems, which the Administering Authority had never attempted to conceal but whose very existence was the reason for the Territory being under trusteeship.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

The indigenous inhabitants of Western Samoa, numerically the largest branch of the Polynesian people after the Maori of New Zealand, form a society which, in the judgment of the Administering Authority, has shown itself remarkably capable of taking the strains of adaptation to the conditions of the modern world. They are almost universally literate in their dialect of the Polynesian language, and during the year under review the Administration noted increasing evidence of a growing political awareness among an ever-widening section of the community. When the Visiting Mission to Trust Territories in the Pacific went to the Territory after the close of that year, the leaders and representatives of the people repeated to it the request they had made in 1946-47 for immediate self-government; and the Mission found this to be their genuine and even urgent wish.

The Samoans already exercise a substantial measure of self-government, within the framework of a new constitution granted to them under the Samoa Amendment Act, 1947. This constitution was introduced after the dispatch to the Territory by the Trusteeship Council of a special mission which investigated the Samoans' earlier request for self-government; this request arose in turn from consultations held with them by the Administering Authority in 1946 as to the terms of the Trusteeship Agreement, then in draft form.

The attitude of the Samoans at that time, as observed by the Administering Authority, was that, while they recognized that the Agreement marked a considerable advance on the terms of the former Mandate, they preferred that the Territory should be granted self-government, with New Zealand remaining as adviser and protector. The Administering Authority, however, con-

sidered that, even if it had been willing to agree to such a proposal, its obligations to the United Nations did not permit of the withdrawal of the Territory from the scope of the Trusteeship System. Accordingly, the draft Agreement was submitted to and ratified by the General Assembly; and the Samoans' request for self-government was subsequently brought before the Trusteeship Council, whose special mission concluded that they were not yet capable of assuming, without assistance from outside, full responsibility for the government of the Territory, but that fundamental constitutional reforms should be introduced in the meantime. The Council resolved that the Samoans should be given the measures of self-government recommended by the mission, which were closely in line with proposals announced by the Administering Authority while the mission was still in the Territory, and that the people should be encouraged to assume widening responsibilities of self-government.

The latter proposals formed the basis of the constitutional reforms put into effect in March 1948; and the year under review in the annual report was the first full year in which they were in operation. Under these reforms, the executive branch of government remains entirely under the control of a High Commissioner (formerly Administrator) appointed by the Administering Authority, and the work of the executive is carried out by a number of departments whose staffs are now controlled, as a separate public service for the Territory, by a newly-created Public Service Commissioner, but whose senior officers will continue to be appointed by the New Zealand Government. There is no executive organ, but the High Commissioner has a consultative relationship with two Samoan advisory bodies: a new Council of State, which consists of himself and the two highest chiefs, and the *Fono* of *Faipule*, consisting of forty-one members elected by *matai* (title holders or family heads) from the traditional districts and sub-districts of Western Samoa.

Wider powers are accorded to the Samoans in the legislative field. The New Zealand Parliament retains its inherent legislative power, and the New Zealand Government its power to make regulations for peace, order and good government in respect of the Territory; but these powers are intended by the Administering Authority to serve as safeguard for its position as a trustee, and not as the normal means of legislation. The Territory's own Legislative Assembly has the power to, and in practice does, enact legislation on all purely domestic matters, in which its sovereignty is limited by a requirement that the High Commissioner should give his assent to all ordinances and his recommendation to all financial legislation. The Assembly may not, however, legislate on matters of defence, external affairs and Crown land, nor on certain other matters affecting the constitution and the New Zealand Reparation Estates. In this Assembly, the Samoans now have a majority of members, elected indirectly through the *Fono* of *Faipule*.

The Visiting Mission of 1950 described these reforms as far-reaching and in many ways novel to the Samoans. Nevertheless, it found dissatisfaction among the leaders and representatives of the people in respect of a number of practical limitations, which are dealt with under the relevant headings below, on the part they were playing in the affairs of the Territory, and in general it observed the same genuine desire as in 1946-47 for self-government. The Mission found that the Samoans wished to possess the dignity and authority which went with the control of their own government. It noted that they recognized, as they did in 1947, that they did not as yet possess the knowledge to run many of the services of government, but they regarded these as matters on which they could hire technical advisers, and they informed the Mission that they were confident of receiving help and advice from the New Zealand Government and the United Nations.

The Visiting Mission, while being impressed by the political sense of Samoan leaders and by what it learned of the progress achieved under the new constitution, shared the opinion of the previous Mission that the Samoans were not ready for full self-government. Its view was that they doubtless possessed the ability to manage their affairs in their own traditional ways; but the problems of adopting these ways to conform with modern political ideas, with modern economic facts and with the need for elaborate and expensive social services were very complex and difficult. Moreover, the Mission felt that the element of democracy implicit but by no means dominant in the Samoan social structure must be developed, and the political education of Samoans, particularly of people in the outlying areas, needed much improvement.

For the present, in the Mission's view, emphasis must be placed on making the existing institutions work, to which end the Administering Authority was devoting a necessarily considerable educational effort. The Mission considered, however, that this did not preclude further development and that, in particular, ways should be found for an increased participation by the Samoans in the executive branch of government, at both the policy-making and administrative levels.

The Administering Authority, in its observations on the Mission's report, agreed with the Mission's view, and the reasons given for it, that the Samoans were not ready for full self-government. At the same time, it pointed out that it was not to be expected that the achievement of full self-government would be dependent upon the complete acceptance of democratic ideals and institutions as they existed "in Western European democracies". Of the constitutional changes generally, the Administering Authority considered it to be open to doubt whether they had yet come fully into effect, but it recognized that further development was not precluded by that fact. Every effort was being made to consolidate the present advances, and Samoans were gaining a knowledge of governmental procedure which would be indispensable when further development towards self-government was undertaken.

Agreeing with the Mission as to the responsibility which the Samoans had for solving their own problems within the large measure of political and financial autonomy they now possessed, the Administering Authority pointed out that the continuation and expansion of health and education services depended to a large extent on a continued economic prosperity and on the willingness of the Samoan leaders to accept the heavy burden of expenditure necessary to maintain these services. It added that the expansion of Government services, for which there was an objec-

tive need and steady demand by the Samoan people, and the undertaking of further developmental schemes were at present severely handicapped by shortage of trained personnel.

At its eighth session, the Council adopted the following conclusion:

The Council considers that the political reforms introduced in 1948 are developing satisfactorily, and draws the attention of the Administering Authority to the observations of the Visiting Mission on the general political development of the Territory and its inhabitants.

Executive branch

(*a*) Executive authority

It has been noted above that executive authority remains vested fully in the High Commissioner. The Council of State, which held thirty-five meetings during the year under review, is required by law to be consulted by the High Commissioner on all proposals for legislation to be submitted to the legislature on all matters closely relating to Samoan custom, and on any other matters affecting the welfare of the Territory which he considers proper. The Visiting Mission noted, however, that, while the Council discusses matters of administrative policy, it is nevertheless not an executive organ, and also drew attention to the fact that all the senior officials of the administration are Europeans, almost all of whom have been recruited from New Zealand.

The *Fono* of *Faipule* is similarly an organ with consultative and advisory rather than executive powers. It has a statutory right to consider matters concerning the welfare of the Samoan people which it thinks proper or which may be submitted to it by the High Commissioner, and to express opinions or make recommendations to him. The Administering Authority reports that the *Fono* discusses a very wide range of topics, including proposed ordinances, falling under two main heads: interest in the developing participation of self-government, and matters of district welfare, such as roads and water supplies. It also submits nominations for Samoan district judges, plantation inspectors and associate judges of the Land and Titles Court and, under the new constitution, it has the duty of electing the Samoan members of the Legislative Assembly.

The Visiting Mission noted on the part of the Samoans an urgent desire—with the implicit idea that the Council of State should have policy-making functions—for a greatly increased participation by them in the executive branch of the government. The Mission felt that there should be some Samoan participation at this high level and suggested that the Administering Authority should consider the establishment of an executive council, consisting of the High Commissioner, certain senior officials, the *Fautua* and certain Samoan members of the Legislative Assembly. Whatever might be the executive council's precise composition, it felt there should be some such body through which Samoan participation in the formulation of policy could be achieved.

The Administering Authority, in its observations on the Mission's report, recognized that Samoan participation in the formulation of high-level policy was desirable, and stated that it had under active consideration the steps by which this might be achieved.

At its eighth session, the Council adopted the following recommendation:

The Council, noting the observations of the Visiting Mission as to the desirability of establishing an executive council for the Territory, and considering that the existence of such an organ would foster the political education of the inhabitants, recommends that the Administering Authority consider the establishment of an executive council in which Samoans may participate.

(*b*) Public service of Western Samoa

A separate Public Service of Western Samoa has now been established, falling under the control of a Public Service Commissioner appointed by the Administering Authority. He is subject to direction by the New Zealand Minister of Island Territories in the following three instances: in any matter affecting New Zealand's responsibilities under the Trusteeship Agreement; in approving regulations for the Samoan Public Service; and in the appointment of officers whose salary is greater than £1,060 per annum.

The Samoa Amendment Act, 1949, provides that the Public Service Commissioner shall, "consonant with the efficient conduct of the Government Service of Western Samoa, have regard to the obligation of the Administering Authority under the Trusteeship Agreement to assure to the inhabitants of Western Samoa a progressively increasing share in the administrative and other services of the Territory". The Administering Authority stated that the problem of staff training, with which the New Zealand Government's scholarship scheme (see section V, Educational advancement) was being co-ordinated, would be one of the Commissioner's immediate concerns.

At its seventh session, the Trusteeship Council commended the Administering Authority's statement that the policy of the Samoan Public Service Commissioner would be to provide increasing responsibility for Samoans in the public service and expressed the hope that the Administering Authority would progressively make use of Samoans in the higher posts of the administration.

At the end of the year under review, the public service consisted of 1,066 officers, of whom 872 were Samoans, whose number had increased from 488 in 1938-39 and 682 in 1948-49. The Visiting Mission noted, however, that these Samoan officials had not as yet obtained high positions in the service. The Samoans expressed the hope to the Mission that the ultimate aim of giving high duties to Samoans now employed in the Government service, as had been recommended in the report of the United Nations Mission in 1947, would be further carried out. The Mission expressed the hope that a proposed but considerably delayed regrading and reclassification of all positions would result in the removal of any instances of discrimination on grounds of status that might exist in the service and also in the attainment by Samoan members of the service of positions of much greater responsibility.

The Samoans also expressed to the Mission the view that the Council of State should be entitled to

give directions to the Public Service Commissioner in all those instances in which the New Zealand Minister of Island Territories now does. The Mission considered, however, that the New Zealand Government must retain control of the appointment of senior officers and of matters affecting its responsibilities under the Trusteeship Agreement. At the same time, the Mission felt that the Public Service Commissioner should be subject, as were all other civil officials in the Territory, to direction by the High Commissioner, not only in approving service regulations but also in all other policy matters. The High Commissioner would, on suitable matters, be able to take the opinion of the Council of State or of an executive council if one were established.

The Administering Authority, in its observations on the Mission's report, pointed out that it had been a cardinal principle of public service administration in New Zealand for almost forty years that the public service should be entirely divorced from political control. It was largely for this reason that in Western Samoa the Public Service Commissioner was responsible in policy matters not to the High Commissioner but to the Minister of Island Territories in New Zealand. The Administering Authority agreed with the Mission's views on the questions of appointments of senior officers and trusteeship matters.

At its eighth session, the Council adopted the following recommendation:

The Council notes the increase in the number of Samoan and local European officers on duty in the Territory, and urges the Administering Authority to press forward with its training programmes in order to ensure that an increasing number of Samoans may become qualified to undertake higher responsibilities in the Administration.

Legislative branch

(a) Legislative Assembly

The Samoan majority in the Legislative Assembly consists of the two *Fautua* and twelve members who are elected by the *Fono* of *Faipule*. In addition, there are five elected European members and six official members. The High Commissioner, as president, has a casting but not a deliberative vote.

The extent of sovereignty enjoyed by the Assembly in purely domestic matters has already been described; it may be noted that, during the year under review, the High Commissioner on no occasion found it necessary to refuse either the assent that is required of him in the case of ordinances or his recommendation in the case of finance bills. The most considerable business of the Assembly so far has been that of adopting the estimates for the government of the Territory, although ten ordinances and eleven resolutions were also passed during 1949. In the judgment of the Administering Authority, the debates on all financial provisions have been keen and intelligent, and the Assembly has shown a tendency towards conservation in expenditure and critical scrutiny of the Government accounts. All the ordinances passed were introduced and sponsored by the Government, but many of the motions were introduced by private members. One decision of the Assembly was to have its proceedings broadcast by the local radio station.

The Assembly, which held three sessions during the year, does much of its work through standing committees on finance, health, public works and education, each consisting of three Samoans, one European and one official member. Another such committee, on broadcasting, has recently been set up. The Visiting Mission, which emphasized the importance of the Assembly's financial responsibilities in the development towards self-government, considered that by far the best work in this educational process was being performed by the standing committee.

At its eighth session, the Council adopted the following recommendation:

The Council notes that the Legislative Assembly as established in 1948 is functioning successfully, and requests the Administering Authority to keep under constant review the possibility of introducing further reforms of benefit to the inhabitants.

(b) Fono of Faipule

The advisory and consultative role of the *Fono* of *Faipule vis-à-vis* the High Commissioner has been mentioned above; the *Fono* has been shown also to have a relationship with the legislative process in that it examines legislation about to be submitted to the Legislative Assembly and is also responsible for electing the Samoan members of that body. The Visiting Mission referred to a relationship of a different kind, in the sense that, while the Legislative Assembly is the modern legislative organ, the *Fono* is perhaps more truly representative of opinion in the outlying districts and of the Samoans' traditional way of life, and the Mission was informed that there are in fact certain differences of attitude between the Samoans on the two bodies.

In this connexion, a request made by the Samoans in their discussions with the Visiting Mission was that any decisions taken by the *Fono* on any matters touching on the welfare of all sections of the community should be made effective by law. In view of the fact that the Legislative Assembly exercises legislative authority, the Mission felt that the Samoans might in effect have desired that decisions of the *Fono* should be brought before the Assembly for legislative action. It was informed that the High Commissioner would be prepared to undertake to introduce in the Assembly all matters upon which the *Fono* had taken decisions, provided that the *Fono* had first discussed such decisions with him before confirming them. In the Mission's opinion this practice would be an interesting and helpful development and would confer upon the *Fono* a virtual legislative initiative.

The Administering Authority stated that, at a meeting of the *Fono* of *Faipule* which discussed the Mission's report, the *Fono* expressed satisfaction with the High Commissioner's readiness to undertake this practice.

At its eighth session, the Council adopted the following conclusion:

The Council notes from the report of the Visiting Mission that the High Commissioner is prepared to undertake to introduce into the Legislative Assembly all matters, touching upon the welfare of all sections of the community, upon which the Fono *of* Faipule *shall have taken decisions after discussion of such matters with him; and the Council requests the Ad-*

ministering Authority to keep it informed of future developments in this direction.

Local government

Samoan district and village officials are elected or nominated by Samoan representatives and appointed by the High Commissioner, but receive their salaries from the Government of Western Samoa. They normally comprise district judges, plantation inspectors, policemen-messengers and mayors of villages, and their work is supervised by the Secretary of Samoan Affairs.

A Commission of Inquiry recently investigated the question of local government throughout Western Samoa, with authority to make recommendations as to the types of district or village councils, or other institutions of district or village government, which the Government should consider establishing.

The Trusteeship Council, at its seventh session, expressed the hope that the work of the Commission would contribute to the adoption of procedures furthering opportunities for the people of Samoa to acquire the political experience necessary for self-government.

The Visiting Mission, after a discussion with the Commission of its work, expressed confidence that the Commission would be able to find a solution which, while paying due regard to Samoan customs, would offer possibilities for the suitable development of an organized system of local government. It noted, however, that, due to Samoan opposition, the question of establishing a municipality of Apia was not included in the terms of reference of the Commission and that some special arrangement would therefore have to be made for this area within the framework of whatever scheme was proposed for local government.

The Administering Authority stated subsequently that the Commission had now presented a report, recommending far-reaching changes, which was being carefully studied. The proposals included the setting up of a district and village government board comprising members of the Council of State and six Samoans nominated by the *Fono* of *Faipule*. This board would approve the establishment and supervise the work of local authorities.

At its eighth session, the Council adopted the following conclusion:

The Council, noting the completion by the Commission of Inquiry of its investigation into the question of local government in the Territory, awaits with interest the circulation of the report of the Commission and the submission by the Administering Authority of progress reports on the steps which it may take on the basis of the report.

Suffrage

The franchise among Samoans is confined to the *matai*, who constitute about one in four of the adult male population. *Matai* are the title holders in each family who traditionally have served as representatives in matters outside the family. The *matai* elect the forty-one members of the *Fono* of *Faipule*, who in turn elect the Samoan members of the Legislative Assembly. In practice, the choice of the first members of the Assembly was by traditional elective procedures, but the *Fono* used the secret ballot to elect a new member during the year under review. All adults possessing European status resident in the Territory are eligible to vote, and they elect the European members of the Assembly by secret ballot. The majority of them are part-Samoan by blood.

At its fourth session, the Trusteeship Council recommended that consideration should be given to the introduction of a system of universal suffrage applicable to all inhabitants of Western Samoa, to the end that the basis of representation in the Legislative Council might be progressively broadened.

At its seventh session, the Council noted with satisfaction the election by secret ballot of the additional Samoan member of the Legislative Assembly, and expressed the hope that further reforms would be introduced with a view to bringing about, in due course, a system of universal suffrage in the election of the *Fono* of *Faipule*.

The Visiting Mission noted that the suffrage situation remained almost unchanged, and considered that there was little prospect that the Samoans would agree to any widening of the franchise in the immediate future.

Police force

The Department of Police and Prisons is directly under the control of the High Commissioner. At the end of the year under review its personnel consisted of twelve Europeans and seventy-six Samoans.

Complaints were made by the Samoans in their discussions with the Visiting Mission that considerable discrimination existed in the salary between Samoan members of the police force and members recruited from the local European population. The Samoans felt that the Police Department, which is not now affected by the law concerning the public service, should be under the care of the Council of State and not exclusively under the control of the High Commissioner and the New Zealand Government.

The Mission was informed by the Administration that salary scales in the police force were considered unsatisfactory and would shortly be reviewed to make them conform with the recommendations to be made by the Public Service Commissioner for other branches of the government. The present differences in salary existing between Samoans and Europeans were attributed, however, to the different work performed by them.

The Mission considered that, since the maintenance of order was a responsibility of the Administering Authority, the police must remain under the control of the High Commissioner.

The Administering Authority, in its observations on the Mission's report, stated that the new salary scales which had since been issued had removed the anomalies that existed under the old scale. In the matter of the control of the Police Department, it agreed that this should remain with the High Commissioner, but pointed out that the day-to-day task of maintaining law and order was clearly one which must be carried out by the Government of the Territory, and in this task, as in others, the Samoans must be expected to play their part.

The special representative informed the Council that, in addition to the new salary scales, a series of exami-

nations and a system of training for young recruit-constables had been introduced.

Judiciary

The High Court of Western Samoa consists of a chief judge, five commissioners and fourteen Samoan district judges. In addition, three Samoan associate judges participate in the work of the Court. The chief judge and the commissioners are appointed by the Minister of Island Territories and hold office during his pleasure. The district and associate judges are nominated by the *Fono* of *Faipule* and appointed by the High Commissioner for a term of three years. They are not renominated by the *Fono* for a second consecutive term unless their service is of special importance.

The High Court has full civil and criminal jurisdiction, and the chief judge has authority to exercise all the powers of the Court. The commissioners and Samoan district judges have a jurisdiction prescribed by law, the commissioners hear the majority of the petty cases which come before the Court, while the Samoan district judges have jurisdiction over Samoans only and for certain prescribed offences, which include civil actions to the value of £5 and criminal offences including thefts of under £2 value. Assessors are employed by the High Court in serious criminal cases. When the defendant is a Samoan, one of the four assessors has in the past usually been a Samoan, although nothing in the law, which prescribes that assessors shall be "fit and proper persons", forbids the appointment of more than one Samoan assessor. Cases tried by either commissioners or district judges have a right of rehearing before the chief judge.

The Native Land and Titles Court, a special judiciary body composed of the chief judge, assisted by two or three European assessors and two or three Samoan associate judges, has jurisdiction in disputes over Native land and succession to Samoan titles.

At its seventh session, the Trusteeship Council expressed a wish to be informed on the question of the status and jurisdiction of Samoan judges, particularly with respect to permanence of tenure.

The Visiting Mission was informed that the task of associating Samoans fully in the judicial work of the Territory was hampered by the fact that the Samoan associate judges were rarely renominated, as a result of the Samoan principle of sharing offices and not permitting incumbents to retain them for further terms. The Mission felt this practice was delaying the increased participation of the Samoans in judicial matters, and hoped that suitable judges would be renominated or at least that those in office would be retired in rotation.

The Mission heard a request by the Samoans that, where assessors are required in the High Court for criminal cases, these should consist of two Samoans and two Europeans, instead of one Samoan and three Europeans as at that time. The Mission considered this request, which the Samoans stated already had been accepted in principle by the Administering Authority, to be a reasonable one, and hoped that it would soon be granted.

The Administering Authority stated subsequently that it had been aware of the desirability of such a practice, which in fact had been instituted in April 1950, before the Mission's visit.

The Samoans also made to the Mission a request that the composition of the Land Titles Court should be altered so that it would consist of the chief judge, the Secretary of Samoan Affairs, the Resident Commissioner of Savai'i, three Samoan judges and nine Samoan assessors, in place of the European assessors, and that only these officials should take part in the functions of the Court. The Mission was of the opinion that the addition of nine assessors would make the Court unwieldy. It was assured that the European assessors were persons of impartiality and knowledge of Samoan customs and language. It pointed out that, although the three existing Samoan assistant judges sat only in an advisory capacity, in practice all recent decisions had been subject to their full concurrence; and since, in addition, the High Commissioner had expressed himself in favour of granting these judges a regular status equal to that of Europeans, the Mission felt this to be the proper course for the time being.

The Administering Authority, expressing awareness of the strong opinions of the Samoans on the attendance of European assessors on the Land and Titles Court, stated that it was nevertheless not satisfied that it would be wise to deprive the Court of their assistance at the present stage. It agreed with the Mission's view as to the proper course for the time being, and stated that the suggested granting of equal status to the Samoan judges had now been carried out by legislation.

At its eighth session, the Council adopted the following conclusion:

The Council commends the action of the Legislative Assembly in passing legislation to give Samoan judges on the Land and Titles Court the same legal status as the European assessors, and endorses the view of the Visiting Mission that the Samoan principles of sharing offices and not permitting incumbents to retain them for further terms is delaying the increased participation of Samoans in judicial matters.

Status of the inhabitants

As far as their rights outside the Territory are concerned, the national status of the inhabitants is either that of British-protected persons, or nationals of some sovereign State, or stateless persons. The great majority of Samoans fall into the category of British-protected persons. The Administering Authority states that, in accordance with the wishes of Samoan representatives, however, it intends by Order-in-Council to alter this status to that of New Zealand-protected persons.

With respect to certain parts of municipal law, the inhabitants of the Territory are divided into the categories of "Samoan" and "European". A Samoan is defined as "a person belonging to one or more of the Polynesian races" and the law also classes as Samoan any persons who are of more than three-quarters Polynesian blood, unless they are specifically declared, in accordance with any regulation or ordinance, to possess some status other than Samoan. Under prescribed conditions, individuals may petition the High Court for a change of status. The Court in the past

has declared 551 former Samoans to be Europeans and forty Europeans to be Samoans.

The principal legal consequences of this difference in status are that Samoans may not in general be sued for trade debts (in other types of debt the matter is at the discretion of the High Court), nor be a member of any incorporated company or partnership without the sanction of the High Commissioner, nor be enrolled as a European elector; and that Europeans may not share, as a right, in the use of Samoan land or in the rents or profits derived from it, nor acquire Samoan land by inheritance, nor accept a Samoan title without permission, nor in any case exercise the rights associated with titles. Social aspects of the difference in status are described in section IV (Social advancement).

The Administering Authority describes the legislation defining the status of the inhabitants as complex and in some respects unsatisfactory, and the problem is now in the hands of the Legislative Assembly.

At its seventh session, the Trusteeship Council noted the differentiation in status and in legal and social rights between Samoans and Europeans and the possible undesirable tensions which might result, and recommended that the Administering Authority should intensify its efforts to solve the problem.

At its eighth session, the Council adopted the following recommendation:

The Council, reaffirming its view as to the importance of resolving the difficult problem of the differentiation in status as between Samoans and Europeans, requests the Administering Authority to give all possible assistance and encouragement to the inhabitants, both within and outside the Legislative Assembly, to the end that an early solution may be agreed upon.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of the United States of America commended the advance which had been made in the legislative branch of the government, which appeared to have revealed even more clearly the problems which remained, particularly in the executive branch and in the field of local government.

The representative of China noted that the Samoans were a people endowed with a high degree of political sense, and he considered that it was mainly through their increased participation in legislative bodies that they could obtain the requisite training for future self-government.

The representative of the Union of Soviet Socialist Republics noted that, long before the Samoans petitioned for self-government in 1946, the Administering Authority had known quite well that there was a unanimous desire on their part to achieve self-government. These requests and desires had been ignored, and so had the conclusions reached by the United Nations Mission of 1947 to the effect that the Samoans wanted to become masters of their own land. Although four years had elapsed, the Administering Authority had taken no steps to ensure the participation of the Samoans in the legislative, executive and judicial bodies of the Trust Territory. The legislation of 1947 had brought about insignificant changes, and the recommendations of the 1947 Mission had not been carried out. The Trusteeship Council should recommend to the Administering Authority that it take legislative and other measures to ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory. The representative of the USSR stated further that the authority of the officials appointed by the Administering Authority was not restricted by the rights of any body composed of indigenous representatives. They made use of an undemocratic tribal system which was incompatible with progressive development towards self-government or independence. In view of the fact that the tribal system which now existed in the Trust Territory and which was encouraged by the Administering Authority was incompatible with the progressive development of the population of the Trust Territory towards self-government and independence, the Trusteeship Council should recommend to the Administering Authority that it take measures to ensure the transfer from the tribal system to a system of self-government based on democratic principles.

The special representative from the Territory disputed the statement that the recommendations of the 1947 Mission had not been carried out, pointing out that the Mission itself had expressed very great satisfaction that the plans of the New Zealand Government were closely in line with its own recommendations. He added that those plans had been implemented in almost every respect.

Executive branch

(*a*) Executive authority

The representative of the United States of America stated that the difficult problem of participation by Samoans in the executive functions of the government at a policy-making level appeared to be one with which the Samoans were increasingly concerned, and his delegation was pleased to note that the Administration recognized the desirability of such participation and was actively considering the steps by which it might be achieved. It hoped that the Administering Authority would give increasing consideration to the many complex aspects of the problem and would be able to devise and follow practical paths towards increasing participation by Samoans.

(*b*) Public Service of Western Samoa

The representative of Thailand emphasized the utmost importance, in progress towards self-government, of Samoan participation in the higher public service. The special representative had stated that there were Samoans who had had considerable experience, but who lacked academic qualifications, and that it would take about twenty years to train younger men for high positions. That was a very long period; in view of the lack of facilities for higher education within the Territory, he favoured the establishment of a systematic programme of scholarships, based on the posts which needed to be filled and designed to ensure a constant return flow of qualified students.

The representative of Iraq suggested that the Council should commend the Administering Authority on the appointment of a Public Service Commissioner. The public service seemed to be somewhat underpaid; it also appeared that discrimination on ground of status, in the matter of Samoans obtaining higher positions, existed to the detriment of both training for self-government and the improvement of the public service. The Council should recommend that these two shortcomings be rectified.

The special representative from the Territory replied that there was no discrimination whatever on the grounds of status in the public service.

Legislative branch

(*a*) Legislative Assembly

The representative of China proposed that the Council should request the Administering Authority to consider the possibility of permitting a gradual increase in the number of elected Samoan representatives. Although the present composition was in line with the recommendations of the United Nations Mission of 1947, it did not seem inconsistent that the basis of representation should be widened from time to time to meet the more advanced conditions of the Territory. With a population of 72,000, as against a European population of only 6,000, the Samoans were certainly entitled to more than the present ratio of twelve to five elected members.

The representative of Argentina referred to the advisability of avoiding the concentration of power in the hands of the High Commissioner in his dual role of Chief Executive and President of the Legislative Assembly. The High Commissioner had the constitutional power to oppose irrevocably legislation with which he was not in agreement; while he had not yet found it necessary to exercise that power, the question arose as to whether the coincidence of points of view between the Assembly and the High Commissioner was not due to the fact that the Assembly felt it useless to pass bills which it knew that the Executive would veto. The representative believed that the time had come for a constitutional reform giving the Assembly the importance it deserved; such a step would be a further advance towards self-government and ultimately complete independence.

The representative of the Union of Soviet Socialist Republics stated that, by virtue of the assent required of the High Commissioner to all legislation and the recommendation required of him in regard to public expenditure, together with the specific questions excluded from it, the so-called Legislative Assembly was in fact merely an advisory body, its powers so restricted that it would hardly be possible to contend that it had any rights at all in respect of independent decisions bearing on internal affairs. He also disagreed with the contention that the Samoans had an absolute majority in the Assembly. Two of the Samoans were appointed by the Administering Authority; the twelve who were elected by the council of elders comprised a minority and could therefore play no substantial part. Furthermore, even these twelve members, being elected by the *Fono* of *Faipule*, which in turn was elected by the heads of families, could not be considered as representing the views and wishes of the population as a whole. In addition, the Assembly was based on crude discrimination against the indigenous population, giving it one seat for each 6,000 inhabitants as against the Europeans' one seat for each 200 electors, and extending the right of secret ballot to all adult Europeans but denying it to the Samoans.

The representative of Iraq considered that the Assembly, together with a system of local government, was probably the best means of training for self-government, and that the Council might accordingly wish to recommend that the powers of the Assembly be progressively increased. A progressive increase in the number of Samoan members was also a great factor, and a further matter for a recommendation by the Council was in the direction of efforts to train the members to take a more active part in the work of the Assembly.

The special representative from the Territory pointed out that if the High Commissioner's power to veto did not exist, the Territory would have complete self-government and independence almost at once. The time for that, however, had not yet arrived. The High Commissioner had no other powers; all effective action emanated from legislation enacted by the Assembly. Moreover it had the power of the purse, and history showed that any organization which had that power had all the power which was required.

(*b*) Fono of Faipule

The representative of the Dominican Republic hoped that the *Fono* of *Faipule* would be given greater vitality, particularly as regards the execution, within a legal framework, of its decisions.

Local government

The representative of the Union of Soviet Socialist Republics pointed out that the annual report itself stated that it had long been understood that a more appropriate system of local government would be required before Western Samoa could achieve substantial progress in the field of political responsibility. This made even more intolerable a situation in which the Administering Authority took no steps to replace the present tribal system by a democratic one.

Suffrage

The representative of the United Kingdom considered that the introduction of the secret ballot in the *Fono* of *Faipule* was a forward step worthy of commendation. Speaking on the fact that the ballot box was not available to the population as a whole, he did not believe that any *matai* would hold his office very long if a majority of those he represented disagreed with his actions. Public opinion was very strong in the Territory and could not be ignored consistently for any length of time. With regard to the position of women, he was sure that the feminine influence in each family was just as strong as in other parts of the world.

The representative of the Union of Soviet Socialist Republics, in criticizing the encouragement of the tribal system in the Territory, pointed out that, since electoral rights were confirmed to the *matai*, of whom there were about 6,000, the overwhelming majority of the male

population and the entire female population had no rights whatever, and could not participate in decisions on questions affecting even the life of their own villages, much less the destiny of the Territory as a whole. He said also that in each village a Council of Elders had unrestricted rights in respect of the heads of families and in general of all the inhabitants; it could ostracize any inhabitants for any misdemeanour.

Police force

The representative of Iraq thought it desirable that special attention should be given to the police force, as a tool of State much in evidence before the people and nearest to their daily lives. He suggested that the Council should recommend that the present apparent inadequacies of the system should be rectified.

The special representative from the Territory agreed that the development of the force was a matter of considerable importance.

Judiciary

The representative of the United States of America stated that his delegation felt that the action of the Legislative Assembly in passing legislation to give the Samoan judges on the Lands and Titles Court the same legal status as the European assessors should be highly recommended.

The representative of Iraq hoped that no time would be lost in putting that measure into effect.

The representative of China hoped that the Administering Authority would intensify its efforts to train a larger number of qualified judicial personnel and do everything possible to arouse the interest of the younger generation in the judicial service.

Status of the inhabitants

The representative of the Dominican Republic hoped that the effects of the New Zealand law of 1948 governing citizenship would allow the status of the inhabitants to be regularized. He thought the fact that passports issued to Samoans indicated that they belonged to a Trust Territory under New Zealand administration represented great progress. He also urged the desirability of establishing a civil register along modern lines.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General economy

The Territory is predominantly an agricultural country, the great majority of its people living in communities which are engaged principally in growing foodstuffs and catching fish for their own subsistence needs. A large part of the land under cultivation by the Samoans, and a large part of their working-time, are absorbed in the cultivation of root crops, bananas and other foodstuffs. Pigs and poultry are also raised for local consumption.

The Samoans nevertheless combine this subsistence production with production for the export market. The most important export crop is copra; this is derived from coconuts, which in their turn contribute in a great many ways to the domestic needs of the people. The Samoans produce about 85 per cent of the total copra output of the Territory; they have a lesser share in the production of cocoa, which is the second export crop in importance; and they grow most of the bananas which comprise the only other form of production for export. Abnormally high export prices after the Second World War created an artificially high standard of living, according to the Administering Authority. It adds, however, that the return to more normal market conditions has had little adverse effect on the stable social structure. The Territory continues to enjoy a surplus in its public finances, and the total trade in 1950 reached the record level of about £2,500,000.[327]

The almost exclusively agricultural character of production in the Territory creates a corresponding dependence on external sources of supply for all kinds of manufactured goods, as well as for foodstuffs and other raw materials which cannot be produced in the Territory. Industrial development has been slight. The New Zealand Reparation Estates, a New Zealand Government organization operating plantation and other lands taken from the Germans, has a sawmill and a desiccated-coconut factory, which it intends to expand; a European operates another sawmill; a dried-banana enterprise started experimentally by the Reparation Estates has failed for want of a regular market; and there is a small local crafts industry in Apia. A recent expert survey of the forests of the Territory indicated that they are almost entirely of second growth and offer little prospect of large-scale commercial development. The Territory has no known mineral resources of commercial value, and the Administering Authority sees little prospect of the extensive development of commercial fishing under the limitations of the present sources of supply.

Economic development during the year under review in the annual report included the re-establishment of an agricultural service, after a lapse of twenty years, and the increased planting of cash and food crops in areas to which access is now being given by the construction of new roads, of which thirty-five miles were built during the year reviewed. A new hydro-electric power scheme [illegible]ing the Apia area began to operate late in 1950.

Developments of more major importance requiring active co-ordination and assistance by the Administering Authority are being considered. In order to provide general guidance, the Administering Authority proposes to send an economic mission to the Territory to give basic advice in agricultural and financial fields. As a starting point, the Food and Agriculture Organization's world census of agriculture has been adapted and extended, and a basic form has been drawn up and approved for the collating of information. A rural economist with tropical experience visited the Territory after the end of the financial year to launch this project, which was completed in 1950. The Administering Authority states that accurate and up-to-date information as to existing land utilization and the nature and extent of undeveloped areas is a necessary pre-

[327] Figures in this chapter are given in New Zealand currency, £NZ 100 = £ Sterling 100 = $US 280.

requisite for any over-all plan of development, and much information is expected from the agricultural census and a proposed aerial survey of the Territory. The Government also proposes to increase expenditure on water-supply projects for domestic and agricultural needs. The Administering Authority feels that economic progress in a country like Western Samoa is necessarily fairly slow and that the greatest hope for an improvement lies in extensive research programmes such as that envisaged by the South Pacific Commission, and by the education of the people themselves.

Land held by Samoans under indigenous title may not be permanently alienated except to the Crown, but with the sanction of the Government areas may be leased. The Administering Authority states that alienation has taken place only for public purposes. Indigenous land holdings total about 581,370 acres, Crown Lands (including the Reparation Estates) about 103,630 acres, and European land held from the Crown, about 40,000 acres, including 5,000 acres held by missions. It is estimated that more than one-half of the land area is waste.

At its fourth session, the Trusteeship Council noted that the present satisfactory financial situation of the Territory was mainly due to abnormally high prices for copra and cocoa and was concerned over possible repercussions of a fall in the prices of these on the economy of the Territory. It therefore recommended that the Administering Authority should continue to take all possible steps to diversify production, by introducing secondary industries and by any other possible measures. It also recommended that intensified efforts should be made towards the development and utilization of territorial resources in order to raise the standard of living of the indigenous inhabitants, and requested the Administering Authority to elaborate an over-all plan of economic development.

At its fourth session, the General Assembly noted with satisfaction the excellent financial situation in Western Samoa and endorsed the recommendations of the Council regarding the need for the formulation of plans laying down a sound economic foundation for the Territory.

In order to broaden the base of the Territory's economy the Administering Authority summarized its efforts in the past year as: (*a*) the establishment of the Department of Agriculture; (*b*) the visit of two officers to report on the entomological control of the rhinoceros beetle; (*c*) preparatory work undertaken for the expanded FAO world census of agriculture, terminating with the visit of a rural economist; (*d*) expansion of the Reparation Estates sawmill in Savai'i, and the arrangement for the visit of a forestry expert to advise the Government of Western Samoa on development and conservation; (*e*) the concluding of a nine-year agreement with the United Kingdom Ministry of Food for the sale and purchase of copra; (*f*) the visit of the Senior Nutrition Officer of the Medical Research Council.

At its seventh session, the Trusteeship Council congratulated the Administering Authority on the re-establishment of the Department of Agriculture, the attention given to the problem of the diversification of the economy, and the formation of the Copra Board for the purpose of establishing a stabilization fund to protect the copra industry (see below, Export production and trade).

The Visiting Mission appraised the general economic situation of the Territory as very satisfactory. It found, superimposed over a very sound subsistence economy, a steadily growing production of export crops which, although small in number and extremely vulnerable in the past to price fluctuations, did not seem to face any immediate prospect of a large fall in prices. The Mission drew attention, however, to the fact that the population was also increasing at a rapid rate, and considered that production must grow correspondingly if the standard of living was to be maintained. In this connexion it noted the re-establishment of the Department of Agriculture, the undertaking of a relatively large programme of public works, and the inauguration of the agricultural survey.

At its eighth session, the Council adopted the following conclusion:

The Council congratulates the Administering Authority on the steps taken to improve various aspects of the economic situation of the Territory, and notes in particular the increased activity of the newly-reconstituted Department of Agriculture, the increased planting of food crops, the completion of the hydro-electric power station, the surveys of forests and agriculture and of the Apia harbour facilities, and the construction of new roads, schools and hospitals.

Export production and trade

Most of the Samoan production of export crops is carried on in the traditional manner by family groups under the leadership of the *matai*. The crops are generally raised on small and often scattered plots of land and by methods of cultivation which the Administering Authority states could be much improved. It notes, however, that an increasing number of Samoans are building up plantations comparable in size and organization with those of Europeans; and a few Samoans have entered into partnership with Europeans.

The marketing of the export crops is carried out partly by governmental contractual arrangements and partly through the open market. The principal export trade, in copra, is regulated by a statutory body known as the Copra Board. Except for a small proportion supplied to the New Zealand market, the entire production is now sold to the United Kingdom Ministry of Food under contractual arrangements extending to 1957. The price is fixed annually in relation to the price ruling in the previous year, from which it is not permitted to vary upwards or downwards by more than 10 per cent. For 1950 it was fixed at £48 10s. per ton f.o.b. Apia, an increase of 10s. over the previous year. The Copra Board decided in turn to pay £45 5s. per ton for the copra it received, allocating the balance to a fund (£47,137 at 31 March 1950) designed to stabilize the price to producers in the event of a market decline. The selling price was increased for 1951, by the maximum amount permitted, to £53 15s., but the Copra Board maintained the 1950 buying price and diverted a larger amount to the stabilization fund. The Administering Authority states that the contract system ensures adequate shipping as well as the future market, and that the producers are satisfied with the price they receive. In the calendar year 1949, exports of copra

rose to 16,455 tons (value £787,274) from 14,178 tons (value £584,062) in 1948. In 1950, some 14,000 tons were exported, the apparent decline being due to shipping arrangements. Samoans produce about 85 per cent of the total output.

The next most important export industry, the growing and export of cocoa beans, is not similarly controlled and stabilized. The crop is handled through merchants, and in 1949 more than one-half was shipped to the United States and the next largest amount to the United Kingdom. A total of 2,894 tons was exported during 1949, as against 1,630 tons in 1948, the increase being partly due to the shipment of some cocoa which had been produced in the latter year; but the value (£387,611 as against £369,492) was comparatively lower as a result of a fall in the world price, which rose again to a high level toward the end of 1949. Export declined to 1,800 tons in 1950 as a result of damage done by heavy rains. According to a 1945 estimate, 41 per cent of the cocoa production is in Samoan hands.

Bananas, which are grown principally by Samoans, have in the past been exported under the control of the Administering Authority and sold to the New Zealand Marketing Department. As from the beginning of 1951, however, the export crop has been purchased f.o.b. Apia by an organization of fruit distributors. A decline in exports from 99,507 cases (£69,004) in 1948 to 87,121 cases (£64,644) in 1949 is stated by the Administering Authority to have been due to shipping difficulties and to increased local consumption. In 1950, exports increased to 97,000 cases. Production of dried bananas, of which twenty tons were exported in 1948, has been discontinued as uneconomic.

Reparation Estates

By far the most important individual plantation enterprise in the Territory, and one of the largest taxpayers, is the New Zealand Reparation Estates, consisting of land which was formerly in the hands of German nationals but which came into the possession of the New Zealand Government as reparations after the First World War. This land is now being utilized for plantation, dairy farming, research and other activities by a management responsible to the New Zealand Government. Some of the Estates land has been disposed of to Samoans, particularly in the most densely settled regions of the Territory, in order to relieve population pressure. Much of the land, which in 1948 consisted of 75,360 acres, is considered by the Administering Authority too poor for commercial development. Profits derived from the Estates are paid into the New Zealand Consolidated Fund; but the Administering Authority explains that in practice, grants equivalent to the profits from the Estates are made to the Samoan Government for social and economic development schemes.

At its seventh session, the Council recommended that the Administering Authority should consider the possibility of giving statutory form to the practice of using all surplus revenues from the Estates for the benefit of the people of the Territory.

The Visiting Mission commended the Administering Authority for using the profits of the Reparation Estates exclusively for the benefit of Western Samoa. It hoped also that the policy would be continued of making surplus Estates land available to villages in need of land. It noted that a certain amount of friction appeared to exist between the management of the Estates and some of the adjoining villages, which felt that the produce of these lands belonged to them; but that the Samoan leaders nevertheless recognized that the profits from the Estates were a very welcome supplement to the revenues of Western Samoa.

The Administering Authority informed the Council subsequently that it was considering the transfer of some 42,000 acres of surplus Estates land to the Samoan Government. It added that this move would enable the needs of the inhabitants of some of the congested areas to be provided for and would also assist the long-term agricultural development of the Territory.

At its eighth session, the Council adopted the following conclusion:

The Council supports the Visiting Mission in its commendation of the use of the profits of the New Zealand Reparation Estates exclusively for the benefit of Western Samoa, and expresses the hope that surplus Estates land will continue to be made available to villages in need of it.

Internal trade and commerce

The Territory has a commercial system described by the Administering Authority as highly developed in proportion to its population and resources. A large proportion of the general merchandising of imported commodities is in the hands of companies controlled by the part-European descendants of various nationalities. Four major concerns have a large share of the total business, which includes the distribution and sale of all classes of goods and the operation of transport, and insurance and other agencies. These and other firms derive a high proportion of their total turnover as dealers in copra and cocoa as well. They operate through trading stations, of which there are altogether 262 in the Territory, scattered through the villages. The four most important companies operate 190 of these stations.

Two of these companies are local firms; the other two are extra-territorial enterprises with head offices in Australia and Fiji respectively. Other business enterprises, located in Apia, include a branch of the Bank of New Zealand, a subsidiary company of a New Zealand building contractor, transport companies, a cinema company and a printing and publishing house.

Preferential treatment

Since 1920, British goods imported into the Territory have received preferential customs treatment amounting to *ad valorem* customs duties of 11 per cent in their favour.

At its fourth session, the Council noted that an inquiry concerning this preferential treatment was in progress. At its seventh session, the Council noted that a Select Committee had been created by the Legislative Assembly to investigate the matter and expressed the wish to be advised of the outcome.

The Administering Authority states that the report of the Select Committee noted that the pattern of the trade of Western Samoa was set by geographical and transport considerations, and not by preferential rates of customs duty, and that the British preferential tariff had had hardly any effect in specifically directing Samoan trade

to British countries and away from so-called foreign countries. The Committee considered that the existing customs schedule, with its varying rates of duty and surcharges, should be revised and consolidated so as to abolish the so-called preferential rate of duty and to provide one over-all rate for standard basic commodity items, and a higher over-all rate for all other items. The Legislative Assembly referred the report to the Administering Authority for favourable consideration.

At the eighth session, the Council adopted the following recommendation:

The Council requests the Administering Authority to inform it of such steps as it may take in the light of the recommendations of the Select Committee involving the abolition of preferential treatment of imports based upon the country of origin.

Public finance; taxation

The territorial budget is based on draft estimates prepared by the separate departments of the Government. Proposed expenditures on health, public works and education are considered by the respective committees of the Legislative Assembly, after which the Administration may adjust them to conform with the general financial situation; next the estimates of all departments go to the Assembly's finance committee for detailed examination; and, finally, the Administration takes them to the Assembly as a whole for debate, amendment where necessary, and approval.

Revenue for the financial year ended 31 March 1950 totalled £521,859 and expenditure £458,095, maintaining the surplus financing which has characterized the economy for several years. In addition, the Territory received grants from the Administering Authority totalling £87,603, being the equivalent of the profits made on the New Zealand Reparation Estates. These grants were spent almost entirely on public works (roads), health and education; and these were also the principal fields of expenditure from the territorial budget. The total expenditures on these items, including the grants, were: public works, £152,939, as against health, £114,530, and education, £94,260. The following table shows the expenditure in these fields during the past five years, excluding grants of the Administering Authority.

	Public works £	*Public health* £	*Education* £
1945-46	72,440	50,699	18,549
1946-47	50,134	65,492	28,610
1947-48	138,958	78,426	39,681
1948-49	165,987	89,707	46,855
1949-50	129,386	105,655	70,413

The accumulated surplus of public funds has increased from over £300,000 in 1946 to £733,000 at the beginning of 1951, most of it being held in investments in New Zealand. As a matter of policy, the Administration has decided to hold £500,000 in general reserve and to regard the balance over that figure as being expendable upon development projects.

The financial year has now been adjusted to coincide with the calendar year. Revenue in the nine months from the end of the period covered by the annual report totalled £471,000 and expenditure £444,000. The Administering Authority welcomes the decline in the surplus as evidence of improved availability of materials and personnel.

The most important source of public revenue in the Territory consists of duties on imports and exports. Import duties yielded in 1949-50 a total of £232,490 and export duties £83,057. Export duty on cocoa has since been raised from 3 to 10 per cent to bring it into line with the charge on copra and other exports. The principal direct tax is a tax on the gross selling price of goods, which produced £70,276 during the year. A salary tax applying to incomes in excess of £200 yielded £4,960. Other direct taxes are licences and fees, building tax, water rates, amusement tax and stamp duties.

At its seventh session, the Council noted that a study was being made in respect of the question of income tax and expressed a wish to be informed of any taxation reforms that might result therefrom.

The Visiting Mission noted that considerable expenditure was involved in financing the increased health and educational services. It concluded that the limiting factors at present were those of personnel and material rather than that of finance, but if the ultimate needs of these services were to be met, a marked increase in the revenues of the Territory would be needed and some form of direct taxation on the Samoans living in the villages for the support of village schools and other services might become necessary. The Mission was informed that no policy of change in the tax structure had been formulated. The Administering Authority, in its observations on the Mission's report, similarly emphasized the increasingly heavy cost of health and educational services.

At its eighth session, the Council adopted the following conclusion:

The Council, considering that the rapid increase in the population of the Territory requires a corresponding increase in public revenues, awaits with interest the results of the study which the Administering Authority is making in respect of the question of taxation.

Samoan currency

Currency circulated in Western Samoa consists of Samoan Treasury notes and New Zealand coinage. New Zealand notes are also legal tender, since the Samoa Act, 1921, provides that the currency, coinage and legal tender of the Territory shall be the same as that of New Zealand. In effect, the Samoan currency is backed by the Administering Authority.

Consideration has been given to the question as to whether the value of the two currencies should be legally tied together, and the Legislative Assembly has passed a resolution setting up a Select Committee to examine this question and to consider the advisability of establishing a Samoan pound which would be separate from the New Zealand pound.

The question of the possible adoption of an independent Samoan pound was raised by the Samoans with the Visiting Mission. The Mission in general agreed with the view expressed by the High Commissioner that there must be a close linkage at present between the two currencies, but that there was perhaps room for more elasticity.

Observations of members of the Trusteeship Council representing their individual opinions only

General economy

The representative of the Union of Soviet Socialist Republics noted the dominance of natural economy, and stated that the Administering Authority was taking no steps at all to develop the economy of the Territory or to ensure the participation of the inhabitants in deciding matters relating to the economy of the Territory. They remained on the lowest rung of the ladder of economic development. The best land, being that of the New Zealand Reparation Estates, was in the hands of the Administering Authority. There was racial discrimination in the sense that the land in general was distributed in the proportion of twenty acres to each European and five acres to each Samoan, and the Europeans' land was usually of higher quality. The Trusteeship Council should recommend to the Administering Authority that it return to the indigenous population all the lands alienated from it in any form and that it should not allow any alienation of land from the indigenous population in the future.

The representative of Iraq commented on the importance of the agricultural survey and noted the demand for piped water supplies, to which he thought high priority should be given in view of their bearing on public health.

Reparation Estates

The representative of China felt that the Council would wish to see increased indigenous participation in the management of the New Zealand Reparation Estates, and to have information in much greater detail in future as to the management of the Estates, especially in regard to the proportion of Europeans and Samoans participating.

The representative of the Union of Soviet Socialist Republics stated that the Samoan population was at present completely precluded from taking part in the administration of the Estates, the return of which to the people would contribute substantially to the economic development of the Territory. The Administering Authority had refused to meet the legitimate claims of the people to have this land returned to them.

The special representative from the Territory stated that the Reparation Estates were the property of the New Zealand people; it was not intended to transfer them to the Samoan people, and it was not considered that there was any reason why this should be done. Particularly in view of the policy of allocating all the profits to the Samoan people, it was clear that it was in their interests that the Estates should be efficiently managed as a commercial enterprise, and it was therefore not as easy to pursue a deliberate policy of enabling Samoans to participate in the management at high levels as it was to apply such a policy to Samoan participation in the administration of the Territory.

Preferential treatment

The representative of China was disappointed to learn that the preferential tariff question had not been considered at all by the Administering Authority during the last few months, since it involved a Charter obligation which deserved the same attention as any other. He had gathered that, if the preferential provision were abolished, it would not affect the sources of Samoan imports, and that the shortage of hard currency had a greater practical influence on trade than customs duties; if this were the case, it should not be difficult to remove the preferential tariff, which was contrary to Article 76 d of the Charter. He thought the Council might wish to ask for a prompt reply on this subject.

Public finance; taxation

The representative of the United States of America stated that his delegation was deeply concerned with the implications of the very rapidly increasing population in respect of the entire economy of the Territory and its future potentialities, as well as the future budgetary and taxation policy. The Council might wish to recommend that a serious study of the problem — which the special representative had mentioned as a possible first step in determining the future of social services — should be undertaken. On the specific question of taxation, the representative of the United States of America noted the recent increase on the tax on cocoa, which appeared to be justified in the light of the state of the world market and the increasingly important position of the cocoa industry in the Territory; and he considered that the study of the taxation system might throw additional light on the methods by which the present prosperous condition of the Territory could be reflected in tax revenues and, ultimately, in improved conditions throughout the Territory.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General policy

The Administering Authority states that its objectives in regard to social advancement lie at present mainly in the fields of public health, nutrition and improved infant care. Increases in trained staff, investigations of dietary conditions, continued encouragement of the women's village committees, and improved educational facilities are the major methods by which these ends are being pursued. The Administering Authority considers that, with ample access to all the necessities of life, the Samoan people continue to be socially secure.

At its seventh session, the Council recommended that elementary social legislation should be introduced as soon as possible.

General social organization and conditions

The firm hold which tradition retains on the social structure and customs of the Samoans is emphasized by the Administering Authority, and the Visiting Mission was struck by the strength and durability of the social organization.

The basis of Samoan society is the cohesion of the family unit, which is not merely a biological group, as Europeans understand the term, but a wider family group of blood, marriage, and even adopted connexions

who all acknowledge one person as the *matai* or head of that particular family. The Mission noted that all members of the family are to some extent under the control of the *matai,* but that it would also be true to say that the *matai* has to pay due regard to the wishes and interests of the other members. He holds in his name the title to family land, and he is the only one qualified to vote in the selection of village officials. His successor is chosen by all adult members of the family.

The Mission did not doubt that some features of the Samoan way of life offered an obstacle to progress, and that the Administering Authority was alive to this fact. On the other hand, the Mission observed an inherent strength and self-discipline which gave hope that progress, when achieved, would be securely based.

As has been noted earlier, the great majority of Samoans live in coastal and river villages, removed from "western" urban development such as that of Apia. They have no housing problem, according to the Administering Authority; they build their own traditional dwellings from freely available materials. Their sanitation methods are primitive, and the Administering Authority states that they continue on the whole to resist change in this respect.

The high rate of increase of the Samoan population — averaging 2.5 per cent annually from 1921 to 1945, and estimated at 3.68 per cent for the year 1949-50 — continues to be a very important factor in the Administration's planning for welfare and other Government services.

Besides the 71,900 Samoans, the largest population groups are the part-Samoans (who have European status), totalling 5,693, and the Europeans, totalling 322. A large proportion of the persons of European status belong to families which were founded by European ancestors three or four generations ago. They live mostly in the Apia area, where they have a leading role in trade and skilled occupations. Many also have plantations or small holdings, although they have no access to Native land except through a Samoan wife or other relative.

The Administering Authority states that there are long-standing prejudices and animosities between the Samoans and the local Europeans of part-Samoan blood, even though there is also a very great deal of real friendliness and co-operation. The local European feels that his group has been responsible for much of the development of the Territory, and that it is just as much his country and home as it is the Samoan's; the Samoan, on the other hand, is generally inclined to feel that Samoa should really be for the Samoans alone. The local European feels deprived of opportunity, particularly in the rights to land; but the Samoan believes that all Samoan land should in the future be reserved for the Samoans. This situation, the Administering Authority believes, can be resolved into harmony only by a gradual process, and no adequate solution can ever be imposed from outside.

Standard of living

No family living studies have as yet been undertaken in the Territory. The Administering Authority points out, however, that a survey which may yield some information on this matter has been conducted in connexion with the Food and Agriculture world census of agriculture (see section V, Economic advancement).

The special representative from the Territory informed the Council that as far as village life was concerned there appeared to be very little variation in the standard of living of Samoan families. There were no poor people, and only a few who might be a little better off than others. The family system provided an almost complete form of social security, and there were no groups of people without adequate shelter and food. The only variation from this pattern might occur in and near Apia, on the one hand among the few Samoans who were in business of the "European" kind, and on the other hand among such cases as those of young Samoans who occasionally moved to the town expecting to find some relative and not being able to do so.

At its fourth session, the Council requested the Administering Authority to consider the possibility of making sample studies of the standard of living of the inhabitants; and, at its seventh session, it requested the Administering Authority to prepare as soon as possible a study concerning the standard of living.

The Administering Authority states that, in the absence of a full-scale money economy in the Territory, it is difficult to see what purpose could be served by the compilation of cost-of-living indices. It is concerned to ensure that the cost of those items which Samoans purchase is not subject to violent fluctuations, and for this reason it maintains a system of price control.

At its eighth session, the Council adopted the following recommendation:

The Council requests the Administering Authority to include in its next annual report such information on the standard of living as may have been provided by the survey of agriculture, and to undertake such other studies as may be necessary to enable the Council to appraise the living standards of the inhabitants.

Status of women

Women as organized groups have an acknowledged and respected place in society, according to the Administering Authority. Individually, their position is derived from that of their husbands or parents, and their status in the community changes with that of their men-folk. There is no distinction in law between the rights of women and men.

Legally, women have the same rights as men to participate in the political life of the Territory. It is possible for them to become members of the Legislative Assembly, but the Administering Authority states that Samoan custom is a practical obstacle to the exercise of such rights.

They are also able to enter the public service as suitable vacancies occur. In another field of public activity, the Administering Authority states, the Government is making effective use of women's committees in villages and has invited the participation of Samoan women in radio-broadcasting programmes.

At its seventh session the Council, commending the Administering Authority on its efforts towards the elimination of differentiation between the rights of men and women, recommended that it should continue to take all measures to ensure that the women of Samoa

should have ample opportunities to participate in the political life of the Territory.

Human rights and fundamental freedoms

(*a*) Discriminatory laws

The Administering Authority states that all elements of the population are secure in the enjoyment of human rights and fundamental freedoms without discrimination as to race, sex, language, or religion, as envisaged in Article 76 c of the United Nations Charter.

At its fourth session, the General Assembly recommended the abolition of any existing discriminatory laws and practices contrary to the principles of the Charter and the Trusteeship Agreement.

The Administering Authority stated, in connexion with this recommendation, that few instances of discrimination existed in the Territory. Those that existed resulted from the difference in status between Samoans and Europeans. The Administering Authority felt that these instances would require some time to be finally removed, and would apparently have to await the solution of other problems.

(*b*) Rights of Chinese immigrants

The population of the Territory includes 170 Chinese, the remnants of an imported labour force brought there under the German régime. The High Commissioner has informed the Legislative Assembly that under present legislation they appear to have legally the position of free citizens.

The Chinese Association of Samoa submitted to the Visiting Mission a petition[328] seeking assistance for the Chinese residents in gaining the approval of the local government in the following matters: (*a*) that freedom to establish private business in Samoa be granted; (*b*) that marriages of Chinese to Samoans be legally recognized; (*c*) that Chinese who left Samoa in September 1948 be permitted to return to Samoa if they wish to do so; (*d*) that certificates be granted for the establishment of educational institutions where children of Chinese parentage may learn the Chinese language and culture; and (*e*) that permission be given to the Chinese Association to register officially with the Government.

The Administering Authority informed the Mission that the Chinese who had remained in Samoa had acquired full European status, and that consequently most of the restrictions mentioned in their petition no longer applied. The Mission noted that Chinese residents were eligible for business licences; that they might marry Samoans; that the Samoans, although opposed to further immigration from any quarter, might be persuaded to agree to the return of a few Chinese; that no legal impediments to the establishment of Chinese schools existed; and that, although no provision existed for the registration of associations such as the Chinese Association, they were nevertheless free to function.

The Administering Authority subsequently confirmed these statements and stated that there was no racial discrimination against the Chinese in the Territory. In connexion with the request for schools, it stated that there were approximately 150 to 200 children of school age who were at least half-Chinese.

In a resolution[329] on the petition, the Council drew the attention of the petitioners to the observations of the Visiting Mission and of the Administering Authority, noting that these observations appeared to answer the points raised in the petition. It invited the Administering Authority to ensure that all applications for the return to Samoa of Chinese former residents should be brought expeditiously before the Council of State; and it requested that additional information should be given in future annual reports on the number, status and conditions of children of Chinese parentage, as well as on Chinese immigration and the position of Chinese inhabitants.

Labour legislation

The Territory has no organized Labour department; the Crown Solicitor acts also as Commissioner of Labour. Since it lacks administrative facilities which would ensure that labour laws were kept, the Territory is not, in the opinion of the Administering Authority, in a position to embark on any ambitious programme of labour legislation. The Administering Authority feels that the maintenance of a special administration and the enactment of precise labour legislation is unnecessary, due to the small proportion of the population depending on wages. It explains that a large part of the work done for direct monetary payment is performed by family groups under the authority of their *matai*. The Administering Authority states that the members of such groups do not work for an outside employer for more than a short period of time, and their ability to do without such employment provides an assurance that they will not be exploited when they undertake it. The 1945 census showed that only 3 per cent of the Samoan people were working regularly for wages

The Administering Authority considers, however, that as the economy becomes more advanced, there will be increasing need for closer attention to the supervision of the labour force that exists. Wage rates and hours of casual labour have been investigated by a Commission set up for the purpose, and adjustments have been made. The Administering Authority also anticipates that an inquiry will be made into the problems of establishing a system of workers' compensation.

At its seventh session, the Council recommended that the Administering Authority, taking into account local conditions, should as soon as possible introduce elementary social legislation, including labour legislation.

The Visiting Mission noted, in the light of the smallness of the labour force, that there was no labour union in the Territory, nor any system of labour statistics or inspection. The Government, as the principal employer of casual labour, paid in Apia a minimum of 6s. 8d. a day to adult male workers, but there was no legal minimum for non-government workers, and plantation labourers received as little as 3s. a day.

The special representative explained further to the Council that the basic Government rate was now 7s. 1d. for an 8½ hour day in a five-day week, increasing to 9s. 2d. for semi-skilled labour, 14s. for good tradesmen, and 16s. to 30s. for foremen. The Reparation Estates

[328] T/PET.1/3.

[329] Resolution 312 (VIII).

paid a minimum of 5s. for a six-hour day, without food, but the more usual rates began at 4s. a day, with food, except that in the Apia neighbourhood the basic rate was 6s. a day without food. He did not think it entirely correct to say that the rate anywhere was as low as 3s. a day.

Public health

Western Samoa is free from many of the diseases which present the most serious health problems in other tropical areas. The climate is healthy even for Europeans unaccustomed to the heat and humidity, and the general level of nutrition is more satisfactory, in the judgment of the Administering Authority, than in a great many tropical regions. The most prevalent diseases are hookworm, yaws and filaria, and diseases which result from faulty sanitation such as typhoid, dysentery and infantile diarrhoea. Tuberculosis is also a major problem and chest diseases such as pneumonia are common. The death and infant mortality rates are high by "western" standards.

Although it finds it difficult to see how the costs involved can be met, the Administering Authority lists, as the estimate of its Director of Health, a "desired establishment" for the public health service that would include six doctors (as against five on duty for most of 1950 and three in 1949); two dental officers (as against one in each of those years); a pharmacist and a bacteriologist, both of whom were on duty; twenty nursing sisters (as against nine in 1950 and eleven in 1949); thirty-six Samoan medical practitioners (as against twenty-three in 1950 and twenty-four in 1949); eighteen Samoan dental practitioners (as against seven in each of those years); 105 Samoan staff nurses (as against fifty-five in 1950 and fifty-eight in 1949); and a number of other Samoan dispensary, sanitary and other personnel.

The Administering Authority states that the acute shortage of European medical officers is now being overcome. In this connexion, it has been able to draw replacements from a pool of doctors established by the South Pacific Medical Service. It states, further, that it has made arrangements for a considerable increase in the number of Samoan students admitted to the Central Medical School in Fiji, where "medical practitioners" are trained in a four-year course. The Visiting Mission, which inspected this school, observed that sixteen Samoans were being trained there. Suitable scholarship pupils at present in New Zealand are being encouraged to study for New Zealand qualifications as medical and dental officers, the Administering Authority states; and the Visiting Mission noted that one Samoan was taking a full university medical course there. Ten nurses graduated from the local training school during the year, and thirty-one new trainees began training.

The medical service is based on the Government hospital at Apia, which is being rebuilt and which dealt with 1,966 in-patients during the year 1949-50. There are thirteen "district dispensary hospitals", defined as containing one twelve-bed ward and out-patient facilities, which dealt with a total of 2,751 in-patients. Expansion of the service calls for a district hospital (two twelve-bed wards in each of five medical districts, with the smaller dispensary hospitals as subsidiaries. The district hospitals are being built upon existing dispensary hospitals, and their construction is proceeding on the basis of an equal share by the Government and the districts in the cost. Mobile clinics, consisting of one or two Samoan medical practitioners, a Samoan dental practitioner, a Samoan staff nurse and a driver, and frequently accompanied by a sanitary team, visit the more readily accessible villages. Two mobile clinics are in operation and a third is being established. Most of the health services are provided free of charge, except for the cost of board at the Apia hospital and a small charge for medicines; in any case, according to the Administering Authority, no medicine or treatment of any kind is ever refused because of inability to pay.

A medical team organized by the South Pacific Commission visited the Territory in 1950 to study certain aspects of tuberculosis.

At its fourth session, the Council requested the Administering Authority to intensify its efforts to improve health and social services in the Territory.

At its seventh session, the Council commended the Administering Authority for the progress made in the field of public health, particularly the establishment of a mobile clinic. It urged, however, the intensification of measures already taken to control tuberculosis and recommended that efforts should be intensified to recruit doctors and other medical personnel.

The Visiting Mission noted that the Samoans were very anxious for an expansion of health services, particularly in the case of the outlying villages, where they would have liked to see the systems of district hospitals expanded and improved. It noted also that, at the Apia hospital, whose urgently needed reconstruction and expansion was under way, there continued to be differences of accommodation between those living in Samoan style and those in European style, but that these differences were no longer based on difference of status, since anyone who wished the better accommodation and was willing to pay for it might do so.

At its eighth session, the Council adopted the following recommendation:

The Council commends the Administering Authority for the progress made in the preventive and curative medical and health services. In particular, the Council notes that the pilot research investigation into tuberculosis indicates a determined effort to tackle health problems on a scientific basis. The Council further notes the increase in the number of Samoan students at the Central Medical School in Fiji, and urges the Administering Authority to extend its efforts to improve the medical and health services by such means as continuing to make full use of the training facilities in Fiji and to collaborate with the South Pacific Medical Service in its efforts to meet the need for fully qualified practitioners.

Observations of members of the Trusteeship Council representing their individual opinions only

General social organization and conditions

(*Note:* Observations of members concerning the political aspects of the social structure have been included under section II, Political advancement)

Standard of living

The representative of the Union of Soviet Socialist Republics drew attention to the low wages as compared with the high cost of all consumer goods (see below, Labour legislation).

Status of women

The representative of the Dominican Republic welcomed the attention given in the annual report to the status of women. He hoped that the Administering Authority would, without doing violence to tradition, make an effort to bring to the Samoan women an understanding of the advantages of participation in all possible aspects of community life.

The special representative from the Territory stated that the question of the status of women was receiving a good deal of attention at the present time.

Human rights and fundamental freedoms

(*a*) Discriminatory laws

The representative of the Union of Soviet Socialist Republics stated that crude discrimination existed in respect of the distribution of seats in the Legislative Assembly (see section II, Political advancement) and the distribution of land (see section III, economic advancement) as between Samoans and Europeans.

The representative of Iraq stated that it appeared that there was discrimination against Samoans, on grounds of status, in regard to appointments to higher positions in the administration (see section II, Political advancement).

The special representative from the Territory denied that discrimination on grounds of status existed in the public service.

Labour legislation

The representative of the Union of Soviet Socialist Republics drew attention to the fact that although about 3 per cent of able-bodied Samoans were hired workers, the Territory had as yet no department of labour, no trade unions, no labour statistics and no control over labour conditions. He described the wages of the hired workers as miserable. He stated that plantation labourers in Western Samoa received as little as 3s. a day and compared the rates quoted by the Visiting Mission with such consumer prices (1949) as 2s. 9d. per lb. for butter, 5s. per dozen small eggs, 1s. 5d. for twenty cigarettes, 9d. per lb. for bread and 2s. 2d. per pound for bacon.

Public health

The representative of Argentina considered that any effort, no matter how difficult and expensive it might be, to expand the medical services would be a fundamental step in the future development of the Territory; the health of the population was essential to all other kinds of progress.

The representative of the Union of Soviet Socialist Republics considered that the Administering Authority did not show sufficient concern for the social security and health of the population, and had not carried out the recommendation made by the Council at its fourth session. Health and medical personnel were too few and the Territory had no facilities for training adequate numbers. The increase in mortality rates, particularly infant mortality, testified to the inadequacy of the service. The Council should recommend to the Administering Authority that it increase the budgetary appropriations for health needs.

The representative of Belgium pointed out that health expenditures had increased from £49,000 to £105,000 in the previous three years. He thought the Council would want to congratulate the Administering Authority on this fact.

The representative of Iraq thought that the Council should recommend a special effort to secure technical officers in the field of public health and an expansion of the health programme in general, including the training of doctors and nurses and a possible increase in the number of medical students sent to Fiji and New Zealand with the aid of Government grants and scholarships.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

Education in Western Samoa is carried out separately by the Administration and by religious missions, whose schools are not subject to Government control. The great majority of the children receiving education attend either the Administration's village schools, in which the highest class is standard 4, or pastors and catechists' schools run by the missions and described by the Administering Authority as very elementary. A considerable number attend both kinds of schools. Apart from a small post-primary school, four mission secondary schools, a teacher-training college and adult evening classes, the Territory depends for secondary and higher education on facilities in New Zealand and, in the case of medical studies, in Fiji. Construction of Samoa College, with an ultimate capacity of 200 primary and 100 secondary students, Samoan and European, is expected to begin during 1951.

The statistics for 1950 show in these respects that out of 14,046 children enrolled in the Administration schools (as against 13,236 in 1949); 13,816 were on the rolls of primary schools, of these 12,912 were in the elementary village schools; while 904 — including 500 in two schools for children of European status — were in more advanced types of primary schools. Of the remainder, thirty-five were in the post-primary school, 119 were being trained as teachers and seventy-six were enrolled in the adult evening classes. Fifty-eight other students were on scholarships in New Zealand, principally in secondary schools, and sixteen were studying at the Central Medical School in Fiji.

In the Government schools in 1950 there were 474 teachers (as against 301 in 1949) of whom twenty-one were certificated New Zealand and European teachers, twenty-two uncertificated European teachers, 304 Samoan teachers, and 119 trainees. Government teachers are trained at a college where the course has been

extended from two to three years; 123 were enrolled there in 1950. The number was later increased to 140, the maximum capacity of the college. The Administering Authority estimates that this should provide an output of forty to fifty trained teachers a year, but it is aware that this is still not sufficient in view of the population increase of 2,000 to 3,000 annually.

At its fourth session, the Trusteeship Council urged that continued efforts should be made towards increasing the number of Samoan teachers so that compulsory primary education, as well as more extensive education in middle schools, might become feasible as soon as possible. At its seventh session, the Council requested that future reports should contain more complete statistics regarding both Administration and other schools.

In general, the Visiting Mission concluded that there remained much to be done in the field of education, but that there was a great deal of creditable activity. The Mission found a widespread demand for education among the Samoans. It also found plans for active expansion of the services and evidence that these plans were being implemented in many ways. It was informed, however, that the expansion of the school population was proceeding at such a rate that it would be a considerable time before it would be possible under existing circumstances to institute compulsory primary education. The main need in that field was the training of more Samoan teachers, and the Mission noted the expansion of the training college and the lengthening of its course from two to three years.

The Administering Authority, in its observations on the Mission's report, mentioned that a substantial increase in the revenues of the Territory would be necessary before it could support a complete system of free and compulsory education.

At its eighth session, the Council adopted the following conclusion:

The Council commends the Adminstering Authority for the progress made in the field of education, and notes in particular the development of the Samoa College project and the opening of the new "accelerate" school. The Council draws attention, nevertheless, to the fact that the increasing population of the Territory in particular will require further extended efforts in the educational field.

Expenditure

Gross public expenditures on education showed an increase of £36,525 over the previous year, and totalled £94,260, of which £24,072 comprised grants from the Administering Authority for overseas scholarships and equipment and inspection of schools.

Buildings

The Administering Authority states that most of the extensive building programme laid down for the year was completed. The principal buildings erected were an intermediate school building in Apia: an infants' school building; a school broadcasting room and library; and alterations and extensions to provide additional accommodations in the post-primary school. It reports also that during the year there was a notable advance in the erection of suitable school buildings by districts and villages in the outer areas. Two district schools and fifteen village schools were established during 1950.

Mission schools

In the case of the mission schools, there was a total of 23,050 enrolled in 1950, as against 21,417 in 1949; and these included 14,548 listed as not also attending Government schools. Figures for the different categories of mission pupils are not available; but the mission schools themselves are mostly of the elementary type run by pastors or catechists (349), the others being theological colleges (4), primary schools (thirty-six) and secondary schools (four). They had 976 teachers, of whom eighty-six were European, 369 pastor teachers, and 557 Samoan.

At its seventh session, the Council recommended that steps should be taken to bring about closer co-ordination between Government and mission schools with regard to organization, staffing and curricula.

The Visiting Mission expressed the opinion that the religious missions continue to perform much valuable educational work and, in spite of the absence of Government financial assistance and control, it was informed that there was increased co-operation between the missions and the Education Department.

At its eighth session, the Council adopted the following recommendation:

The Council, recalling its previous recommendation in favour of closer co-ordination between Government and mission education, requests the Administering Authority to inform it as to further steps taken in this direction.

Primary education

The Administration village schools range in enrolment from thirty to more than 400, and are staffed by Samoan teachers under the supervision of district inspectors. The schools have been erected and are maintained by the village people, who must also supply them with food. The average school building is a typical open-sided house with a thatched roof and pebble floor.

Part of the teaching done in the schools is by radio; four one-hour lessons are broadcast each week and, after a year of this method, together with the use of a monthly publication for teachers, the Administering Authority has noted a very great improvement in the standard of work. The broadcast lessons do much to fill the gap until such time as text-books in the vernacular, which are now in preparation, can be supplied. Visual education instructors, equipped with projectors and film strips, also visit the outlying schools.

The Administering Authority states that the level of education in the village schools is being raised each year. A few years ago the top class was standard 2; it has been raised to standard 4 (the equivalent of the sixth grade in the United States of America) and until all the village schools can be brought to a higher level it is proposed to establish centrally-situated district schools to which the most promising standard 4 children in the surrounding villages will have access.

There are six Government primary schools of a more advanced kind. Two Samoan residential middle primary schools, with rolls of 130 and seventy, take promising boys selected from the village schools from standard 2 to standard 6. The larger had in 1950 a New Zealand headmaster, a New Zealand teacher and four Samoan

tutors. The smaller school had a Samoan staff, but when its current rebuilding is completed it is to have two New Zealand teachers. Although at one time the curriculum in these schools approximated to that of a New Zealand primary school, the standard of education had fallen far short because of the lack of a full staff of trained teachers, and also because much of the boys' time and efforts have been directed towards the growing and preparation of food, in which they supply their own needs. It has been decided that, in future, the boys will not be trained primarily to enter Government positions, but will rather be encouraged to return to their villages "to engender the people with the idea of greater food production and deeper understanding of the value of their land and natural amenities".

To provide preliminary academic training for the most promising Samoan pupils, a new "accelerate" school enrolled during the year ninety boys and girls, many of them from outlying villages. The school had a New Zealand head teacher, a certificated Samoan teacher, and two locally-born European teachers. Instruction is all in English, and the syllabus follows the general lines of a New Zealand school. The best of the pupils from this school will later form the student nucleus of the projected Samoa College. The Administering Authority states that, unlike the students at the two residential primary schools, they will not be required to grow their food, and so will have adequate time for study.

Two other primary schools are open only to children of European status and are not able fully to meet their needs; sixty children of European status were unable to gain admittance at one of them during the year. The syllabus of each school approximates that of a New Zealand primary school. They were staffed by twenty-seven New Zealand and locally-born European teachers, and had a total roll of 500.

More advanced primary education is given by the new intermediate school, designed to carry both Samoan and European children on from the "accelerate" and the European primary schools. It enrolled 130 of these during the year, and has a capacity of 250. The Samoan and European children receive the same tuition under the same teachers, of whom there were three in 1950.

Details of the mission schools beyond those given in the preceding section are not available, except that the Administering Authority reports that one mission had completed a large building for boys in the Apia area, another has almost completed a high school, and a third plans to erect a large educational block.

At its fourth session, in its resolution dealing with education in Trust Territories, the General Assembly declared formally that discrimination on racial grounds regarding educational facilities available to the different communities in the Trust Territories was not in accordance with the principles of the Charter, the Trusteeship Agreement and the Universal Declaration of Human Rights.

The Visiting Mission noted that separate facilities of different standards of efficiency had in the past been provided for persons of European and of Samoan status. It considered that in the first years of schooling this might be inevitable in view of the different backgrounds of the pupils, but was pleased to note that the large intermediate school which had recently been established in an admirably designed modern building was to cater for qualified pupils regardless of status. It mentioned also, in this connexion, the Samoa College project in the post-primary field and the scholarship scheme.

Post-primary and higher education

The single Government post-primary school, which had a roll of forty Europeans and Samoan students in 1950, has a curriculum based on that of a New Zealand district high school, and gives academic or commercial courses to New Zealand School Certificate level. It may ultimately, according to the Administering Authority, be incorporated in the secondary department of the proposed Samoa College. In 1950, it was staffed by two New Zealand teachers.

Apart from the training of teachers, a formal education on a higher level than this is not provided by the Government within the Territory; but since 1945 the New Zealand Government's scholarship scheme had enabled sixty-one Samoan and part-Samoan students from both Government and mission schools to continue their education in New Zealand. Of the fifty-eight of these who were still in New Zealand in 1950, forty-three were at secondary schools. The remaining fifteen comprised one medical student, one dental student, one pharmacist's apprentice, one radio technician, two fitters and turners, two teacher-trainees, two nurse-trainees, one survey cadet and four clerical cadets. They will ultimately return to the Territory for service in the Samoan Government. The Administering Authority states that the establishment of the Samoa College will result in a gradual tapering-off of secondary school scholarships, leaving the scholarships available for higher education as may be required. Ten students entered the medical school in Fiji during the year under medical scholarships, making a total of sixteen Samoan students there.

No additional information as to the activities of the missions in post-primary education is available.

At its fourth session, the Council welcomed the proposed establishment of a new secondary school and recommended that intensified efforts should be made to increase existing opportunities of higher education.

At its eighth session, the Council adopted the following recommendation:

The Council requests the Administering Authority to inform it as to the progress made in the field of professional and technical education designed to enable Samoans to participate to an increasing degree in the administrative, judicial and technical services of the Territory.

Adult and mass education

The adult night school opened by the administration in 1948-49 has shown a marked falling-off in attendance, with enrolment at seventy-six in 1950 as against 150 in the first year. This indicates, the Administering Authority states, that many have found themselves unable to keep up the steady effort required for after-hours study.

The radio station operated by the Broadcasting Department of the Government continued to increase its activities during the year. Normal broadcasting hours

were increased from seventeen to twenty-three and one-half per week. Due to public interest in the broadcast of the proceedings of the Legislative Assembly during its September session, all future sessions are to be broadcast. It is considered that this policy may be of major importance in the political education of the Samoans.

Development in adult education by radio included a mothers' session designed to serve the interests of women throughout the Samoan community, an information session, and a series of talks by members of the various Government services designed to explain in detail the working of the various organs of the Government.

In 1950 there were 248 government receiving-sets in the villages and over 350 licensed privately-owned sets. The Administering Authority states that, since useful possibilities for the expansion of the radio service in the general field of adult education are limited only by finance, inquiries are being made with the object of obtaining a much cheaper receiving-set which could be sold at a cost within the resources of most Samoan families.

At its seventh session, the Council commended the development in the use of radio for the information and education of the population and also for civic information and training and expressed the hope that the Administering Authority would continue to give the Council the benefit of its experience in this field.

Cultural development

A syllabus of handwork based on Samoan material culture was being prepared in 1950, and two Samoan teachers were in New Zealand gaining practical experience in the teaching of arts and crafts in order to undertake the establishment of this educational scheme in Western Samoa.

At its fourth session, the Trusteeship Council considered that the Administering Authority should further encourage the development of the national culture and the true national art of the indigenous population.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of the Union of Soviet Socialist Republics considered that the Administering Authority was not taking the necessary steps to improve the situation in the field of education, particularly higher education. It was not concerned with the training of specialists from the ranks of the Samoan population.

The representative of Iraq thought that the Council should commend the Administering Authority on the absence of illiteracy. The Administration should do its utmost, within its resources, to meet the present demand for education, and particularly to increase the number of Samoan teachers.

Expenditure

The representative of the Union of Soviet Socialist Republics maintained that no adequate financial assistance was being given to the Samoan people to enable them to secure education. In the rural Administration schools they received no assistance whatever; the schools were supported by the population of the villages, which at the same time had to provide the teachers with shelter and food. He calculated that expenditures on education were at the rate of 18 shillings per head of population, and considered that the Council should recommend that the Administering Authority increase the budgetary appropriations for educational needs.

Mission schools

The representative of the United Kingdom suggested that the Government should exercise a greater degree of control over mission schools, which should, if necessary, receive grants and be made to conform, as components of a unified educational whole, to the general educational code the Government was endeavouring to impose.

The special representative from the Territory stated that the essential basis of goodwill and co-operation between the Government and the missions in the field of education had already been established. Furthermore, a basic principle had been provided, as a result of a recent request by two large mission schools of exemption from import duties on building materials. The Administration had agreed, but under the following conditions: first, that the schools must be open to children of any denomination; secondly, that the curricula must be approved by the Director of Education; thirdly, that the teachers must be of a standard approved by the Director; and, fourthly, that the schools must be open to inspection by him.

Post-primary and higher education

The representative of the Union of Soviet Socialist Republics considered the situation in regard to intermediate and higher education to be unsatisfactory. Noting that the number of scholarships awarded already had been reduced to ten in 1949, he stated that the Administering Authority had done nothing either to provide facilities for higher education within the Trust Territory or to assist the Samoans to secure higher education outside the Territory.

The representative of Iraq considered that the Council should express its satisfaction on the forthcoming establishment by the Government of secondary education in the Territory itself. In respect of the scholarship scheme, he hoped that special attention would be paid to the Samoan students so that they would not be at a disadvantage through having a different educational background from that of the Europeans.

The special representative from the Territory explained that the scholarship scheme had been conceived as being predominantly for Samoan children. Experience had shown, however, that there was very little need to apply that principle, since the Samoan children were proving fully capable of earning scholarships on their own merits.

Adult and mass education

The representative of the Dominican Republic noted with satisfaction the use made of radio broadcasting and

the increase made in the power of the transmitter. He suggested that there should be a regular quarter-hour programme devoted to the activities of the United Nations in general and to its activities in respect of Western Samoa.

The special representative from the Territory stated that he had already made arrangements with the United Nations Secretariat by which recorded programmes produced by the United Nations would be sent by air and used in the Territory.

Chapter IX
NAURU

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Topography and climate

The Trust Territory of Nauru is a small, isolated island of coral formation situated in latitude 0 degrees 32 minutes south and longitude 166 degrees 55 minutes east. It has an area of 5,263 acres and is surrounded by a coral reef.

The climate of the Territory is sub-tropical, despite its close promixity to the equator. Rainfall has an annual average of 80.5 inches but is uncertain and irregular. During the year under review, the island experienced the worst drought in its history, the rainfall amounting to only 12¼ inches, but the drought has now broken. There is no natural water catchment and the soil is highly porous.

The phosphate deposits, which are found on a central plateau, are the chief natural resource. Out of the total area, 4,116 acres are phosphate bearing; of these, 545 acres have already been mined. The land is not suitable for agriculture, except on a minor domestic scale.

Population

The following table gives the population of Nauru by communities:

	Nauruans	*Gilbertese*	*Europeans*	*Chinese*	*Total*
30 June 1949	1,524	58	247	1,440	3,269
30 June 1950	1,582	81	278	1,491	3,432

General considerations

At its fifth session, the Trusteeship Council, after examining conditions in Nauru, adopted a number of conclusions and recommendations on general matters. *Inter alia,* it expressed the opinion that, given the small size of the Territory, the wealth of its natural resources and the small number of its inhabitants, the Administering Authority should be able to develop the Territory at must greater speed than was possible in certain other Territories. It then recommended that the Administering Authority undertake the advancement of the inhabitants in all fields at a much greater rate than in the past and that it should ensure precedence for the needs of the inhabitants over those of the phosphate industry. In view of the effects of war on the Territory and on Nauruans, it considered the rehabilitation efforts of the Administering Authority worthy of commendation.

The Council, recognizing at its seventh session that its previous recommendations had been adopted after the close of the year under review, stated then that the information submitted by the special representative indicated a sincere attempt by the Administering Authority to implement those recommendations.

As a background for its conclusions on particular matters, the Visiting Mission of the Council which visited Nauru in May 1950 pointed out that much of the effort of the Administration was still concentrated on reconstructing facilities destroyed during the war. The Mission went on to point out that the Nauruan population was once again increasing rapidly and that its morale had been largely restored. Nauruans were, however, concerned at the slow encroachment of the phosphate industry on their small but pleasant island.

At its eighth session, the Council adopted the following conclusion:

The Council notes that the conscientious efforts of the Administering Authority have resulted in continued progress during the year under review.

Observations of members of the Trusteeship Council representing their individual opinions only

General considerations

The representative of Argentina considered that the smallness of the Territory and of its population should not limit the responsibility of the Administering Authority to implement the recommendations of the Trusteeship Council.

The representative of the Union of Soviet Socialist Republics considered that the report of the Administering Authority showed that the Administering Authority was not undertaking the necessary measures to promote the progressive development of the indigenous population of Nauru in accordance with the basic objectives of the Charter.

The representative of the Administering Authority stated that his Government could not agree with the interpretation placed by the representative of the USSR on the facts placed before the Council.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Council

General situation

In accordance with the terms of the Trusteeship Agreement, the Territory of Nauru is administered by the Commonwealth of Australia on joint behalf of the Governments of Australia, New Zealand and the United Kingdom of Great Britain and Northern Ire-

land. This continues an arrangement which existed when the Territory was administered under a mandate from the League of Nations.

On 2 July 1919, the three Governments concluded an agreement which provided that the administration of Nauru should be vested in an Administrator appointed by the Government of Australia and that there should be established a board known as the British Phosphate Commissioners, one member appointed by each Government, to work and sell the phosphate deposits. A supplementary agreement dated 30 May 1923 made further provision for the administration of the island.

Under these agreements, the Administrator possesses full powers of legislation, administration and jurisdiction and may make ordinances for the peace, order and good government of the Territory and in particular for the education of children. In the exercise of these powers, he is required to conform to such instructions as he may receive from the Government of Australia, and ordinances made by him are subject to disallowance by that Government.

The Administrator is assisted by an administrative staff, organized in six departments, and which, on 30 June 1950, consisted of 316 employees, of whom twelve were Australians or other persons of European origin, twenty-four were Chinese and 280 were Nauruans or Gilbertese. All the department heads except one are Europeans.

There is no legislative body or statutory advisory body for the Territory. However, in Nauruan affairs the Administrator has been advised by the Council of Chiefs, consisting of fourteen chiefs elected for life.

At its fifth session, the Trusteeship Council recommended that the Administering Authority take steps to afford the inhabitants a larger degree of self-government through participation in the legislative, executive and judicial processes and organs of the Territory. It further recommended that the Administering Authority provide wider facilities for the training of Nauruans in administrative positions as well as opportunities for experience in public office.

At its seventh session, the Council was informed by the Administering Authority that a basic plan for the reconstitution of the Council of Chiefs had been agreed upon with the Nauruans. The new body would be elected every four years and would be granted additional powers, both administrative and financial. The Head Chief had recently assumed the duties of Native Affairs Officer, being the first Nauruan to hold such a responsible position. Other Nauruans were receiving training and guidance to fit them for higher positions.

The Council commended the Administering Authority for its intention to reconstitute the Council of Chiefs and invited it to transform that body into a real organ of self-government and to give it, not only consultative and advisory powers, but also increasing legislative power. Noting with interest the appointment of the Head Chief as Native Affairs Officer, it expressed the hope that the success of this experiment would lead to the granting of increased administrative responsibilities to other indigenous inhabitants.

The Visiting Mission, referring in its report to the same developments, felt that increased responsibility should be placed upon the Council of Chiefs. While objection might well be made to an exclusively Nauruan body passing legislation affecting the Chinese and European communities, which constitute more than half the population of the Island at any one time, consideration might be given to granting to the Council of Chiefs legislative power, subject to suitable safeguards, in purely Nauruan matters, in particular, power to vote appropriations from the budget and from the Nauru Royalty Trust Fund devoted exclusively to the benefit of Nauruans.

The Mission received a petition from the Council of Chiefs which, *inter alia,* expressed dissatisfaction with the rate of progress in educating Nauruans to occupy kep positions.[330] The Mission agreed that the problem was closely linked with the question of education, and suggested 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.

The Mission also commented on the relationship between the Administration and the British Phosphate Commissioners. The Mission considered that, under the provisions of the Agreement of 2 July 1919, legislative and administrative arrangements affecting the working of the phosphate industry ceased to be matters within the full powers of the Administrator but became matters subject to the determination or agreement of the Commissioners. Moreover, the British Phosphate Commissioners occupied so commanding a position in the economy of the island that their administrative independence was virtually complete, and the position of the Administrator in his relations with them appeared to be a difficult one. For this reason it seemed to the Mission all the more desirable that the representative of the Administering Authority on the island should be a person possessed of considerable administrative experience.

In its report for 1949-50, the Administering Authorities stated that the appointment of the Head Chief as Native Affairs Officer had been confirmed, and pointed out that the detailed work of administration in all departments was already in the hands of Nauruans. The proposed legislation to reconstitute the Council of Chiefs was still in draft form, pending final examination by the present Council of Chiefs.

The special representative informed the Council that the present Council of Chiefs had agreed that the new body should, at the present stage, remain advisory on legislative matters. It would, however, take an executive and controlling position in respect of the peace and good order of the Nauruan people and would have direct control over a fund, mainly derived from the Nauru Royalty Trust Fund, for Council and domestic Nauruan matters. It was anticipated that the first elections to the new Council would be held in 1951. Voting would be by secret ballot and adult suffrage as in the past.

An important event in the history of the Nauruan people had been the attendance of two Nauruan delegates at the First South Pacific Conference held at Suva during April-May 1950.

Commenting on the relationship between the Administration and the British Phosphate Commissioners, the special representative stated that, though the establish-

[330] T/PET.9/6.

ment of the British Phosphates Commissioners at Nauru was an impressive one, the Commissioners functioned in an administrative capacity only within the compass of their industrial activity and organization, and in the role of employers of labour. Though the advice of the Commissioners, just as the advice of the Council of Chiefs, was sought on any administrative or policy matter, the Administration exercised complete administrative and legislative functions for the Territory, and pursued the policy of watching the interests and safeguarding the welfare of the indigenous and immigrant communities.

At its eighth session, the Council adopted the following recommendations:

The Council, recalling its previous recommendations on this subject, welcomes the proposed reconstitution of the Council of Chiefs as a first step towards the acquisition of actual legislative power, and recommends that the Administration consider, in consultation with the Nauruan people, the progressive increasing of the powers and responsibilities of the Council.

The Council requests the Administering Authority to ensure that the dominant economic position of the phosphate industry should not adversely affect the interests of the indigenous population in general.

The Council, while noting that the Administering Authority has appointed Nauruans to certain posts in the Administration, recommends the establishment of a more fully organized programme of training Nauruans for higher administrative positions in order further to fulfil the previous recommendations of the Council on this question.[331]

Judicial organization

The judicial system of the Territory provides for a Court of Appeal (the Administrator), a Central Court, a District Court, each possessing civil and criminal jurisdiction, and for Native courts. The power of appointment and removal of judges and magistrates rests with the Administrator. There are three magistrates of the Central Court; all are Europeans. The District Court consists of two magistrates, one a European and the other the Nauruan Head Chief. The Native courts consist of the chief of each district, who has, within his jurisdiction, power to deal with minor offences committed by Nauruans. Two members of the Administration staff exercise judicial functions, one as magistrate of the Central Court and the other as magistrate of the District Court.

At its seventh session, the Trusteeship Council invited the Administering Authority to study the judicial organization with a view to ensuring to the judiciary all the independence compatible with the circumstances.

The special representative informed the Council that the island was too small to warrant an independent judicial organization. In the past, non-resident judges had been appointed for special cases.

Observations of members of the Trusteeship Council representing their individual opinions only

General situation

The representative of Iraq, while welcoming the fact that the Council of Chiefs was being reorganized, could not overlook the fact that that Council was to remain an advisory body. He referred to the report of the Visiting Mission in order to show that Nauruans were not too politically backward to have a better Council, and considered that the Trusteeship Council should earnestly recommend, as the Mission had done, that increased responsibilities should be placed on the Council of Chiefs and consideration given to granting it legislative powers and, in particular, the power to vote appropriations from the budget and the Nauruan Royalty Trust Fund.

He also expressed concern regarding the nature of the relationship between the Administration and the British Phosphate Commissioners. The Council should recommend that the suggestion of the Visiting Mission as to the calibre of the Administrator should be taken fully into account, and that any present or possible future interference by the Phosphate Commissioners in administrative matters should be eliminated or prevented.

On the question of the employment of Nauruans in the Administration, the representative of Iraq agreed with the view of the Council of Chiefs that the reason why only one key position was held by a Nauruan was the lack of suitable education. He considered that the deficiency in education and training should be rectified with expedition.

The representative of Thailand, referring to the petition received from the Council of Chiefs, failed to understand why a people of whom 90 per cent could read and write many years before the introduction of compulsory education should now be faced with so serious a shortage of capable men for their own requirements. He recalled that the League of Nations had been informed as early as 1925 that it was probable that, in the course of time, Nauruans would be fully qualified to fill nearly the whole of the professional and other appointments on the island. After twenty-five years, it was regrettable that no headway seemed to have been made. There was much room for thought in the view of the Council of Chiefs that the slowness of educational progress had been due to reasons other than lack of favourable materials, conditions or circumstances.

The representative of Argentina, while noting with satisfaction the forthcoming reorganization of the Council of Chiefs, regretted that the Administering Authority had not fulfilled the recommendation adopted by the Trusteeship Council at its previous session that the Council of Chiefs should be transformed into a body with increasing legislative powers. The Nauruans were the only permanent residents of the Territory, and he could not share the view of the Mission that they should not at this time be given power to legislate in matters of island-wide concern.

The representative of the Union of Soviet Socialist Republics noted that the Trust Territory had no legislative, executive or judicial organs in which the indigenous inhabitants participated. From appendix II of the report of the Administering Authority it could be seen that all basic administrative posts within the Administration were occupied by Europeans, whereas indigenous inhabitants were fulfilling only secondary or purely technical tasks. The present Council of Chiefs was merely an advisory body and the new Council

[331] See also resolution 324 (VIII) on the petition from the Nauruan Council of Chiefs.

would not differ much from the present one. The report of the Visiting Mission showed the Council of Chiefs would continue to possess only advisory functions. The petition of the Council made it clear that there had been virtually no progress in the past twenty-five years in appointing Nauruans to key positions in the Administration. The Trusteeship Council should therefore recommend to the Administering Authority that it should take legislative and other measures to ensure the participation of the indigenous population in legislative, executive and judicial organs of the Trust Territory.

In view of the fact that the tribal system which now existed in the Trust Territory, and which was encouraged by the Administering Authority, was incompatible with the progressive political development of the population towards self-government and independence, the Trusteeship Council should recommend to the Administering Authority that it should take measures to ensure the transfer from the tribal system to a system of self-government based on democratic principles.

The representative of the Administering Authority, replying to the observations of several delegations on the relationship between the Administration and the British Phosphate Commissioners, stated that the relationship was a cordial one. The powers of the Administration were dominant, and the Administering Authority exercised complete administrative and legislative supervision throughout the whole island.

He stated also that it was incorrect to say that the powers of the new Council of Chiefs would be purely advisory. The Council would have executive powers and fairly wide budgetary powers, in fact a major say in affairs affecting the Nauruans themselves. The remarks of the representative of the USSR about the tribal system were also incorrect.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General situation

The economy of the Territory of Nauru is almost entirely dependent on the phosphate industry which, directly or indirectly, provides remunerative employment for the indigenous population and for a large immigrant community. It is estimated that the phosphate deposits will be exhausted in some seventy years.

There are virtually no other natural resources. Production of copra was revived early in 1950 after a lapse of many years, 6.55 tons having been exported by 30 June 1950. Small plots are cultivated in the Buada district and in parts of the coastal districts for raising crops of vegetables and fruit, which are consumed by the individual growers. A number of Nauruans catch fish for local sale.

At its fifth session, the Trusteeship Council was informed by the Administering Authority that the Administration was alive to the possibility that the island might not provide a satisfactory home for the indigenous inhabitants after the exhaustion of the phosphate deposits, and that it might be necessary to give them an opportunity to transfer to some other island. Expressing concern at this prospect, the Council recommended that the Administering Authority formulate plans for a sound future economic foundation.

At its fourth session, the General Assembly expressed satisfaction at the excellent financial situation in Nauru, but endorsed the Council's recommendation on the need for plans for a sound future economic foundation.

In its report for 1948-49, the Administering Authority stated that, athough the problem was a long-range one, it had been deemed wise to bear it in mind in planning for the future development of Nauruans. Further information would be included in subsequent reports. The Council, at its seventh session, recommended that the Administering Authority undertake studies to determine whether the island would remain habitable and, in particular, explore the possibility of expanding the copra industry, of establishing an indigenous commercial fishing industry and of expanding food production.

The Visiting Mission commented that Nauru appeared to possess, apart from the phosphate deposits, very meagre economic resources. Referring to a request in the petition of the Council of Chiefs for the establishment of research centres, the Mission expressed approval of any effort which the Administration might make in this direction, but reported that the Administrator had informed it that not much could be achieved by way of the establishment of subsidiary industries and had referred to the poor quality of the soil and the periodic droughts. The Mission accordingly gathered the impression that resettlement of the Nauruans in some other island or territory might offer the only satisfactory long-term solution, unless research revealed some possible alternative source of livelihood.

In its report for 1949-50, the Administering Authority states that the matter is the subject of continued sudy and also of discussions with the Council of Chiefs. As regards the short-term aspect, the welfare of the Nauruans is being met by the provision of housing and other amenities.

The special representative of the Administering Authority informed the Council that research was being carried out to determine the possibility of producing kapok and coir fibre, and new types of coconuts and pineapple suckers were being introduced for experimental planting. Nevertheless, there were serious obstacles to the development of agriculture.

At its eighth session, the Council adopted the following recommendation:

The Council, noting the steps taken by the Administering Authority in this connexion, recommends that it continue to survey the economic possibilities of the Territory with a view to putting the future of its inhabitants on a more secure basis.

In its resolution on the petition from the Nauruan Council of Chiefs, the Trusteeship Council drew the attention of the petitioners to the fact that the isolation of Nauru from world markets, together with its limited natural resources, was a serious obstacle to the establishment of an economic industry other than phosphate mining.[332]

[332] Resolution 324 (VIII).

Phosphate industry

The phosphate industry in Nauru is under the exclusive control of the British Phosphate Commissioners, whose staff in Nauru comprises 121 Europeans, 1,468 Chinese and 101 Nauruans. During the year under review, the rehabilitation of the industry was completed, and it is now operating at a rate of a million tons a year, which is slightly higher than the pre-war rate. The following table shows exports from the Territory over the past few years.

Year ended 30 June	*Amount — tons*	*Value — £*[333]
1947	96,473	192,946
1948	263,507	527,014
1949	680,746	1,174,287
1950	1,009,266	1,589,594

All these exports were to Australia or New Zealand.

At its fifth session, the Council recommended that the Administering Authority prepare the indigenous inhabitants for participating in all Government activities affecting the phosphate industry.

At its fourth session, the General Assembly expressed its full support of the recommendations of the Trusteeship Council.

The Administering Authority, in its reply, stated that all Government activities had an indirect effect on the phosphate industry and referred to its efforts to increase the participation of the Nauruans in Government activities in general.

At its fifth session, the Council requested the Administering Authority to furnish in the next annual report full information on all operations of the British Phosphate Commissioners, including the financial accounts.

The report examined at the seventh session contained figures giving the tonnage and value of phosphate shipped from Nauru and the reports and accounts of the British Phosphate Commissioners covering both Ocean Island and Nauru.

The Council at that session expressed the view that the restoration to full production of the phosphate industry had been of general benefit to the Territory, but noted that the Council remained handicapped in its appraisal of economic conditions because of the absence of information which would show, in particular, the separate financial operations of the British Phosphate Commissioners in respect of Nauru, and the actual prices received for phosphate as compared with world market prices.

The Visiting Mission endeavoured, by means of a questionnaire addressed to the General Manager for the British Phosphate Commissioners, to obtain data concerning the finances of the phosphate industry, in particular costs of phosphates landed in Australia and New Zealand from various sources. In a reply received shortly before its report was adopted, the Mission was informed that it was unlikely the Commissioners would supply the phosphate costs requested. Imports from sources other than Nauru and Ocean Island had now ceased except from Christmas Island, which was now controlled by Australia and New Zealand. The Commissioners' view was that payments to Nauruans should be governed by present and future needs, and not by any fluctuations in the price of phosphate, for which there was no world standard mainly on account of geographical considerations.

The annual report for 1949-50 contains export figures, as well as the latest accounts of the British Phosphate Commissioners for Nauru and Ocean Island.

At its eighth session, the Council adopted the following conclusion:

The Council, noting that the report under review was prepared only a short time after its previous recommendation on this subject, reiterates that it remains handicapped in its appraisal of economic conditions because of the absence of information which would show, in particular, the separate financial operations of the British Phosphate Commissioners in respect of Nauru, and the actual prices received for phosphate as compared with world market prices.

Phosphate royalties

The following are the scales of royalties payable on each ton of phosphate exported during the year under review and the present year:

	1949-50	*1950-51*
Royalties paid to or on account of the Administration		
To meet the ordinary expenses of the Administration	6d.	1s.
To repay the rehabilitation advance[334]	6d.	9d.
To repay the advance for Nauruan housing	6d.	6d.
	1s. 6d.	2s. 3d.
Royalties paid to or on account of the Nauruans		
To the owner of the land from which the particular ton of phosphate was extracted	6d.	6d.
To the Nauru Royalty Trust Fund to be used exclusively for the benefit of the Nauruans	3d.	3d.
To be invested for the benefit of landowners in the Nauruan Landowners' Royalty Trust Fund	2d.	2d.
To be invested for the benefit of the Nauruans in the Nauruan Community Long-Term Investment Fund	2d.	5d.
	1s. 1d.	1s. 4d.
TOTAL ROYALTIES	2s. 7d.	3s. 7d.

In addition, the British Phosphate Commissioners pay each year a sum of £12,000 in commutation of payments due in respect of customs duties and other charges of the Administration.

The total amount payable from phosphate proceeds in respect of the Administration and of the Nauruans was £142,364 in 1949-50, as compared with £85,430 in 1948-49. Actual royalty payments to Nauruans or to the various trust funds amounted to £44,045 as compared with £29,909 in the preceding year. The balance in the Landowners' Royalty Trust Fund increased by £10,488 to £112,081, and in the more recently established Nauruan Community Long-Term Investment Fund by £8,660 to £14,190. The Nauru Royalty Trust Fund is dealt with in the section on public finance below.

One effect of the increase in royalties paid during the year under review was to raise the number of Nauruan depositors in the Savings Bank by ninety-one, and the amount of net deposits by Nauruans by £6,949.

At its fifth session the Council, noting that the phosphate royalty payments were unequally distributed

[333] Figures in this chapter are in Australian currency. £A125 = £ Sterling 100 = $US 280.

[334] For the circumstances of the increase in these royalties, see text below table.

among Nauruans, welcomed the assurance of the Administering Authority that efforts were being made with a view to a wider distribution.

The Visiting Mission, while in Nauru, was asked by the Council of Chiefs[335] to negotiate, on behalf of the Nauruan community, with the British Phosphate Commissioners for an increase in the royalties payable under the agreement of 23 May 1947. The Council of Chiefs asked, in particular, for an increase in the amount being invested for the benefit of the community at long-term, which they considered would not be very considerable when the prospective increase in population was borne in mind.

During its stay in Australia, the Mission was informed that it had been decided to increase the royalty paid into the Nauruan Community Long-Term Investment Fund, with effect from 1 July 1950, from 2d. to 5d. a ton. The Mission stated that, because of lack of information, it was not in a position to form a useful opinion on the appropriateness of the present scale of phosphate royalties. It welcomed, however, the increase in question, which appeared to satisfy the request of the Nauruan community. The Mission also pointed out that the royalties amounting to 1s. per ton which were being used to repay the rehabilitation advance and the advance for Nauruan housing would achieve their purpose in some fifteen years, and it was probable that at that time royalty payments into the Long-Term Investment Fund could be increased considerably.

At the seventh session, the Council noted with satisfaction the decision to increase the royalty payments to the Long-Term Investment Fund, especially in view of the fact that the increase would be devoted to community benefits.

At its eighth session, the Council adopted the following recommendation and conclusion:

The Council notes with approval the recent increase in the phosphate royalty to be paid to the Nauruan Community Long-Term Investment Fund and requests the Administering Authority to consider further increasing the royalties for the benefits of the inhabitants.[336]

The Council, at the same time, notes with satisfaction the considerable increase in the savings bank deposits of the Nauruans, reflecting the improved economic condition of the inhabitants resulting from the increases already made in the royalty payments.

Public finance

The following tables show the financial position of the Territory:

	1948-49 £	*1949-50* £	*Estimate 1950-51* £
Opening balance	4,175	5,706	—3,759
Plus			
Revenue	34,204	42,103	72,000
	38,379	47,809	68,241
Minus			
Expenditure	105,673	68,568	150,000
	—67,294	—20,759	—81,759
Plus			
Rehabilitation advance	73,000	17,000	82,000
CLOSING BALANCE	5,706	—3,759	241

[335] See T/PET.9/6.

[336] See also resolution 321 (VIII) on the petition from the Nauruan Council of Chiefs.

Of the £59,103 received by the Territory in the year under review, £54,443 were paid directly by the British Phosphate Commissioners (£25,443 royalty, £12,000 commuted payment, £17,000 rehabilitation advance). The balance of the original rehabilitation advance of £200,000 financed by a royalty of 6d. per ton of phosphate has now been exhausted.

The estimates for the present year provide £94,000 for works and services, as compared with an expenditure of £19,492 under these heads in the year under review and £22,513 in 1948-49.

Expenditure from general funds directly for the benefit of Nauruans amounted to £13,859, as compared with £12,109.

The expenditure for Nauruan education and a number of other social activities is financed from the Nauru Royalty Trust Fund. Expenditures from this fund amounted to £6,365 during the year under review, as compared with £6,145 in the preceding year.

The only direct taxation applicable in the Territory is a capitation tax on male persons between the ages of 16 and 60. The rate for Nauruans is 15s. per annum, for Chinese 20s. and for Europeans 40s. Permanent employees of the administration are exempt and the British Phosphate Commissioners pay the tax for their employees. Payments by Nauruans (£116 in 1949-50) are paid into the Nauru Royalty Trust Fund.

The Council, at its fifth session, noted that certain normal public expenditures, such as education and the salaries of a number of Nauruan officials, are charged against the Nauru Royalty Trust Fund, and recommended that such expenditure be paid for out of the budget proper and not from the Trust Fund.

The Council, at the same session, recommended that the Administering Authority seriously study the question of replacing the capitation tax by an income tax.

The Visiting Mission, noting that the reconstruction advance of £200,000 made to the Administration by the British Phosphate Commissioners was already exhausted and that, even after the reconstruction period was completed, it would seem unlikely that the ordinary revenue would be sufficient at present rates to cover ordinary expenditure, expressed the opinion that it would be easier to collect an additional royalty on phosphate than to impose an income tax.

The special representative of the Administering Authority informed the Council that it had been decided to increase the rehabilitation advance by £100,000, which would be financed by increasing the royalty from 6d. to 9d. a ton. The royalty for general administrative purposes had been increased from 6d. to 1s. a ton, estimated to be sufficient to cover the increased costs of administration. He stated also that the question of abolishing the capitation tax was being investigated.

Land

By far the greater part of the land area of Nauru is owned privately by members of the indigenous population. Virtually all the land on the central plateau, although privately owned, is phosphate land of no use for other purposes, and is leased to the British Phosphate Commissioners when required for the mining of phosphate. Once worked, it is complete wasteland which it would be impossible to reclaim.

Under the agreement of 23 May 1947 between the Nauruan landowners, the Administrator and the British Phosphate Commissioners, the Commissioners have the right to lease any phosphate-bearing land on the island and to mine and export the phosphate thereon. For the leased land, the British Phosphate Commissioners pay, in addition to royalties, a lump sum at the rate of £45 per acre. Non-phosphate land may be leased by the British Phosphate Commissioners, with the approval of the Administrator, at an annual rent of £3 an acre. There are no laws governing the compulsory acquisition of land for public purposes. As at 30 June 1950, 154 acres of non-phosphate land and 1,125 acres of phosphate-bearing land were held under lease.

The Visiting Mission received two petitions relating to land use. In the first petition the people of Aiwo[337] complained of overcrowding and other discomforts suffered from the operation of the phosphate installations, most of which are situated in their district. The Mission stated that there was no doubt that the people of this district had suffered considerable inconvenience, but was unable to put forward any particular solution and suggested that the Administering Authority should reconsider the matter.

The special representative of the Administering Authority stated that no purchase of land was permitted, and no land would be leased without the approval of the Administration, which had the responsibility of watching the interests of the indigenous landowners.

The Administering Authority, in its observations on this petition, stated that the dust annoyance complained of had been substantially diminished and that all accumulations of rubbish had been cleared from private blocks.

In the second petition, the people of the adjacent districts of Yarren and Boe[338] complained that the Australian Government had been using, and intended to acquire permanently, an airstrip built by the Japanese on some of their best land. The Mission pointed out that the airstrip was rarely used, but expressed the opinion that one was essential. It considered, however, that urgent measures should be taken to arrive at a settlement, which should include adequate compensation and payment of back rental.

The Administering Authority, in its observations on this petition, stated that the question of payment of compensation for the airfield land and of the precise area that would be required had been the subject of negotiations between the Administrator and the Council of Chiefs. Proposals for back rental had been placed before the latter in December 1950.

At its eighth session, the Council adopted the following conclusion:

The Council considers it advisable that studies of a technical nature should be carried out in order to determine the possibility of making use of worked-out phosphate land, and would be pleased to receive from the Administering Authority in its future annual reports information on the result of such studies.

In its resolution on the petition from the people of Aiwo, the Council invited the Administering Authority to continue to control alienation and leasing of land in the Aiwo district in the interests of the indigenous inhabitants and decided that, since the requests of the petitioners with regard to phosphate dust and the dumping of rubbish on private blocks appeared to have been granted, no action by the Council was called for on these questions.[339]

In its resolution on the petition from the Chiefs of Yarren and Boe, the Council reiterated the Visiting Mission's assurances to the petitioners that the United Nations was not concerned with the decision of the Australian Government to acquire the airstrip permanently; considered that it was more in the interest of the population of Nauru as a whole to retain the existing airstrip than to return the land to the petitioners, provided that just compensation was made; noted that the Administering Authority was taking steps to arrive at a settlement with the Nauruan Council of Chiefs; and recommended that the Administering Authority implement this settlement without delay and report thereon to the Trusteeship Council at its next session.[340]

Co-operatives

The Nauru Co-operative Society, which is operated by Nauruans under the direction of the Council of Chiefs, engages in general trading and conducts a piggery, poultry farm, bakery, etc.

At its seventh session, the Council noted with appreciation the increased participation of Nauruans in the economic life of the Territory, particularly through the Nauru Co-operative Society, and expressed the hope that the Administering Authority would continue to give this enterprise every facility for development.

In their petition,[341] the Council of Chiefs complained that its store was in an unfavourable competitive position as compared with the trading store run by the British Phosphate Commissioners, who control all shipping facilities, and asked for help in solving such problems as irregularity of delivery and price fluctuations during transit. The Visiting Mission commented that these were problems facing any trading concern, and that it did not believe the British Phosphate Commissioners' store was run in a spirit of destructive competition. Nevertheless, it expressed the view that the Nauru Co-operative store was an enterprise worthy of every encouragement from the Administration and the British Phosphate Commissioners and, in particular, suggested that the latter should place their more extensive buying facilities in Australia at the disposal of the Nauru Co-operative Society and give every possible help in the matter of shipping.

The Administering Authority, in its observations[342] on this petition, stated that the Council of Chiefs was the Board of Management of the Nauru Co-operative Society, and preferred to operate through a commercial buying agent in Australia rather than through the purchasing organization of the British Phosphate Commissioners, which was available to it.

In its resolution on the petition the Council drew the attention of the petitioners to the assurance given by

[337] T/PET.9/4.
[338] T/PET.9/7.
[339] Resolution 322 (VIII).
[340] Resolution 325 (VIII).
[341] T/PET.9/6.
[342] T/852.

the Administering Authority that the facilities of the purchasing organization of the British Phosphate Commissioners were available to the Nauru Co-operative Society, if they wished to make use of them.[343]

Observations of members of the Trusteeship Council representing their individual opinions only

General situation

The representative of Iraq considered that some kind of research, perhaps of a modest nature at first, should be undertaken in order to survey the economic possibilities of the Territory with a view to putting its future economy on a more secure basis.

The representative of the United States of America thought that it would be interesting if the Administering Authority could provide additional information on the question of the economic future of Nauru, including the viewpoints of the inhabitants as expressed in the Council of Chiefs.

The representative of Argentina considered it regrettable that the possibility of transferring Nauruans from the island had been brought up as soon as the Territory had been placed under trusteeship. His delegation was opposed to this course, unless it was clearly proved that no other solution could be found.

The representative of the Administering Authority stated that the promotion of diversified industries was very difficult on such a small island with an insignificant amount of fertile land. The Administering Authority would do what it could in this field, but there were no grounds for great optimism.

Phosphate industry

The representative of Argentina considered that the monopoly of the British Phosphate Commissioners over Nauru's only industry was depriving Nauruans of the possibility of managing their own economy in the future. A co-operative system or a system of distributing profits to Nauruans would give more benefit to Nauruans. His delegation held the firm opinion that the Administering Authority should attempt to find a solution to this problem more in accordance with the principles of the Trusteeship System and with the interests of the Nauruans.

The representative of the Union of Soviet Socialist Republics pointed out that the economy of the Territory was entirely in the hands of the British Phosphate Commissioners, who occupied a dominant and monopolistic position. The Nauruans had no influence on the affairs of that concern, which was exploiting the resources of the Territory in the interests of the Governments of the United Kingdom, Australia and New Zealand. The Administering Authority was not ensuring the economic position of the Nauruans, either at the present time or in the future.

The representative of the Administering Authority stated that he was glad to be able to report the increased production of phosphates, which had been of considerable benefits to the Nauruan people.

[343] Resolution 324 (VIII).

Phosphate royalties

The representative of Belgium estimated that the present rates of phosphate royalties meant a total payment by the industry to the Territory of about a half million United States dollars a year, or about $300 *per capita* for the Nauruans, which was a fair amount in any part of the world.

The representative of Iraq stated that it would be difficult for the Council to gauge the benefit to the inhabitants of recent increases in the phosphate royalties, because of the refusal of the British Phosphate Commissioners to publish details of the cost of the phosphates, particularly in Australia and New Zealand.

He thought that the rate of royalty paid in respect of the Nauruans was rather low at 1s. 4d. and should be increased. On the other hand, he did not wish to leave the impression that the Nauruans had not derived some benefit from the industry, and he noted also the increase in royalty allocated to long-term investment.

Public finance

The representative of the United Kingdom, noting that the royalty payment for administrative purposes had been doubled (from 6d. to 1s.) since the Visiting Mission wrote its report, and that the payment for rehabilitation purposes had been increased by 50 per cent, considered that these amounts should be sufficient to meet the increasing cost of administration.

The representative of Iraq, while noting that the administrative levy on phosphates had been increased from 6d. to 1s., considered that the Administering Authority should still look carefully into the question of the adequacy of the ordinary revenues of the Territory, noting in particular the Visiting Mission's view that it would be easier to collect an extra royalty on phosphates than to impose an income tax.

The representative of the Union of Soviet Socialist Republics declared that the British Phosphate Commissioners did not pay any taxes on their profits. The Administering Authority had not yet fulfilled the recommendation made by the Trusteeship Council at its fifth session with regard to replacing the head tax by income tax. The Council should recommend that the Administering Authority take steps to replace the head tax by a progressive income tax system, or at least by a system of income tax taking due account of the property and taxable capacity of the population. Certainly all the profits of the British Phosphate Commissioners should be subject to a graduated profits tax.

Land

The representative of Iraq considered that full compensation should be given to the indigenous inhabitants and owners whenever land was taken for public use.

The representative of China, while not doubting the soundness of the Administration's general land policy, considered that such problems as the awarding of adequate compensation for the land used as an airstrip should be settled equitably and as soon as possible.

The representative of Argentina considered that a study should be made to see whether the airfield land could not be restored to agricultural use. Back rental should be paid on that land, and it should be acquired

permanently only if it were shown to be impossible to construct an airstrip elsewhere on the island.

The representative of the Union of Soviet Socialist Republics stated that it could be seen from a number of petitions that the Administering Authority was pursuing a policy of land alienation. The Council should recommend to the Administering Authority that it return to the indigenous population the lands alienated from it in any way, and that it should not in future allow the alienation of land belonging to the indigenous population.

The representative of the Administering Authority stated that the record showed that there was no policy of land alienation in Nauru. He repeated that a just compensation would be paid to the owners of the land which would be permanently required for the airstrip.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General situation

The Nauruan community, while still in some respects organized along traditional lines, has modified its way of life as a result of the effects of the phosphate industry. A section of the community receives direct royalty payments and there is almost complete employment of able-bodied male Nauruans for money wages, so that most of the former pursuits have fallen into disuse.

The European community consists of Administration officials and officials and technicians employed by the British Phosphate Commissioners and their families, as well as a few missionaries.

The Chinese community consists of some tradesmen and unskilled workers employed by the British Phosphate Commissioners and, to a small extent, by the Administration. Chinese labourers are not permitted to bring their families with them. They are repatriated when their contract terminates unless they are re-engaged.

Immigrant communities are not permitted to settle in areas other than those specially prepared for them. There is a statutory provision, which the Administering Authority states is liberally interpreted, to control the movements of the indigenous inhabitants between 10 p.m. and sunrise and to control the movements of Chinese outside their location at all times.

At its fifth session, the Trusteeship Council, noting that certain laws and ordinances, including the Chinese and Native Labour Ordinance and the Movement of Natives Ordinance, contained discriminatory provisions, requested the Administering Authority to review existing legislation in order to review all discriminatory provisions contrary to the Charter and the Trusteeship Agreement.

The Administering Authority, in its report for 1948-49, informed the Council that such a review was being undertaken. The Council thereupon requested to be informed of the progress of the review, and asked that the regulations relating to the double censorship of films should be included in the review.

In a petition[344] transmitted to the Mission, the Chinese community protested against the control of the movements of Chinese outside their location.

The Visiting Mission was of the opinion that the three communities on the island lived in conditions of fairly complete segregation and that there were important differences in the way in which they were treated by the Administration and the British Phosphate Commissioners. While the Mission was aware that the doctrinaire application at this time of a complete policy of non-segregation and non-discrimination to a small island like Nauru having a temporary immigrant community of Chinese as large as the indigenous population might create difficulties, it considered that present restrictions were far too stringent and that the provisions of the Movement of Natives Ordinance should be liberalized.

In its comments on the petition, the Administering Authority stated that the restrictions on movements had been imposed in the general interest and welfare of the community. It reiterated that the provisions of the Ordinance were liberally interpreted by the Administration and that permits to move outside the districts or the location area were issued freely, provided lawful reasons were given.

At its eighth session, the Council adopted the following recommendation:

The Council recalls its previous recommendation regarding the Chinese and Native Labour Ordinance and the Movement of Natives Ordinance and requests the Administering Authority to press on with its review of the situation with a view to modifying the provisions of these Ordinances and to inform the Council of the results of its efforts.

In its resolution on the petition, the Council urged the Administering Authority to review its policy with a view to liberalizing the provisions of the Movement of Natives Ordinance, in order to eliminate the restrictions imposed on the Chinese workers.[345]

Movement of Nauruans abroad

At its seventh session, the Trusteeship Council, noting that the indigenous inhabitants were required to seek special permission to leave the Territory to visit relatives in other Pacific islands, and that transport facilities were inadequate for this purpose, suggested that the Administering Authority should study the possibility of facilitating the movement of such persons.

While in Nauru, the Visiting Mission received a petition[346] on behalf of a number of Pacific islanders who wished to return, either on a visit or permanently, to the Marshall Islands of Kusaie. The Mission suggested that the Council should invite the Governments of Australia and the United States to take steps to satisfy this request if it were reasonably possible to do so. In its opinion, Nauruans would gain from closer contacts with their neighbours to the north.

In its comments on the petition, the Administering Authority stated that the question of the entry of the Nauruans into the Trust Territory of the Pacific Islands and the transport arrangements that might be made were being examined with the United States Authorities.

[344] T/PET.9/5.

[345] Resolution 323 (VIII).

[346] T/PET.9/2.

In its resolution on this petition, the Council drew the attention of the Administering Authority and of the petitioner to the recommendation on transport facilities adopted by the Council at its seventh session, invited the Governments of Australia and of the United States of America to take steps to satisfy the petitioner's request if the consultations then being held showed that it was reasonably possible to do so; and requested the Administering Authority to keep the Council informed on this question.[347]

Standards of living, wages and labour conditions

(a) General

During the period under review, the basic wage for Nauruan employees of the Administration was raised by £7 to £73 per annum. In addition, an allowance of 7s. 6d. a month is paid in respect of each dependant. The basic wage for Nauruan labourers employed by the British Phosphate Commissioners was 8d. an hour with the same allowances for dependants, but the Mission was informed that the rate would be increased to 10d. an hour on 1 July 1950. The hours of work are forty-four a week, except for clerical and shift workers of the Administration, who work thirty-six and forty hours respectively. Nauruans in regular employment receive fourteen days' leave a year, plus ten public holidays.

The wages of Chinese employees of the British Phosphate Commissioners during the year under review ranged from £6 10s. for unskilled labourers to £14 a month for tradesmen and mechanics. The Chinese are recruited in Hong Kong and are provided with food (served in mess rooms) and quarters (barrack-style accommodation) while in Nauru. They work a forty-four hour week and receive six Chinese holidays a year.

Europeans employed on the island are salaried officials or skilled tradesmen. In either case, they receive salaries or wages in excess of those generally paid to Nauruans or Chinese. European employees of the British Phosphate Commissioners operate on a forty-hour week and are granted three months' leave after twenty-one months' service.

At its fifth session, the Council, noting the disparities between wages paid to indigenous, Chinese and European workers, recommended that the Administering Authority review the matter to the end that wages might be based on the principle of equal pay for equal work, that workers might participate in the determination of wage matters, and that they might be given a chance to improve their living standards through higher wage levels.

The Administering Authority, in its report for 1948-49, stated that there was no discrimination in employment on the grounds of nationality. Nauruans were employed in all tasks for which they were qualified, and immigrant labour was employed only where indigenous labour was inadequate or insufficiently qualified. There were no formally constituted organizations of employers or employees.

(b) Wages and conditions of Nauruan workers

The Council, at its seventh session, observed that the increase in the wages and allowance of Nauruan employees, as a result of the cost-of-living survey carried out in 1948, had improved the economic situation of the Nauruans, but urged a continued study of the situation, so that the Nauruan standard of living might be maintained or, where possible, raised.

The Visiting Mission referred to petitions[348] which it had received from Nauruans requesting improvements in wages and working conditions and complaining of differences in the treatment accorded to European and Nauruan workers. The Mission did not consider that in general the Nauruans were performing the same type of work as the Europeans or Chinese. Obviously, the wage policy for Nauruans should provide for a decent standard of living and incentives for greater effort. The Mission, however, considered that it would remove a very real feeling of discrimination if the forty-hour week were applied to all communities. In conclusion, it suggested that the Administering Authority and the British Phosphate Commissioners should review in a sympathetic spirit the wage scale and working conditions of Nauruans in accordance with the principles it had enunciated.

In its report for 1949-50, the Administering Authority states that, on 1 July 1950, the wages of all Nauruan employees of the Adminstration were increased by £27 per annum and that the wages of Nauruan employees of the British Phosphate Commissioners were also increased.

In its comment on the petitions in question, the Administering Authority stated that, in 1946, hours of work for all employees had been reduced from fifty-four to forty-four per week, which the Administering Authority considered suitable for the phosphate industry at Nauru. Wage levels were established on this basis and where hours in addition to forty-four per week were worked, overtime rates were paid. In order to obtain essential European staffs it had been found necessary to engage them on the basis of a forty-hour week in conformity with the conditions of employment in the country of their recruitment, with overtime paid accordingly. Overtime rates were calculated on the basis of one and a half times wage plus bonus, so that those skilled workers who received high bonus additions to their pay received double the normal hourly rate for all overtime. Consideration was being given to the question of double pay in respect of Sundays and holiday overtime work for all employees. The Administering Authority added that generally the Nauruans did not perform the same type of work as Europeans.

(c) Wages and conditions of Chinese workers

At its fifth session, the Council, noting that the Chinese and Native Labour Ordinance contained provisions for penal sanctions for breach of labour contracts, recommended that the Administering Authority abolish all actions inconsistent with the provisions of the Penal Sanctions (Indigenous Workers) Convention of 1949.

The Council, at the same session, noting that the Chinese workers were brought to Nauru without their families and considering that the practice might lead to serious consequences, recommended that the Admin-

[347] Resolution 321 (VIII).

[348] T/PET.9/2 from Mr. P. James Aingimea and T/PET.9/6 from the Nauruan Council of Chiefs.

istering Authority endeavour to find some humane solution for this problem.

At its fourth session, the General Assembly recommended to the Trusteeship Council the adoption of suitable measures for solving in a broad and humanitarian spirit such important social problems as migrant labour and penal sanction.

In its report for 1948-49, the Administering Authority stated that a practical solution had not yet been found for the problem of the Chinese workers but pointed out that the period of their engagement had been reduced to one year, only half the term prescribed in the relevant International Labour Organisation Convention.

The petition from the Chinese community[349] referred to above contained a number of requests for improvements in pay, rations, accommodation and working conditions and, in particular, an urgent request that members of the community should be allowed to bring their families to Nauru. After placing on record the objections of the Administrator and of the Nauruan Council of Chiefs to this course, the Visiting Mission pointed out the importance of the contribution of the Chinese to the economy of the island and expressed the firm opinion that, under certain specified conditions, of which the most important were a longer period of engagement and repatriation of the worker and his family at the termination of his last contract, the request should be granted.

The Mission was informed that the wages of Chinese labourers were to be increased on 1 July 1950 from £6 10s. to £8 a month and those of Chinese tradesmen from £14 to £16 a month. Other improvements in their contracts would include half pay on the return trip to Hong Kong and participation in a provident fund. The Mission expressed the view that the increase in wages and improvements in contract conditions went some way to meet the complaints of the Chinese community against working conditions, but urged the British Phosphate Commissioners to keep closely in touch with the Hong Kong authorities with a view to adjusting wages upwards if there should be any further increase in the cost of living there and, secondly, to see that wages should be fixed at as high a level as the capacity of the industry permitted. In general, the Mission considered the social life of the Chinese community a rather unattractive one and noted that gambling was rife in the location area. Nevertheless, it was informed that it was usual for some 65 per cent of Chinese whose contracts expired to sign a new contract.

In its report for 1949-50, the Administering Authority refers to increases in the wages of Chinese employed by the Administration and by the British Phosphate Commissioners. The admission of the families of Chinese workers to Nauru had been the subject of close examination but so far no practical solution had been reached. The major difficulty was that extra land would be required for the additional accommodation and housing and the Head Chief, on behalf of the Nauruans, had expressed the view that there should be no further encroachment upon the already limited land available for the Nauruans.

The Administering Authority also submitted detailed observations on the particular requests of the petitioners.

[349] T/PET.9/5.

Inter alia, on the question of remuneration, the British Phosphate Commissioners had reported that Chinese were already receiving wages which had recently been increased, comparing more than favourably with the rates paid in China, and were in addition housed and fed at the expense of their employers. The freedom with which new labour was offering and the high percentage of re-engagements were sufficient evidence that the rate of wages was attractive.

At its eighth session, the Council adopted the following conclusion on wages:

The Council notes with satisfaction the recent increase in the wages of Nauruan and Chinese workers.

In its resolution on the petition from Mr. P. James Aingimea, the Council noted that the Administering Authority and the British Phosphate Commissioners had been reviewing in a sympathetic spirit the wage scales of Nauruan workers, and expressed the hope that they would continue to give attention to this problem; recommended that the working conditions in the Territory be re-examined with a view to establishing a uniform working week for all employees without discrimination, the additional work to be paid for at the same overtime rate; and requested the Administering Authority to keep the Council informed on this question.[350]

In its resolution on the petition from the Chinese community,[351] the Council noted the statement of the Administering Authority that Chinese were already receiving wages which had recently been increased and, in addition, were housed and fed at the expense of their employers; and urged the Administering Authority, and through it the British Phosphate Commissioners, to keep the matter of wages under constant review, with a view to adjusting wages upwards and fixing them at as high a level as the capacity of the industry permitted and keeping pace with the cost of living in the Territory.

At its eighth session, the Council also adopted the following conclusion on the social conditions of the Chinese:

The Council expresses concern at the prevalence of gambling among the Chinese community and endorses the view of the Visiting Mission that gambling should be discouraged in every practical way by the provision of alternative attractions and the establishment of a normal family life.

In its resolution on the petition from the Chinese community, the Council with regard to the petitioners' request that they be allowed to bring their wives and children with them to the Territory, drew the attention of the petitioners to its recommendation on this subject adopted at its seventh session, noted the observations of the Visiting Mission to the effect that it held strongly the opinion that it would be proper to allow wives and families of Chinese employees to accompany them to Nauru at the expense of the British Phosphate Commissioners, provided this permission was not granted for the first, or perhaps the second, year of employment, provided also that the employee who wished to bring his family from China entered into a much longer contract than one year, and provided he was required to agree

[350] Resolution 320 (VIII). See also resolution 324 (VIII) on the petition from the Nauruan Council of Chiefs.
[351] Resolution 323 (VIII).

to repatriation for himself and his family at the termination of his last contract; and recommended that the Administering Authority endeavour to find a solution for this problem along the lines suggested by the Visiting Mission.[352]

Nutrition

Nauruans are now mainly dependent on imported foodstuffs, though there is a moderate consumption of locally produced food such as pork, chicken, coconuts, tropical fruits and vegetables and fish. The report for 1948-49 mentioned the supplementary feeding of vitamin "B" to nursing mothers.

Housing

In April 1949, arrangements were made for the construction of 250 European-style houses, at an estimated cost of £200,000, for rental by Nauruans.

At its fifth session, the Council commended the Administering Authority for this programme and suggested that the rental should not be out of proportion to the ability of the tenant to pay.

During the examination of the report for 1948-49 at the seventh session, the Administering Authority informed the Council of the progress achieved, and stated that a rental of 5s. a week had been determined not in relation to the cost of the dwelling, but rather to the capacity of the individual to pay.

The Visiting Mission considered that the rental was in fact very small. The difficulty for Nauruans to pay for the necessary furniture had, however, stood in the way of the immediate occupation of the houses already completed.

The special representative of the Administering Authority informed the Council that, at the end of January 1951, 222 houses had been commenced, of which 187 had been completed except for minor items. When a house was sufficiently completed for occupation, it was made available to a Nauruan nominated by the Council of Chiefs.

The problem of furniture for the new houses had, in the past, presented some difficulty. The Administering Authority considered that, in the provision of new dwellings at a rental which could be regarded as nominal only, i.e., 6s. or 66 cents per week, the Nauruan occupant should provide from his own resources the furnishings he desired. The Nauruans, through the Council of Chiefs, accepted this position, and embarked on a voluntary co-operative copra production development, the proceeds of which were credited to a furniture fund. The progress of the copra project had, however, been materially affected by the unusually dry period, and production had suffered from the subnormal rainfall.

Negotiations with the Council of Chiefs regarding war damage following the Japanese occupation of Nauru had resulted in agreement that an amount of £15,000 would be made available by the Administering Authority, and that the credit would be established in the furniture fund. The Nauru Co-operative Society had established a joinery workshop, and was engaged in the manufacture of domestic furniture for the new houses.

[352] Resolution 323 (VIII). The resolution contains also replies to the petitioners on their requests for improvements in rations, accommodations and working conditions.

At its eighth session, the Council adopted the following conclusion:

The Council expresses satisfaction at the further improvement in the housing project for Nauruans and at the enterprise of the Nauru Co-operative Society in manufacturing furniture for equipping the houses.

Health

Expenditure by the Administration on public health during the year under review amounted to £10,841, as compared with £9,725 in the previous year. The Administration maintains a small general hospital for Nauruans, which treated 363 in-patients and 3,051 out-patients during the year under review. There are also a leper settlement, a tuberculosis sanatorium and two out-patient clinics. Additions and general structural developments were undertaken during the year under review.

The British Phosphate Commissioners maintain small hospitals for Europeans and Chinese, which treated 968 in-patients and 4,005 out-patients.

At its seventh session, the Council commended the Administering Authority for the increase in facilities for the medical treatment and hospitalization of the population, for the improved provision for maternity cases and infants, and for the steps taken to train Nauruans as Native medical practitioners, and recommended that the Administering Authority take steps to bring the number of medical personnel up to strength.

In its report for 1949-50, the Administering Authority states that a Government Medical Officer and a qualified nursing sister were appointed during the year. The total staff employed by the Health Department increased by five.

At its eighth session, the Council adopted the following conclusion and recommendation:

The Council commends the Administering Authority on the expansion of the health services and requests it to expand the training of Nauruans for the medical profession.

Observations of members of the Trusteeship Council representing their individual opinions only

General situation

The representative of Iraq was disturbed about the restriction on personal liberty involved in the Movement of Natives Ordinance. He suggested that such safeguards as were necessary against social difficulties arising from the movement of people at night should be provided, as elsewhere, by the police. He also felt that the penalty of a fine of up to 15s. for violations of the Ordinance was perhaps too harsh for a people of the Nauruans' standard of living. He believed that the Council should make an earnest recommendation that the Ordinance should be revoked.

The representative of China reiterated his previously-expressed concern as to the Chinese and Native Labour Ordinance and the Movement of Natives Ordinance. He felt strongly that the latter should be abolished immediately and that at least the discriminatory features of the former should be eliminated. He expressed some disappointment at the fact that a beginning had not been made in the review of discriminatory legislation

which the Council had recommended at its sixth session, in spite of the fact that seven months had elapsed between the date of that recommendation and the date of the departure of the special representative from the Territory, and that the recommendation was based on a resolution adopted by the General Assembly in 1949.

The representative of the Union of Soviet Socialist Republics noted that the report of the Visiting Mission showed the Administering Authority was carrying out a policy of segregation and of crude racial discrimination. There was a clear violation of the rights of Chinese and of the indigenous inhabitants. The indigenous inhabitants and the Chinese were denied by law all freedom of movement. Racial discrimination was reflected in the fact that the indigenous inhabitants and the Chinese workers for the same work received much smaller wages than European employees. A difference also existed in the working hours as between the indigenous inhabitants and the Europeans. The Trusteeship Council should recommend that the Administering Authority stop the racial discrimination in the Trust Territory.

Standard of living, wages and labour conditions

The representative of Iraq, noting the prevalence of gambling among the Chinese, hoped that the Council would recommend that gambling should be prohibited.

The representative of China, expressing gratification at the wage increases, stated that, although the strict application of the sound principle of equal pay for equal work remained to be worked out, the Administration had given proof of a good beginning. In the case of working hours, however, he fully supported the view of the Visiting Mission that it would be sound psychology and would remove a very real feeling of discrimination if the forty-hour week were applied to all communities. There could be no justification for discrimination between individuals as to their hours of work, and even less if that discrimination were based on racial grounds. Referring to living conditions in the Chinese community, the representative considered that, in general, the Visiting Mission had made very sensible suggestions on the matters raised in the petition from that community. He considered, however, that in the case of housing the reduction of the number of persons occupying a house from fourteen to twelve, as announced subsequently by the Administering Authority, was far from sufficient; and he hoped that, in the matter of the complaint of inadequacy of Chinese provisions, the Administering Authority would take into consideration the Mission's suggestion that further efforts should be made to meet the wishes of the Chinese. He noted further the importance attached by the Visiting Mission to the request of the Chinese workers that they should be allowed to have their families in Nauru; and felt that the Council should recommend to the Administering Authority to adopt such a reasonable course as had been suggested by the Mission.

In addition, the representative of China referred briefly to the unhappy incident of 7 June 1948, in which four Chinese were killed and others wounded. He noted that in its report, the Visiting Mission had referred to the incident and had stated that it had found it difficult to inquire into the matter without the relevant documents, not all of which were kept in Nauru. His delegation took note of the observations of the Visiting Mission and recalled with appreciation the expression of regret made by the representative of Australia at the seventh session of the Council. He trusted that, in view of the important role played by the Chinese community in the development of the Trust Territory, which was also recognized by the Visiting Mission, the Administering Authority would take every precaution to prevent the recurrence of any similar incident.

The representative of Argentina was pleased to note an improvement in labour conditions and expressed the hope that further improvements might be introduced in the future, in particular a system of increasing wages with length of service. His delegation shared the feeling of Nauruan workers against any discrimination to their disadvantage. While there might not appear to be any violation of the principle of equal pay for equal work, there was no reason why there should not be absolute uniformity of working hours, weekly rest periods and overtime pay for all workers on the island.

The representative of the Administering Authority, replying to the representative of China, stated that the huts in which the Chinese workers were lodged were quite considerable structures. Since there were separate huts for recreation, eating and for other purposes, the situation was not as unsatisfactory as it had been represented.

Health

The representative of the United Kingdom found it encouraging to see that provision was made for the training of Native medical practitioners in Fiji, that one Nauruan medical assistant had been sent to Australia to be taught X-ray technique, and that a qualified nursing sister was to be placed in charge of nursing in the Native hospital.

The representative of Iraq, while commending the employment of a European refugee doctor as director of public health, thought that the service left something to be desired. There was a need for medical training of student-assistants, doctors and nurses, to say nothing of the desirability of enlarging the hospitals.

The representative of the Union of Soviet Socialist Republics considered that the Administering Authority did not show an appropriate concern for the health of the Nauruans. There was not one Nauruan qualified as a doctor. The petition of the Chinese community showed that medical services were unsatisfactory. The Council should recommend to the Administering Authority that it increase the budgetary appropriations for health needs.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Expenditure from the ordinary budget for European education amounted to £2,758 in 1949-50, as compared with £841 in the previous year, and from the Nauru Royalty Trust Fund for Nauruan education £4,470, as compared with £4,441 in the previous year.

Education is compulsory for all Nauruan children between the ages of 6 and 16. At present there are six Government primary schools for Nauruans, a primary

school run by Australian Sisters attached to the Roman Catholic mission, and a primary school for European children. The whole system is under the direction of a European Director of Schools, assisted by a Nauruan supervisor. All other teachers in Government schools, except the teachers of the European school, are Nauruans; none of them possess professional qualifications. At present, there are sixteen students overseas, including one girl who is studying domestic science in conjunction with general post-primary education. Two students are in their final year at the Central Medical School at Suva, Fiji and, since June 1950, one Nauruan has completed a three-months' intensive study course in Australia as an X-ray operator.

At its fifth session, the Council recommended that the Administering Authority take urgent measures to increase the funds available for educational and cultural purposes, to concentrate greater efforts on the school building programme and to extend facilities for education, particularly in the higher grades.

At its seventh session, the Council urged the Administering Authority to take appropriate measures to increase the educational facilities in the Territory in order to ensure the fulfilment of the objectives of the Trusteeship System. In a separate recommendation on secondary education, it urged the Administering Authority to re-establish secondary schools as soon as possible.

The Visiting Mission was informed that the objective of the Administration in the field of education was to establish a central primary school, together with a domestic science centre for girls and a post-primary school for boys with emphasis on technical subjects. The Mission considered that this programme, supplemented by scholarships to Australia and Fiji, was sufficient, but pointed out that no effective steps were being taken to implement it, and referred to the complaints of lack of progress in this field made by the Council of Chiefs in their petition.[353] The Mission considered that the Trusteeship Council should recommend to the Australian Government that it should complete as a matter of urgency these projected educational facilities, which should include secondary education.

In its report for 1949-50, the Administering Authority refers to the appointment of the Director of Education during the year and states that his duties will include the training of Nauruan teachers. A new school has been erected in the Menen district. The standard of examinations is slowly but definitely improving the standard in arithmetic corresponding to that achieved at the end of the sixth year of formal teaching in Australia.

The special representative of the Administering Authority informed the Council that the Director of Education, in developing the plan for ultimate secondary education within the Island, had initiated a training course for Nauruan teachers. Classes for adult Nauruans were held bi-weekly, and apprentices had the opportunity to further their general knowledge at weekly classes.

At its eighth session the Council adopted the following recommendation:

[353] T/PET.9/6.

The Council, while noting the increase in the number of students studying overseas, recommends that the Administering Authority complete as a matter of urgency the projected educational facilities on Nauru, which should include secondary education. The Council also recommends that the Administering Authority increase specialized training for teachers, and requests it to give in its next annual report a fuller account of the development of secondary education.[354]

Observations of members of the Trusteeship Council representing their individual opinions only

The representative of Iraq, enumerating the educational facilities existing in the Territory, pointed out that the Nauruan teachers had graduated from the schools in the Territory and had had no special training in education. He doubted whether this system would lead to the best results. He also thought that, while the projected expansion of facilities gave great satisfaction, schemes could not accomplish much good until they were implemented. It was most unfortunate that, according to the Visiting Mission, no effective steps were yet being taken, and that educational facilities were still less than they were before the war. It was a rather dangerous phenomenon that even the Council of Chiefs had become sceptical of the promises of the Administration. The Council should adopt the Visiting Mission's proposal that it recommend to the Australian Government to complete as a matter of urgency the projected educational facilities, which would include secondary education.

The representative of China wished to commend the Administering Authority on the appointment of a Director of Education, on the erection of school buildings in three localities, on the increase in the number of students sent abroad and on the inauguration of a training course for teachers. Noting, however, that in the latter case the teachers concerned were already at their jobs, he hoped to find in the next annual report information as to plans for a system of training in which teachers would receive the required training before taking up their positions in the schools.

The representative of the Union of Soviet Socialist Republics stated that there had been no progress in the field of education. On the contrary, judging by the Mission's report and by the petition of the Councils of Chiefs, there had been a certain retrogression. The expenditure per student on European education in Nauru was four times greater than on the education of Nauruans. His delegation therefore considered that the Administering Authority was discriminating in this field against the indigenous inhabitants. The Council should recommend to the Administering Authority that it increase budgetary appropriations for education.

The representative of the Administering Authority stated that at the moment secondary education was available only by sending students overseas. There had been a large increase in the number of such students and they were receiving valuable experience. The Administration was planning to establish secondary education on the island itself.

[354] See also resolution 324 (VIII) on the petition of the Nauruan Council of Chiefs.

Chapter X
NEW GUINEA

I. GENERAL

Outline of conditions and recommendations adopted by the Trusteeship Council

Land and people

The Territory of New Guinea lies close to the equator and consists of approximately 600 islands. The most important areas consist of that part of the island of New Guinea which is bounded on the west and south by Netherlands New Guinea and Papua respectively, and the adjacent islands of New Britain, New Ireland and Bougainville. In geographical structure the surface of the islands is markedly diverse, but the greater part of the land area of about 93,000 square miles consists of rugged mountains covered with dense tropical vegetation. Many of the smaller islands are volcanic craters which rise abruptly from the ocean, some of which are still active. Soils generally are suitable for the growth of a great variety of tropical crops.

The climate is tropical with important regional variations in rainfall, temperature and humidity. Seasonal changes consist of steady south-east trade winds during one part of the year and the intermittent north-west monsoon at another period. Rainfall is abundant in most areas throughout the year. No established dry belts exist and droughts for more than short periods are unknown.

During the year the boundaries of four districts were changed for administrative purposes and with the aim of bringing together similar types of indigenous inhabitants.

The enumerated indigenous population at 30 June 1950 was 770,055 and with the additional estimated population totalled 1,071,105. The estimated non-indigenous population totalled 8,680 of which 6,201 were of European nationalities.

On the basis of their physical and linguistic characteristics, the indigenous peoples are classified broadly as Papuans, Papuo-Melanesians, Negritos, Micronesians and Polynesians. The number of Papuan languages spoken in the Territory is unknown, but is felt to be greater than the number of Melanesian languages of which fifty-three are known. Melanesian pidgin which is becoming the *lingua franca* for the whole Territory includes a large number of words of English derivation.

Peaceful penetration

Of the total area of the Territory, 60,820 square miles are under administrative control. Of the remaining uncontrolled areas, 11,280 square miles are under administrative influence, 2,610 square miles are under partial influence, and 18,290 square miles have been penetrated by patrols.

The Administering Authority expects that the entire Territory will be under full Government control by the end of 1954.

The indigenous inhabitants are brought under control by means of peaceful penetration which, according to the Administering Authority, is accomplished by Administration parties proceeding from villages under Government control into uncontrolled territory. Messages are conveyed by Natives to the people in the uncontrolled area. A patrol party then proceeds into that area. If it receives a hostile reception it withdraws; otherwise, gifts are presented and talks are exchanged through interpreters who explain the object of the visit and tell the people what the Administration has done in areas under its control. Subsequently, the people are visited by further patrol parties.

At its fifth session, the Trusteeship Council recommended that the Administering Authority (*a*) review the actual application of the policy of peaceful penetration with a view to preventing the recurrence of such tragic incidents as the killing of five members of the Dika tribe; (*b*) recruit more mature and more adequately trained patrol officers, and instruct them in the principle and proper practice of the policy; and (*c*) take all possible steps to establish such conditions in the controlled areas that the inhabitants of the uncontrolled areas may realize the benefits that modern administration may give them.

At the eighth session, the special representative informed the Council that before patrols set out, they are given very detailed instructions in regard to the area they are to penetrate and the action they are to take, and they are led by experienced officers.

At the same session, the Council adopted the following recommendation:

The Council, noting with satisfaction that further sections of the Territory have been brought under the control of the Administration and noting that the Administering Authority contemplates bringing the whole of the Territory under full administrative control by the end of 1954, expresses the hope that the Administering Authority will make all possible efforts to complete this task.

General considerations

The general impression received by the Visiting Mission, when it visited the Territory in 1950, was that the heavy damages of the recent war had not yet been fully repaired. With the exception of improved education and health services, living conditions of the indigenous inhabitants were generally the same as before the war, but living and working conditions of other communities were below pre-war standards.

With few exceptions, no regional or territorial consciousness was noted on the part of the population. From its brief contacts, the Mission gained the impression that, in general, the indigenous inhabitants had placed their trust in the Administering Authority and were expecting it to raise them at a quick pace to a comparatively high level of economic and social progress.

The Mission noted that the Territory, with vast possibilities, was still an almost virgin territory for development, where almost all road communications needed to be built and the need for capital investment was enormous.

At its eighth session, the Council adopted the following conclusion and recommendation:

The Council, noting the great difficulties which confront the Administering Authority in the political, economic, social and educational development of the Territories, commends the Administering Authority for such progress as has been made during the period under review and hopes that the Administering Authority will continue and intensify its efforts for the development of the Territory.

Observations of members of the Trusteeship Council representing their individual opinions only

The representative of Belgium suggested that it would be advantageous if the figures relating to New Guinea alone and those for the New Guinea-Papua administrative union were clearly segregated.

The representative of New Zealand considered that the report of the Administering Authority indicated that steady progress was being made, and regarded the fact that the Australian Government was contributing more than twice as much to the revenues of the Territory as was provided from the Territory's internal sources as an earnest intention to improve conditions in the Territory.

The representative of Iraq considered that, making all allowances for difficulties and uncertainties, the state of New Guinea and its progress were rather disappointing.

The representative of the Union of Soviet Socialist Republics felt it necessary to point out that there was not sufficient factual data in the report of the Administering Authority on such important questions as the administrative union of the Trust Territory with Papua, the influence of this union on the development of the Trust Territory towards self-government or independence, the participation of the indigenous inhabitants in the political and economic life of the Territory and in administration. He noted that even the incomplete information contained in the report of the Administering Authority and the report of the Visiting Mission clearly showed that the Administering Authority was not carrying out the measures necessary to implement the purposes and principles of the International Trusteeship System as required by the Charter.

The representative of the Administering Authority stated that it appeared to be generally recognized that in the administration of New Guinea, the Administering Authority was faced with a special problem arising from the primitive standard of the Native peoples and the undeveloped nature of the Territory itself. The Administering Authority was aware that the tasks of development were long-term ones. He was sure the Council would recognize that these tasks were being approached on sound lines.

II. POLITICAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

Administrative union of Papua and New Guinea

In November 1947, the Administering Authority decided to make provision for an administrative union of the Trust Territory of New Guinea with the neighbouring Australian Territory of Papua. At its third session, the Trusteeship Council was provided by the Australian Government with a statement of the reasons for this decision and a copy of a bill for the purpose of implementing the decision.

According to the bill, the Territories of Papua and New Guinea were to be administered jointly by a single administration. An administrator of the combined Territory, advised by an executive council, would be charged with the duty of administering a government of the combined Territory. Provision was made for advisory councils for Native affairs and for Native village councils, the former advising the administrator in matters affecting the welfare of the indigenous population. The Native village councils would have such functions as might be provided by ordinance. A legislative council for the combined Territory would be composed of tyenty-nine members, of whom three would be elected on conditions prescribed by ordinance; the others, including three indigenous members, would be appointed. A single judiciary would be established for the combined Territory. It was provided that the Governor-General could, by proclamation, define provinces within the combined Territory by such name and with such boundaries as might be specified in the proclamation. By the terms of the bill, there would be expended annually upon the administration, welfare and development of New Guinea an amount not less than the total amount of the public revenue raised each year in respect of the Territory. The bill required that the administrator should reserve for the Governor-General's pleasure any ordinance of the legislative council which in the administrator's opinion, might not be fully in accordance with Australia's treaty obligation under the Trusteeship Agreement.

The position of the Administering Authority was that the bill was submitted for the information of the Council, so that the Government might have the advantage of the views of the members, but that the Trusteeship Agreement made the Administering Authority responsible for decisions as to the form of government of the Territory. It felt that the drafting of the bill made it clear that political fusion was not contemplated, but was willing to make the bill clearer in this respect. Further, it asserted that the supervision of the Trusteeship Council could and would be fully preserved in regard to the Trust Territory.

At the same session, the Council took the position that the establishment of the union was a highly important problem of serious consequence. It considered that, in so far as the problem whether or not the proposed union was within the terms of the Trusteeship Agreement was partly judicial in nature, it might to that

extent be resolved by recourse to the International Court of Justice. The Council was not entirely convinced that the proposed union between New Guinea and Papua might not go so far as to compromise the preservation of the separate identity of the Trust Territory. It considered also that the establishment of a union of the kind proposed imposed an embarrassing burden on the judgment of the Council, and that it might constitute a difficulty in the way of the discharge by the Council of its responsibilities under the Charter. The Council was firmly determined that the proposed union must not lead to a union of a closer permanent nature with still greater implications. It expressed concern lest the power conferred on the Governor-General, by section 11 of the legislation, to define provinces in the combined Territories, might allow provinces to be so defined as to include portions of both Territories, which might result eventually in obliterating the territorial boundaries and rendering difficult the supervision by the Council of the Trust Territory. The Council considered that a single tariff system for the two Territories under section 73 of the legislation should not affect the obligation of the Administering Authority to apply to the Trust Territory the provisions of Article 76 of the Charter respecting equal treatment in social, economic and commercial matters for all Members of the United Nations and their nationals. The Council accordingly recommended that the Administering Authority review the matter of administrative union in the light of the foregoing conclusions, and also in the light of the views expressed in the Council, and that it inform the Council of the results of its review.

Recommendations by the Council, at its fifth session, regarding the legislative council appear in the section devoted to this topic.

The Administering Authority took into consideration the conclusions and recommendations made by the Council at its third session as well as the observations made by individual members. To meet these conclusions, recommendations and observations, the Administering Authority made the following amendments, which were embodied in the Papua and New Guinea Act, 1949:

(*a*) Sections 8 and 10 emphasized that the identity and status of the Territory of Papua as an Australian possession and the Territory of New Guinea as a Trust Territory would continue to be maintained;

(*b*) Section 11 of the original bill, permitting the Governor-General to define provinces within the Territory of Papua and New Guinea with such boundaries as might be specified by proclamation, had been omitted;

(*c*) Section 36 (4) provided for a definite assignment to the Trust Territory of non-official representatives in the Legislative Council;

(*d*) Section 73 in the original bill concerning tariffs had been omitted.

At its seventh session, the Council was informed that the question of increasing the number of indigenous members of the joint legislature had been under examination but was not yet decided. The composition of the legislature would be further examined before it was brought into being. No decision had yet been reached concerning the establishment of a separate legislature for the Trust Territory. Representation of the indigenous inhabitants would be progressively increased as they were brought to a stage where such responsibilities could be shouldered.

At its seventh session, the Trusteeship Council completed its study of questions arising in connexion with customs, fiscal and administrative unions or federations and common services involving Trust Territories in accordance with General Assembly resolutions 224 (III) and 326 (IV). The resolution adopted by the Council [355] contained the following observations and recommendations concerning the administrative union of Papua and New Guinea. The Council noted that the Government of Australia, although not recognizing any obligation to consult the Trusteeship Council before establishing administrative unions, had in fact informed the Council of its intention to establish the administrative union and had in fact made certain changes in the Papua and New Guinea Act, 1949, in response to the Council's request. It noted further the statement of the representative of Australia that no extension of the existing administrative union was contemplated, that the Government of Australia would continue to furnish separate financial, statistical and other data for the Trust Territory as well as for the unified administration as far as it pertained to the Trust Territory. The Council took note of the fact that the Government of Australia had invited the Visiting Mission to visit the headquarters of the central administration of Papua and New Guinea situated outside the Trust Territory and of the assurance that the Government of Australia would continue to co-operate fully with the Council in the discharge of its responsibilities.

The Council considered that, in view of the present circumstances in the Territory, the present judicial system therein sufficiently safeguarded the interests of its inhabitants, but was of the opinion that the matter should be kept under review. Noting that the legislative council had not yet been constituted and that the Government of Australia had thus far come to no decision in respect of General Assembly resolution 326 (IV) concerning the desirability of establishing in each Trust Territory a separate legislative body, the Council drew attention to the recommendation adopted at its seventh session, which expressed the hope that the Administering Authority would take into account the relevant recommendations of the Council at its fifth session on this question, and requested it to inform the Council of the results of this examination.

The Council took note of the statement of the representative of Australia that there was no substantial opposition to the existing administrative union and of the fact that no change with regard to the administrative arrangements affecting the Territory were contemplated at that time.

At its ninth session, the Council adopted the following conclusions:[356]

1. *The Council notes that, of the provisions of the Papua and New Guinea Act, 1949, sections 35 to 53 inclusive, relating to the establishment of a legislative council, have not yet been implemented. These sections provide for a legislative council for the Territory of Papua and New Guinea of twenty-nine members, consisting of the administrator, sixteen official members*

[355] Resolution 293 (VII).

[356] The same conclusions appeared originally in The Second Report of the Standing Committee on Administrative Unions, document T/916.

(officers of the Territory), three non-official elected members, three non-official members representing the Christian missions in the Territory, three non-official Native members, and three other non-official members. All members except the administrator and the three non-official elected members are to be appointed by the Governor-General on the nomination of the administrator. The administrator is to exercise his powers of nomination to ensure that no less than five non-official members are residents of the Territory of New Guinea. Qualifications of electors are to be prescribed by ordinance.

2. *The Council recalls that:*

(a) *At its fifth session, the Council recommended that the Administering Authority should* (a) *study the possibility of increasing the number of indigenous members of the joint legislature;* (b) *study the possibility of establishing a separate legislature for the Trust Territory; and* (c) *give increasingly greater participation in the legislative council to the indigenous inhabitants, leading to the eventual establishment of an indigenous majority in the legislative council.*

(b) *The previous Committee on Administrative Unions*[357] inter alia, *noted that the Papua and New Guinea Act, 1949, envisaged the establishment of a legislative council for the Territory of Papua and New Guinea; noted the statement of the representative of Australia that the Government of Australia had carefully studied the question raised in General Assembly resolution 326 (IV) concerning the desirability of establishing in each Trust Territory a separate legislative body, but had thus far come to no decision on this matter; recalled the recommendation of the Trusteeship Council at its fifth session; drew attention to the recommendation of the Trusteeship Council which read:*

"The Council, noting the statement of the Administering Authority that the composition of the joint legislature for the Trust Territory and Papua will be further examined, expresses the hope that the Administering Authority will take into account the relevant recommendations of the Trusteeship Council at its fifth session on this question, and requests it to inform the Council of the results of this examination."[358]

(c) *At the eighth session, the Council, noting that the establishment of a legislative council was under consideration, urged the Administering Authority to proceed with the establishment of such council without further delay, and to take early steps to give greater participation in the legislative council to the indigenous inhabitants in accordance with the recommendation made by the Trusteeship Council at its fifth session.*

3. *The Council notes that, in the absence of the legislative council for Papua-New Guinea, legislation has been provided through sixty-five ordinances proclaimed by the Governor-General of Australia since the establishment of the administrative union on 1 July 1949.*

4. *The Council further notes that the Native Labour Ordinance, 1950 of the Territory of Papua and New Guinea provides that Native employees and casual workers shall not, in general, be removed out of the Territory of Papua and New Guinea, whereas the Native Labour Ordinance, 1935-39* (part X) *of the Territory of New Guinea provided that, in general, Native labourers were not to be removed out of the Territory of New Guinea. The Council considers that the operation of this Ordinance should be kept under review.*

5. *The Council, recalling the observation of the Committee on Administrative Unions made in July 1950 that "the present judicial system in the Territory sufficiently safeguards the interests of the inhabitants but is of the opinion that the Trusteeship Council should keep the matter under review", notes that, so far as it has been informed, there appears no substantial change in the situation since the previous report and that such change is not likely until social conditions in the Territory have themselves changed considerably. It therefore has no further observations at this time except to note that, although the principal seat of the Supreme Court under the administrative union is at Port Moresby, in the Territory of Papua, the Court held twenty-eight sittings in the Territory of New Guinea during the period of July 1949 to July 1950.*

6. *The Council, having no further information on the implementation of the economic, social and educational programmes for the Territory of Papua and New Guinea, is of the opinion that since these programmes are still in large part in the formulative stage, there is at this time nothing to report regarding the preservation of the separate interests of the Trust Territory and its inhabitants.*

7. (a) *With regard to the safeguards enumerated in sub-paragraph 7* (a) *of its resolution 293 (VII), the Council notes that the annual reports on the administration of New Guinea for 1949-50 contained, for the most part, separate financial, statistical and other data relating to the Territory of New Guinea. The Council expresses the wish that future reports indicate which of the classified posts in the public service of the Territory of Papua and New Guinea apply to the administration of the Trust Territory.*

(b) *With regard to the safeguards enumerated in sub-paragraph 7* (b) *of its resolution 293 (VII), the Council notes that the Visiting Mission, upon the invitation of the Government of Australia, visited the headquarters of the central administrations of Papua and New Guinea situated outside the Trust Territory.*

(c) *With regard to sub-paragraph 7* (c) *of its resolution 293 (VII), the Council notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained.*

(d) *With regard to sub-paragraph 7* (d) *of its resolution 293 (VII), the Council notes that, according to the information contained in the annual report for 1949-50, the total revenue derived from the Trust Territory amounted to £942,077 and the total expenditure amounted to £3,223,217. Therefore, expenditure in the Territory for 1949-50 was not less than the total amount of revenue derived from the Territory.*

General administration

On 1 July 1949, the Papua and New Guinea Act, 1949, providing for the administration of the Trust Territory in administrative union with the Territory of Papua, which had been passed by the Parliament of the Commonwealth of Australia in March 1949, was brought into operation. Under this Act the Administrator of the Territory is charged with the duty of

[357] See *Official Records of the General Assembly, Fifth Session, Supplement No. 4, page 185.*

[358] *Ibid.*, page 123.

administering the government of the Territory on behalf of the Commonwealth. The Administrator is advised and assisted by an Executive Council appointed by the Governor-General. The legislative council, for which provision is made in the Act, has not yet been established. Until its establishment the powers vested in it to make ordinances for the peace, order and good government of the Territory are vested in the Governor-General.

At its fifth session, the Council expressed the hope that the Administering Authority would make every effort to advance the inhabitants of the Territory, as rapidly as possible, toward the objectives of the International Trusteeship System. It commended the Administering Authority for its achievements so far, especially in the field of rehabilitation, but considered nevertheless that it must exert more vigorous efforts if the objective which it had set itself for the inhabitants was to be attained in the near future.

At its fourth session, the General Assembly expressed its full support of the Council's recommendations, at its fourth and fifth sessions, to the Administering Authorities for the adoption by the latter of measures which would hasten the advancement of the Trust Territories toward self-governing or independence, in accordance with the objectives laid down in Article 76 b of the Charter.

In a petition[359] presented to the Visiting Mission by a paramount chief in New Ireland the desire for general progress and uplift was expressed, as well as the fear that the object of the Europeans in New Guinea was to keep the indigenous inhabitants in a primitive state. The Mission, feeling that the fear expressed by the petitioner was needless, recommended that the Trusteeship Council reassure him concerning it.

The Administering Authority, in its written observations on this petition,[360] stated that its policy provided very clearly for the welfare and advancement of the Native people and for their increasing participation in the natural wealth of the Territory.[361]

Administrative service

The Papua and New Guinea Act, 1949 provides for a territorial service consisting of such officers, appointed by the Governor-General, as are necessary for the purposes of the Act and the good government of the Territory. The public service in turn is regulated by a public service ordinance and regulations made thereunder.

A staffing organization in the Territory of Papua and New Guinea at 30 June 1950 consisted of 1,573 classified positions (Europeans), of which 1,314 were filled,[362] as contrasted with 1,567 positions, of which 1,081 were filled in the preceding year.

At its fifth session, the Council noted that the shortage of staff in the Territory was a serious obstacle to its development and suggested that the Administering Authority consider whether the conditions of service were sufficiently good to attract the most suitable type of staff, in adequate numbers, and that it consider the advisability of employing in the Department of District Services and Native Affairs a number of older men on five or ten-year contracts until such time as a new generation of officials might be trained.

The Visiting Mission felt that the salary, family allowances and housing conditions under which the officers of the Administration were working should be improved, in order to keep in service men already trained and to attract the large number of young and able elements required for the huge task facing the Administering Authority. The Administration explained that, following an investigation carried out in order to establish a permanent public service as projected by the Papua and New Guinea Act, 1949, all personnel were reclassified, but that some difficulty had arisen on a particular administrative matter, causing some delay and requiring further consultation.

At the eighth session, the special representative informed the Council that since the time when the annual report appeared with the cost-of-living adjustment, Territory allowance and salaries shown under the new classification, there had been an increase varying from 10 to 25 per cent.

The special representative also noted that to assist in securing an adequately trained staff for the Department of District Services and Native Affairs, the Australian School of Pacific Administration has been placed on a permanent basis.

At the same session, the Council adopted the following recommendation:

The Council, noting with satisfaction the increase in the number of administrative officials; noting the observations of the Visiting Mission that the salary, family allowances and housing conditions for officers of the Administration should be improved; and noting the statement of the Administering Authority that cost-of-living adjustment, Territory allowance and salaries have been increased by approximately 25 per cent, expresses the hope that the Administering Authority will continue to improve conditions of service for the officers of the Administration and give particular attention to the improvement of their housing.

Indigenous participation in administration

The number of the indigenous inhabitants of the Territory of New Guinea employed by the Administration in 1949 and 1950 included:

	1949	*1950*
Police force	1,236	1,544
General labourers	5,965	7,172
Agricultural workers	538	444
Medical and hygiene orderlies	824	735
Clerical and allied positions	151	135
Artisans, seamen and cooks	866	848
Teachers and educational assistants	—	101
TOTAL	9,580[a]	10,979

[a] An additional eighty-five teachers were employed in Administration schools.

At its seventh session, the Council drew attention to the desirability of training indigenous inhabitants in increasing numbers to assume increasingly responsible positions and thus to participate to a greater extent in the administration of the Territory.

[359] T/PET.8/5.
[360] T/859.
[361] For the decision on the petition, see resolution 326 (VIII).
[362] Excluding the Department of Public Works which is controlled by the Department of Works and Housing of the Commonwealth of Australia. In this Department in a total of 223 classified positions, ninety-one were filled.

At the eighth session, the special representative informed the Council that the Administration and missions had provided and were still providing opportunities for workers to be trained in technical trades and other forms of skilled work, and he drew its attention to the facilities for professional and medical training which were described in sections of the annual report dealing with health and education.

At the same session, the Council adopted the following recommendation:

The Council recommends that the Administering Authority take all necessary steps for the training of the indigenous inhabitants of the Territory so as to enable them as soon as possible to fill more responsible posts in the Administration of the Territory.

Legislative council

The Papua and New Guinea Act, 1949 provides for a legislative council for the combined Territories of Papua and New Guinea, consisting of twenty-nine members, three of whom are non-official Native members. This legislative council was not established during the period covered by the annual report for 1949-50.

At its fifth session, the Trusteeship Council recommended that the Administering Authority (*a*) study the possibility of increasing the number of indigenous members of the joint legislature; (*b*) study the possibility of establishing a separate legislature for the Trust Territory; and (*c*) give increasingly greater participation in the legislative council to the indigenous inhabitants, leading to the eventual establishment of an indigenous majority.

The Administering Authority noted that the composition of the council would be further examined before the council was brought into being; that no decision had been reached concerning a separate legislature for the Trust Territory; and that representation of the indigenous inhabitants would be progressively increased as they were brought to a stage where such responsibility could be shouldered.

At its seventh session, the Council, noting that the composition of the joint legislature for the Trust Territory and Papua would be further examined, expressed the hope that the Administering Authority would take into account the relevant recommendations of the Council at its fifth session on this question, and requested it to inform the Council of the results of this examination.

At the eighth session, the special representative informed the Council that the establishment of the legislative council was still under consideration.

At the same session, the Council adopted the following recommendation:

The Council, noting that the establishment of the legislative council is now under consideration, urges the Administering Authority to proceed with the establishment of such council without further delay, and to take early steps to give greater participation in the legislative council to the indigenous inhabitants, in accordance with the recommendation made by the Trusteeship Council at its fifth session.

Tribal system

The Administering Authority considers that the orderly way in which life goes on in villages, sometimes occupied by a thousand or more people without police or gaols, speaks highly for the Native code of behaviour and the discipline exerted by local sanctions. The Administration recognizes the customs of indigenous groups, "except where any of the practices are contrary to the conceptions of justice or morality, or are repugnant to humanity".

At its fifth session, the Council recommended that the Administering Authority take steps to provide for a gradual transfer from the tribal system to a modern system of self-government based on democratic principles.

The Administering Authority noted that its emphasis on the tribal system was a matter of general policy, that no effort was made to alter it, except in the case of customs repugnant to humanity, and that the aim was rather to model it, if possible, along lines which would lend to its development.

At its seventh session, the Council, noting the emphasis laid on the tribal system, recommended that the Administering Authority bear in mind the desirability of modifying this system by taking such steps as might prove practicable in the direction of introducing modern institutions.

The Visiting Mission noted that, in spite of the changes brought into indigenous life during the last fifty years, the village remained, everywhere, the main feature of the Native political organization in New Guinea. Even when small autonomous groups seemed to constitute distinct entities, the village remained the frame within which most activities were organized and controlled. Activities apparently were regulated by paramount chiefs when several villages were grouped together and by *Luluais* or ordinary chiefs in single villages or parts of a village. The chiefs were appointed by the Administration to whom they were responsible for the order and behaviour of the population.

Noting the position of the chiefs and evidence of dissatisfaction among them, the Mission would have recommended that some measures be taken to improve their status, but it was informed that the present system of chiefs would be continued only until replaced by village councils.

Advisory councils and village councils

The proposed functions of advisory councils for Native matters, as set forth in the Papua and New Guinea Bill, 1948, gave them the right to consider, and tender advice to the Administrator concerning any matter affecting in any way the welfare of Natives in the area in respect of which the advisory council was established. Native village councils were to have such functions as were provided by ordinance in relation to the peace, order and welfare of Natives in the areas in respect of which they were established.

At its third session, the Council recommended that the constitutions and powers of the proposed indigenous advisory and village councils should be reviewed with a view to granting them greater initiative in the conduct of their own affairs, and to preparing the inhabitants for a progressively increased part in the legislative and higher administrative organs of the Territory.

At its fifth session, the Council reiterated its previous recommendations on the subject of advisory and

village councils, and recommended that the Administering Authority take these into account in framing the proposed ordinance defining the powers and functions of the village councils. It recommended that provision also be made for the training of village councils in the essentials of handling public finance and that these councils be entrusted with a certain amount of financial responsibility.

Section 26 (1) of the Papua and New Guinea Act, 1949, provides that:

"An Advisory Council may consider, and tender advice to the Administrator concerning, any matter affecting in any way the welfare of Natives in the area in respect of which the Advisory Council is established."

Section 29 of the same Act provides that:

"A Native Village Council shall have such functions as are provided by ordinance in relation to the peace, order and welfare of Natives in the area in respect of which it is established."

An ordinance approved 30 December 1949, empowering the Administrator to establish Native village councils by proclamation, contained the following main provisions:

(*a*) The duties of councils include the maintenance of peace, order and good government in their areas and the councils have such power and authority as are conferred by Native customs and are not in conflict with the laws of the Territory or repugnant to the general principles of humanity. Subject to the approval of the district officer, the council may organize, finance, or engage in business; carry out public works and provide social services.

(*b*) A council may make rules for the peace, order and good government of its area. Matters concerning which rules may be made include the protection of Natives from fraud or dangerous practices, public health, protection of flora, control of vermin and insect pests, reporting of births and deaths, movement of livestock, food for travellers, use of fire, measures to ensure an adequate food supply, and generally matters which, by Native custom, such a council would regulate, providing the custom does not conflict with the laws of the Territory.

At its seventh session, the Council, noting that the first village councils were to be set up and be in operation before June 1950, urged the Administering Authority to increase so far as might be possible the number of village councils during the coming year, progressively to establish them throughout the Territory and gradually to give them increasing responsibilities.

The Visiting Mission noted that the date for the commencement of the Native Village Councils Ordinance had been postponed for administrative reasons, but that it was expected that councils would be established in most districts of the Territory by the end of 1951. This, however, would depend greatly on the availability of Administration personnel to guide and advise chiefs and villagers and the response of the people to the new system and their ability to understand it. The Mission expressed the hope that this measure, which it felt would prepare the indigenous inhabitants for the management of their own affairs, would be applied with speed.

Noting the statement of the Minister of External Territories regarding district advisory councils that "It is felt that the people of the Territory should be in a position to express their views on matters affecting their interests and it is proposed that District Advisory Councils consisting of residents nominated by the Administrator will be established to assist the District Officer in the various districts," the Mission requested more information on the composition and functions of such councils and was told that the matter was still under study.

At the eighth session, the special representative informed the Council that proclamations have already been published establishing councils at Vunanai in the Kokopo sub-district of New Britain, at Reimber in the district of New Britain, and at Baluan in the Manus district. He stated that it was intended, as part of the pepole's progressive development, both in executive responsibility and in their representative character, to establish a system of councils at the levels of village, area, district and region, each council acting as an electoral "authority" for the council senior to it, and the regional council electing members to the legislative council, thus completing what may be referred to as an electoral pyramid.

At the same session, the Council adopted the following recommendation:

The Council, recognizing that one of the surest ways of promoting the political advancement of the indigenous inhabitants and of fostering democratic institutions is the development of organs of local government; noting with satisfaction that three Native village councils have already been established; recommends to the Administering Authority that it make every effort to establish additional village councils and, as soon as practicable, area councils, in the more advanced sections of the Territory.

Indigenous jurisdiction

No judicial tribunals exclusively composed of indigenous inhabitants are recognized as a part of the judiciary system of the Territory. Village courts exist, but they operate exclusively within traditional custom.

At its fifth session, the Council recommended that the Administering Authority take suitable measures to give, whenever appropriate, legal status to traditional indigenous courts and practices and bring them into relationship with the existing court system.

The Administering Authority stated that, under section 63 of the Papua and New Guinea Act, 1949 the establishment of Native courts was authorized. These courts, composed exclusively of indigenous inhabitants, would supplement the existing courts for Native affairs already in existence in the Territory. The establishment of village courts was still under consideration.

At its seventh session, the Council noted with satisfaction the intention of the Administering Authority to give official recognition to traditional indigenous jurisdictions and at the same time bring them under the effective control of the Administration.

At its eighth session, the Council adopted the following recommendation:

The Council noting the statement of the Administering Authority that the ordinance establishing Native

courts has not yet been promulgated, urges that the Administering Authority should implement the provisions of the Papua and New Guinea Act in regard to the establishment of Native courts and requests it to report to the Trusteeship Council.

Status of the inhabitants

The national status of the indigenous inhabitants of the Territory has not yet been given statutory recognition. Non-indigenous inhabitants retain their individual national status and citizenship.

At its seventh session, the Council urged the Administering Authority to consider the adoption of measures granting the inhabitants of the Territory a distinct national status.

Civil registration

There is no civil register in the Territory. At present, the compulsory registration of births and deaths is confined to the non-native inhabitants. The Administration considers that the present stage of development in the Territory makes the compulsory registration of births and deaths among the indigenous inhabitants impracticable.

At its seventh session, the Council recommended to the Administering Authority that preparations be made for the introduction of a civil register.

Suffrage

Prior to 1949 no provision for an elective body existed in the Territory and consequently there were no suffrage laws or regulations. The Papua and New Guinea Act, 1949, however, contains provision for the election of three non-official members "elected, as provided by Ordinance, by electors of the Territory" to a legislative council.

At its seventh session, the Council recommended to the Administering Authority that a beginning be made in the introduction of methods of suffrage designed ultimately to bring about the establishment of a modern electoral system based on universal suffrage.

Maintenance of law and order

The Visiting Mission drew attention to a state of unrest in the Manus District known as the Paliau movement. Shortly before the Mission's arrival there, an individual by the name of Paliau had been convicted and sentenced to six months' hard labour for spreading "false reports which tended to cause trouble among the people in that he did tell one Malai of Pam that he (Paliau) had power to appoint members of a court and with them to settle all court cases, and that no cases were to brought before Government Magistrates". This charge, it was learned, reflected only a small part of his past activities, which included the encouraging of the population to boycott the Administration in 1946 and, due to his incitement, the burning of village records and the desecration of churches in 1946-47. His anti-government propaganda also included anti-European and anti-Asian action, his aim being to drive all foreigners out of Manus and to make himself ruler of the island.

The new religious doctrine he spread among the indigenous people had its origin in a "vision" he had during his sleep. At the end of 1949, an area representing one-sixth of Manus island was entirely under his control. Life was completely regimented; the population was submitted to military drill and any refusal to obey Paliau's orders was met by fine or imprisonment. Prostitution was encouraged and organized; the use of money was forbidden, currency being replaced by barter; clandestine councils were set up, having extensive authority to enforce the new régime. The population was forbidden to attend government or mission schools, to receive medical attention from government or mission institutions, to bring any case before the courts, and generally to have any contact with foreigners. The new ways of life were enforced in the name of religious as well as political necessities. The Visiting Mission noted that the regulations regarding hygiene and sanitation were strictly applied in the villages, and that the preaching of the doctrine of the brotherhood of man, limited as it was, awoke a new consciousness in the minds of the people.

According to some information received by the Mission, about 3,000 persons were deeply involved in the movement, and out of about 6,000 Roman Catholics at least 1,500 had severed all relations with their clergy.

Local officials were of the opinion that the movement was rapidly declining since the imprisonment of its leader and that a strict attitude toward adherents would be sufficient to see the end of the disturbance. The Mission, however, heard speakers, including *Luluais,* ardently support Paliau and protest his imprisonment, and according to some information, the movement was not losing ground.

The Mission took the view that the movement could represent much more than a local and temporary disturbance arising from the distruption of the war period. It learned of similar movements in the Madang District, and it noted the movement known as the "cargo cult" which existed in various islands of the Pacific. It considered that the causes of the Paliau movement and the "cargo cult" may have been due to the unrest which resulted from the material display of wealth by the armed forces, an unrest which was utilized by ambitious and imaginative individuals to establish themselves in power. Since the Paliau movement and other anti-social trends had deep spiritual as well as political, social and economic implications, the Mission felt they should be kept under the closest observation to discover their full causes, so that the appropriate remedies might be taken.

At the eighth session of the Council, the special representative stated that the circumstances surrounding the Paliau incident had been exaggerated, that the movement had been fully investigated, and that it had been found that a number of allegations made to the Visiting Mission could not be substantiated. Paliau was a natural leader who had been trying to improve the lot of his people and had done much to assist the Administration. He had been convicted and imprisoned for six months on a charge of spreading false reports in that he told the people he had power to appoint magistrates. He had returned to Baluan Island and the situation there was now normal.

At the same session, the Council adopted the following recommendation:

The Council requests the Administering Authority to include in its next annual report full information on the Paliau movement, the so-called "cargo cult", and similar movements in the Territory.

The Council also requests information on the relation, if any, between these movements.

Observations of members of the Trusteeship Council representing their individual opinions only

Administrative union of Papua and New Guinea

The representative of the Dominican Republic, referring to the Papua and New Guinea Act, 1949, observed that, despite the Administering Authority's interpretation of the Trusteeship Agreement — which, of course, allowed it to legislate — this Act presented, in his opinion, a fundamental anomaly in relation to the fact that the collectivity of New Guinea did not fall under the sovereignty of Australia. Under the Act, the inhabitants might be confused between the identity and international status of the New Guinea Territory, on the one hand, and that of the Colony of Papua, on the other, not considering it necessary to mention the administrative union with Papua from the strictly administrative point of view as should be the case. On the other hand, there was an absolute and necessary identity of the Territory as a separate body, this being called for by international law and by the Charter. No matter what legal standards were followed by the Administering Authority, he would have preferred this Act, which was voted in 1949 a year after the Trusteeship Council began its work, to have been entitled "Act for the Trust Territory of New Guinea (1949)" rather than "Papua and New Guinea Act, 1949". He would have preferred the provisions for the administrative union to be based on separate legislation falling within the framework of the Trusteeship Agreement and approved by the General Assembly.

He believed that there was still time to bring about the changes in the system demanded by a more correct interpretation of the Trusteeship Agreement. Such changes would avoid any future erroneous interpretations of the United Nations Trusteeship System as applied in this Territory.

The representative of the Union of Soviet Socialist Republics stated that the administrative union of the Trust Territory and Papua deeply concerned all aspects of life in the Trust Territory and made the political and economic development of the Territory dependent upon and conditioned by the development of the Colony of Papua; it hindered and even made impossible the further development of the Territory as an independent unit, particularly its development towards independence or self-government, and had led to the complete administrative, economic and political absorption of the Trust Territory, in crude violation of the Charter. He recalled that, at the fifth session of the Council, the delegation of the Union of Soviet Socialist Republics had pointed out the inconsistency between the so-called administrative union and the basic aims and principles of the International Trusteeship System, and he proposed that the Council recommend to the Administering Authority that it establish in the Trust Territory legislative and administrative organs not subordinate to any organs formed on the basis of the union between the Trust Territory and the Colony of Papua, and that, for that purpose, legislative and other measures be taken to ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory.

The representative of the Administering Authority stated that any allegation that the administrative union had led to the complete administrative, economic and political absorption of the Trust Territory and would lead to its annexation was devoid of foundation.

General administration

The representative of the Union of Soviet Socialist Republics stated that it was clear that the Administering Authority had not undertaken effective steps directed towards bringing about the political, economic and social progress of the indigenous inhabitants nor their progressive development towards self-government and independence.

Administrative service

The representative of Iraq considered that the devotion to duty of some officers of the Administration called for praise, but that the Administration was not giving those officers the praise they deserved. He expressed the hope that the Administering Authority would give sympathetic consideration to making officers comfortable by giving them the necessary family allowances.

Indigenous participation in administration

The representative of the United States of America felt that the statement regarding the Administration's intention of training indigenous inhabitants to take up posts they could fill in the administrative service should be welcomed. He expressed the hope that such training would not be narrowly technical, but would be sufficiently broad so as to provide a basis for more advanced and further training.

The representative of the Union of Soviet Socialist Republics stated that not a single indigenous inhabitant participated in the administration of his country; and that of a total of 1,573 classified posts in the administration, 1,314 were occupied by Europeans. He considered that the Administering Authority was not concerned with preparing indigenous inhabitants for actual participation in the administration of the Territory, and noted the comment of the Visiting Mission that "the Mission has no doubt that many posts could be filled by indigenous inhabitants if they received the proper training, including the use of English".

The representative of the Administering Authority recalled that the Visiting Mission had been given formal assurance that full opportunity for entering Government service would be given to indigenous inhabitants possessing the required qualifications and that suitable administrative training would be provided. He stated that the policy of establishing local government organs in the Native villages would itself be an excellent training ground for the indigenous inhabitants in administrative tasks.

Legislative council

The representative of Belgium considered that the population of the Trust Territory should be represented in the legislative council and that the proportion of New Guinea as against Papua representatives should be laid down by legislative measures.

The representative of the Union of Soviet Socialist Republics stated that the indigenous inhabitants were completely excluded from participation in exercising legislative, administrative and judicial power in their country.

Tribal system

The representative of Belgium suggested that the Administering Authority use as its intermediaries in the villages men who, according to existing Native customs, have authority over the inhabitants of the villages. He asked that information on the method of selection of village officials and of village councils be provided in a future report of the Administering Authority.

The representative of Iraq noted that the chiefs of the villages were appointed by the Administrator and were not elected by the people, and that the Visiting Mission had not been impressed by their appearance. It was no wonder, therefore, that one obtained the strong impression that dissatisfaction was rife in the Territory, especially among the chiefs, and that the Visiting Mission had recommended that some measure be taken to improve the status of the chiefs. He stated that there seemed to be some confusion regarding the relative authority of chiefs and village councils and thought the Administering Authority itself was not clear as to which offered the better system; nor was it clear when the system of chiefs would be replaced by that of village councils. He stated further that neither system at present had authority, and that neither system was being used as an instrument for the training of the population for self-government.

He considered that the Council should recommend to the Administering Authority: first, to introduce at once the electoral system, even in an elementary form; second, to replace the system of chiefs by the system of village councils; and third, to make the village councils fully elective and enlarge their authority.

The representative of the Union of Soviet Socialist Republics noted that the Administering Authority continued to encourage the tribal system in the Trust Territory and had not taken the steps required to bring about a transfer from the tribal system to a system of self-government based on democratic principles. He considered that, in view of the continued existence of the tribal system and its encouragement by the Administering Authority, and its inconsistency with the political development of the inhabitants towards self-government and independence, the Council should recommend to the Administering Authority that it take measures to ensure the transfer from the tribal system to a system of self-government based on democratic principles.

The representative of the Administering Authority said there had been considerable misunderstanding by the representative of Iraq and the representative of the Union of Soviet Socialist Republics of the system of administration in Native villages used by the Administering Authority. *Luluais* were chosen by members of the village and then formally confirmed in their position by the Administration. Certain statutory powers, relating for instance to the maintenance of paths, village cleanliness, pest control, and reporting on sickness, were conferred on them. Along with the *Luluai* system there had always been the traditional authority of the senior members of the village. This traditional authority took decisions in purely domestic village affairs, but had no statutory powers. He stated that in recent years the Administration had been encouraging the formation of unofficial Native village councils based closely on traditional authority, in order to train the Natives in local government. These unofficial councils were chosen by the people and confirmed by the District Commissioner. He also stated that there was little conflict of authority between the *Luluais* and the traditional authorities since the *Luluai* was invariably a member of that authority and was acceptable to it and to the villagers generally. It was not true that *Luluais* and unofficial councils were merely appointed by the Administration. This system would be superseded gradually by Native village councils.

Advisory councils and village councils

The representative of Iraq expressed disappointment at the lack of any electoral system, as in the case of district advisory councils which are nominated by the Administrator.

The representative of the Administering Authority emphasized that Native village councils would have considerable statutory power relating to local affairs and that the representative of Iraq had possibly overlooked this. The councils would be able to organize finance and engage in business enterprises, to carry out public works and to provide social services within their villages. The process of establishing these councils would serve as a most useful training for the indigenous inhabitants. Every encouragement would be given to the adoption of the secret ballot although there might be cases where traditional methods of election were satisfactory. He considered that this development agreed closely with previous recommendations of the Trusteeship Council for progressive advancement in the powers of village councils and in the methods of election.

Indigenous jurisdiction

The representative of the Dominican Republic desired that great attention be given to the establishment of Native courts authorized by article 63 of the law of New Guinea. He rejected, however, the possibility that these organs might, as mentioned by the Visiting Mission, have a single administrative personality constituting their court of appeal, since such a system would nullify the decisions of the Native councils. He considered that appeal facilities should be adequate so that they would support the Native courts which could thus serve as the instruments of a normal and democratic administration of justice.

The representative of the Administering Authority stated that the ordinance establishing Native courts

had not yet been promulgated but that the present trend of thinking was that the Native village courts should be separate institutions from the village councils and that appeal from them would be to the higher courts in the Territory.

Maintenance of law and order

The representative of Iraq thought the Paliau case and the special representative's explanation of it were confusing. The Administration had sent to gaol for six months a man who, it alleges, was helping it, but who was also spreading rumours and inciting the population to insurrection. The Visiting Mission found the latter accusation to be true, but the Administering Authority did not agree with the Visiting Mission's information. Probably the movement was something of a small nationalistic movement — possibly an anti-foreign movement. He considered that three facts emerged: first, the Administration had neither adequate control of nor an adequate system of intelligence in the various parts of the Territory; second, the local population was apparently exasperated with the lack of improvement; third, there was a lack of really well-trained leaders to serve the people and show them, at least, the way to work.

He also considered that the absence of a traditional authority for chiefs, the fact that the Administering Authority had not established itself completely in all parts of the Territory, mainly for lack of roads, and its failure to create effective popular institutions to rally the people had made a political vacuum of the first order; it was not surprising that this vacuum should sometimes be filled by honest revolutionaries or malcontents or agitators. The Administration and the Council should reflect on this serious situation.

The representative of the Dominican Republic was interested to know whether the leader of the Paliau movement proclaimed some sound ideology and whether he was developing it without any outside influence and without upsetting public order. If Mr. Paliau represented a desire for progress, he should not be imprisoned or exiled to another island, but, rather, he should be encouraged to co-operate with the Administration, since it was recognized that he had authority and greater capacity than many of his compatriots. He was a leader who should be used to advantage and enabled to improve himself. The representative of the Dominican Republic would support any resolution requesting more information concerning Mr. Paliau's movement, the "cargo cult" and their relationship one to the other. He hoped that such information might prove beneficial to this Native leader and that, if it showed that he should be protected and helped, the Trusteeship Council would be the first to recommend such action.

The representative of the Administering Authority emphasized that it would be quite wrong to draw from the information given, conclusions of the kind drawn by the representative of Iraq. At no time was the Administration lacking in knowledge of the movement nor was its control of the area affected. Control in the area was not affected in any way by the absence or presence of roads since it was an island area.

III. ECONOMIC ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General economy

The economy of the Territory is predominantly agricultural and the commercial basis is primary production, the primary processing of such products, and mining. There are no major secondary industries and the processing of export crops is confined almost entirely to the cutting and drying of copra, the fermentation and drying of cocoa beans and the relatively small manufacture of desiccated coconut.

Gold mining, which constitutes an important feature of the economic life of the Territory, is, as stated in the annual report, principally in the hands of European companies, the chief area being the Bulolo-Wau valley. Although production continues to increase, it has not yet reached the pre-war level. The Territory is dependent upon external sources of supply for practically all manufactured goods and foodstuffs apart from the locally-grown subsistence crops. The majority of the firms and companies engaged in merchandising, shipping and air services, agricultural production and mining are controlled by Europeans. Store-keeping and trading establishments, as well as tailoring and carpentry businesses, are conducted by Chinese. Distribution of consumer goods is almost wholly in the hands of non-indigenous importers and retailers, though the number of Native-owned co-operative and other stores is increasing.

The indigenous food supply is deficient in quality rather than in quantity, and the emphasis in planning has, according to the Administering Authority, been on introducing better quality stocks. The main crop deficiencies are legumes and grains.

The annual report notes that work on the agricultural stations has been directed towards improvement in the quality of pigs and poultry. There are no commercial meat-processing works in the Territory.

Nineteen sawmills in operation produced one million super feet of timber during the year under review.

According to the last annual report, the Administration's economic policy is to protect the interest of the indigenous inhabitants to the fullest possible extent, and to encourage them to participate as far as practicable in the economy of the Territory. The number of the indigenous population engaged in employment outside their villages continues to increase, Native copra production is increasing and there is a quickening of the tempo of Native development. Training of the indigenous inhabitants in agriculture and animal husbandry continued during the year. The Hallstrom Livestock and Fauna (Papua and New Guinea) Trust was formed for the establishment and operation of livestock stations. Plans for the provision of suitable forms of rural credit for small-scale development are nearing completion. The annual report also contains information concerning agricultural experimental stations, several extension projects and research work. Surveys on fisheries and forestry were continued and others commenced. The Administering Authority notes that particular attention is being devoted to rice cultivation and groundnuts.

The Visiting Mission learned that the Australian Government had decided to form, in conjunction with the British Aluminium Company, Ltd., of London, a company which will be known as the New Guinea Resources Prospecting Company, Ltd. The aims of this concern would be the location and development of large-capacity hydro-electric power schemes suitable for industrial use, particularly aluminium production, and the prospecting for bauxite and minerals relating to aluminium production. Also the Australasian Petroleum Company was pursuing its research for oil, and there was some hope that it would be successful. However, the Mission had no precise information about the importance attached to those activities in the Trust Territory itself.

The Visiting Mission learned that the Administering Authority proposed to investigate, in consultation with the Commonwealth Bank and other bank institutions, the measures which could be taken to assist persons or companies wishing to settle in New Guinea and to provide them with necessary financial facilities.

The annual report emphasizes, as the main event in the economic life of the Territory in 1949-50, that the employment of indigenous inhabitants increased from 30,219 to 32,251.

At its fourth session, the General Assembly expressed full support of the recommendations of the Trusteeship Council and of all steps leading to a greater participation of the indigenous inhabitants in the profits and management of entities, public or private, engaged in the exploitation of mineral and other natural resources or in the production of, or trade in, raw materials and commodities basic to the economy of Trust Territories; it reaffirmed the principle that the interests of the indigenous inhabitants must be paramount in all economic plans or policies in Trust Territories, particularly in raising the standards of living and the level of wages, and in improving housing, nutrition and health conditions, and expressed its concern that the lack of budgetary autonomy in some cases and the scarcity of data in others did not allow the Trusteeship Council to make a thorough examination of the financial situation of certain Territories.

At its seventh session, the Trusteeship Council noted with satisfaction the assurance of the Administering Authority that it fully realized the importance of economic development and that it intended to apply skill and capital to the development of the natural resources of the Territory and the establishment of new industries. The Council recommended that the Administering Authority take steps to encourage the utilization of the Territory's many resources through local industries; to compile and maintain statistical data on capital investment; and to remove formally from the legislation of the Territory the Native Administration Ordinance, 1921-38 providing for the compulsory planting of food crops.

In the annual report under review, the Administering Authority stated that the observations and recommendations of the Trusteeship Council and the General Assembly arising out of examination of the annual report 1948-49 had been noted and considered.

The Visiting Mission noted in its report that the Territory had not yet fully repaired the heavy damages of the war. Conditions under which the indigenous inhabitants were living were, generally, the same as before the war, but the living and working conditions of some communities were below the pre-war standard. The Mission considered that the Territory needed an extensive network of roads and that private enterprise should be encouraged to develop the resources of New Guinea. Consideration should also be given to the training of technicians, mechanics, carpenters and other skilled workers. From its official contacts, the Mission gained the impression that it was the firm intention of the Australian Government and the local Administration to spare no effort to advance fully the economic progress of the Trust Territory.

At the eighth session, the special representative informed the Council that it was intended that both non-indigenous and indigenous inhabitants would be associated with the economic development of the Territory. Non-indigenous private enterprise, with proper safeguards, would provide the technology, but the bulk of the work would be done by indigenous inhabitants and this would play an important part in their training and development and prepare them for an ever-increasing part in the development of the Territory.

At the same session, the Council adopted the following recommendation:

The Council, noting the impressions of the Visiting Mission that it is the firm intention of the Australian Government and the local Administration to spare no effort to advance fully the economic progress of the Territory, and noting that the Administering Authority realizes that the developmental task must be a joint one between ouside capital and enterprise and the indigenous inhabitants and that it is a task in which the indigenous inhabitants would have a progressively increasing share, hopes that the Administering Authority will push forward with its developmental plans and that these will lead to increasing indigenous participation in the productive economy.

Export production and trade

External trade for the year 1949-50 was £9,026,777[363], an increase of £1,430,647 over 1948-49. Imports increased by £397,926 and exports by £1,032,721. Excess of imports was £1,191,616 in the year 1948-49 and £556,821 in 1949-50.

The value of exports of local origin at £3,675,827 shows an increase over the previous year of £1,042,899. The principal item contributions to this increase are copra (£746,062), gold (£228,997), desiccated coconut (£91,769) and whole coconuts (£1,435).

With the exception of Native-produced copra, amounting to over 5,000 tons valued at approximately £220,000, the whole of the agricultural products exported are from plantations operated by non-indigenous people.

At its third session, the Council recommended that the Administering Authority induce the indigenous inhabitants to cultivate crops for export so as to enable them to participate in the export trade of the Territory.

Internal trade, commerce and manufactures

As at 30 June 1950, forty-eight local and forty-five foreign companies were operating in the Territory. Their

[363] All figures in this chapter are in Australian currency. £A125 — £ Sterling 100 = $US 280.

objects included plantations, general trading, mining, oil-drilling, airlines, banking, insurance and engineering. Nine new companies with a total nominal capital of £230,000 were incorporated during the year 1949-50.

The principal item manufactured in the Territory is desiccated coconut. Production increased from 215 tons to 652 tons during the year under review. Apart from their small copra drying units, and the making of clay pots, nets and string bags, which are exchanged amongst themselves, the indigenous inhabitants are encouraged to engage in the manufacture of small items of furniture and the sale of Native carvings in the form of plates, stools and walking sticks, etc.

Customs tariff and preferential treatment

All receipts from imports and exports to and from the Territory are recorded separately and no customs union exists with the metropolitan country or with the neighbouring territory of the Administering Authority. No customs agreements of any kind have been entered into with the Territory and no preferences are given in the customs tariff of the Territory on imported goods.

The Customs Tariff (Papua and New Guinea Preference) Act, 1936, of the Commonwealth of Australia, provides that certain goods specified therein, the produce of Papua and New Guinea, shall on importation into Australia direct from the Territory, be free of duty. The goods specified include cocoa beans, coffee, dried fruits, fresh fruits, ginger, grain and pulse, gums, nuts and spice. This preference was granted to encourage and assist the production of these goods in the Territory.

In this connexion, the Visiting Mission noted that it was the intention of the Administering Authority to establish a uniform customs tariff for New Guinea and Papua and, at the same time, to revise the schedules of duties with a view to moving the incidence of taxation from necessities important for the development of the Territories to less essential items. It was expected that the new tariff would take effect as of 1 July 1950.

With regard to the closer economic relationship between Australia and New Guinea the Mission was told that practical difficulties may be encountered because of the limitations imposed, on the grant of preferential treatment, by the international commitments contained in the General Agreement on Tariffs and Trade and the proposed International Trade Organization.

Public finance: taxation

Revenue of the administration in 1949-50 was derived from the following sources:

1. Direct grant by the Government of Australia, £2,281,140.
2. Internal revenue of the Territory, £942,077.

The direct grant by the Australian Government is not repayable and does not bear interest. The amount of the grant increased from £1,109,494 for the year 1947-48 and from £1,588,840 for 1948-49 to its present level.

Expenditure also increased and in the year under review amounted to £3,223,217 against £2,593,304 in the previous year.

Among the internal receipts the most important items were customs (£719,665) and mining receipts (£69,152).

No direct taxation was imposed in the year under review. The provision for the payment of a direct head tax was not operative during the year and the question of the abolition of the tax is under consideration.

The Native Village Councils Ordinance passed during the year provides that, subject to the approval of the Administrator, councils are empowered to collect fees and taxes which shall be paid into a fund, called the village treasury fund, for communal projects and to carry on the affairs of the council.

At its third session, the Trusteeship Council recommended that earnest consideration be given to ways and means of increasing the revenue of the Territory.

At its third and fifth sessions, the Council recommended that the whole fiscal system of the Territory should be examined, with a view: to alleviating the burden of indirect taxation; to introducing direct taxation based on the individual's capacity to pay; and to abolishing the Native head tax. At its seventh session, the Council welcomed the statement of the Administering Authority concerning its intention to introduce new forms of taxation in the Territory, and expressed the desire to be informed of the steps taken in this regard.

The Visiting Mission, when in Port Moresby and Canberra, inquired about the policy of the Administering Authority with regard to the imposition of an income tax and the suppression of the provisions for the levying of the head tax, and learned that these questions were still under study.

At its eighth session, the Council adopted the following recommendation:

The Council, noting that all questions of fiscal policy including its recommendation on the question of the head tax are now under consideration, requests the Administering Authority to inform the Council on the subject.

Currency

Australian currency and territorial coinage are legal tender throughout the Territory. The issue and circulation of currency are governed by the Currency Coinage and Tokens Ordinance, 1922-38. Information is not available regarding the value of currency in circulation nor of the total amounts held in savings and bank deposits.

There are two banks operating in the Territory — the Commonwealth Bank of Australia and the Bank of New South Wales, both of which have branches at Rabaul and Lae.

The indigenous inhabitants are encouraged to deposit their wages and other savings in savings bank accounts. On 30 June 1950, they held 30,241 accounts in which £505,576 were deposited.

Land

The total area of the Territory is estimated to amount to 93,000 square miles (59,520,000 acres) of

which 915,804 acres have been alienated from the indigenous inhabitants. The alienated land comprises 519,380 acres of freehold, 160,573 acres of leasehold, 209,240 acres held by Administration and 26,611 acres held by the Director of District Services and Native Affairs as trustee for the Natives.

The Visiting Mission was informed by the Administering Authority that the indigenous inhabitants could only dispose of land when Administration officials were satisfied that such disposal would not be detrimental to their interests, and that it proposed to carry out an investigation into the land holdings of the indigenous inhabitants with a view to determining what further areas would be available for non-native development without injury to the interests of the inhabitants. The Mission attached great importance to this declaration, for it considered that the management of indigenous land constituted one of the most delicate tasks of an Administering Authority, and that land problems were generally at the bottom of any dissatisfaction among indigenous populations. It felt that if the Territory needed a considerable amount of help from outside enterprise, agricultural as well as industrial, the policy, which had been adopted by the Administering Authority, of recognizing the paramountcy of indigenous ownership, constituted an excellent safeguard against future troubles. In the view of the Mission it was a safe measure that no land in the Territory would be alienated under freehold and that all requirements were to be met by leasehold only, under long term if necessary. The Mission welcomed the interest manifested by the Administering Authority in regard to the protection of the indigenous landowners, and suggested that, when and where it was possible, alienated land be returned to the indigenous population.

At the eighth session, the special representative informed the Council that an ordinance was being prepared providing for the establishment of a lands commission to investigate the land situation.

At the same session, the Council adopted the following recommendation:

The Council, noting from the Visiting Mission's report that it is the policy of the Administering Authority to recognize the paramountcy of indigenous ownership of land and that it is the view of the Mission that it is a safe measure that no land in the Territory can be alienated under freehold and that all requirements are to be met by leasehold only, noting that a land commission is to be established to investigate the land situation, expresses the hope that the Council will be kept informed regarding the work of the land commission.

Forests

The Visiting Mission noted that, although the forests of the Territory were extensive, they already needed a careful conservation policy. Much timber was required during and after the war for rehabilitation, and the sawmill industry had increased many times over its pre-war importance. In the future the demand for timber was expected to be greatly increased.

The Mission noted that the policy the Administration intended to pursue, as stated by the Minister for External Territories, included:

"(1) An orderly development of a timber industry in the Territory on sound forestry principles with provision for reforestation of all areas.

"(2) As a general rule rights to forest areas may be obtained only as the result of public tender, and in respect of areas that have been designated by forest officials of the Territory. There will, however, be exceptions to this general rule so as to meet the requirements of the Territory, and the Administrator will be authorized to grant timber rights over stands of timber not exceeding 5 million super feet without tender where the timber is for Territory use and not for export unless so authorized by the Administrator. Such timber rights are, however, to be regarded as emergency measures and will be limited to a period of ten years.

"(3) To meet local requirements in districts adjacent to timber supplies . . . the Administrator will be empowered to issue to sawmillers authority to secure from Natives logs that will be used to supply timber for the district itself.

"(4) Royalty will be payable to the Administration on all timber cut."

Present legislation gives the Administrator the right to acquire land by purchases from the indigenous inhabitants and declare such land as Territory forests, and also to declare as "waste and ownerless land" lands with no known owners, and after investigation to declare such lands as Territory forests. In cases where owners are reluctant to sell productive forests, legislative action might be taken to acquire such lands in order to permit adequate measures for the preservation of forests and soils.

The Mission was informed that the Department of Forests was waiting for sufficient recruits with basic qualifications in order to establish an indigenous ranger-training school. In a number of years the Department hoped to be able to send some indigenous inhabitants to the Australian Forestry School.

Mining

Gold, and silver in association with gold, are the only mineral resources which have been commercially developed.

The rights to surface and sub-soil resources are determined under the provisions of the Mining Ordinance of the Territory which includes the payment of fees for rights, licences and leases and for payment of a royalty of 5 per cent on all gold won. Fees and royalty are payable to the revenue of the Administration for the use and benefit of the Territory.

Gold is exported only to Australia. During the year 1949-50 the quantity of gold produced amounted to 84,958.135 fine ounces valued at £1,210,225. The revenue derived from royalty on gold amounted to £58,595 10s. 6d. The price of gold was increased from £10 15s. 3d. to £15 9s. 10d. per fine ounce as from 19 September 1949.

At its seventh session, the Trusteeship Council, noting that in the year 1948-49 gold accounted for more than one-third of the value of all exports from the Territory, urged the Administering Authority to give serious consideration to increasing the territorial revenue from gold production either in the form of an increase in the present 5 per cent royalty or in the form of new

income or business enterprise or other taxes on the gold industry.

According to the declaration made to the Visiting Mission in Port Moresby and Canberra a study of the whole question of the royalty on gold exported has already been undertaken. No decision has so far been taken.

At its eighth session, the Council adopted the following recommendation:

The Council, noting that the question of royalties on gold exported from the Territory is still under consideration, maintains its resolution of the seventh session that the Administering Authority should give serious consideration to increasing the territorial revenue from gold production either in the form of an increase in the present 5 per cent royalty or in the form of new income or business enterprise or other taxes on the gold industry, requests the Administering Authority to give as full information as possible concerning the gold mining industry.

Copra

A stabilization fund based on a contribution of £5 per ton of copra was established after the war and now amounts to £700,000. After the deduction by the Production Control Board for this fund, and deductions for freight and other charges, the price paid producers at Rabaul amounts to £48 per ton.

The Visiting Mission noted that under an agreement operating since 1 March 1949, and valid for a period of nine years, made by the Commonwealth and the United Kingdom Governments, the entire output of copra over and above Australia's requirements for home consumption was to be purchased by the United Kingdom. Under this agreement, prices were lower than those paid on outside markets. However, the Australian Government considered that the agreement constituted the guarantee required for the pursuit of copra production. But it considered also that a fuller measure of security could be provided by continuing the operations of the Stabilization Fund. A study was being undertaken with a view to ensuring to producers a reasonable price level for a long period.

Copra supplied to Australia is sold at the same price as that fixed for copra supplied to the United Kingdom under the agreement. The Administering Authority stated that it was envisaged that the marketing of New Guinea copra would be opened to private enterprise as soon as possible, with the restrictions imposed by the necessity of allowing the agreement with the United Kingdom to be carried out, and that the Australian Government was presently negotiating with private enterprise and that, eventually, the monopoly of the Production Control Board would come to an end.

Copra being an almost unique cash crop for the indigenous inhabitants, the Visiting Mission paid special attention to problems related to its production and exportation. On several occasions a complaint was repeated to it that the price paid for copra either by Chinese buyers or by agents of the Production Control Board was too low. In its report, the Mission expressed the hope that the Administering Authority would, under a new contemplated arrangement with private enterprises, take such precautions as to ensure that all facilities would be given to small producers to sell their copra at a reasonable price.

In this connexion, a petition[364] presented to the Visiting Mission at Kavieng noted the petitioner's desire for "a fair chance to buy copra sacks" and "fair prices in the Chinese stores". The Mission recommended to the Trusteeship Council that it inform the petitioner that the matter of fair trading had been brought to the attention of the local Administration.

In its written observations on the petition[365] the Administering Authority stated that during the earlier part of 1949-50 there had been a general shortage of copra sacks throughout the Territory, which had been overcome to a large extent when the prohibition of the use of second-hand sacks was temporarily removed. It was stated that prices in the trade stores were generally reasonable and any complaints usually could be attributed to a lack of appreciation on the part of the Natives of the rising cost of living.[366]

Transport and communications

There are 1,931 miles of vehicular roads and 1,804 miles of bridle paths in the Territory. Heavy rains and frequent landslides make maintenance a problem and bridges are frequently damaged by the flooding of creeks and rivers.

Air communications were improved during the year as a result of increased internal air services and additional flights to and from Australia. There are seventy-five aerodromes throughout the Territory.

A regular passenger and freight service between Australia and the Territory was maintained and three barges were brought into commission to facilitate copra handling in Rabaul Harbour.

The Visiting Mission did not find any substantial programme for the building of roads among the major projects envisaged by the Australian Government. It expressed its conviction that the building of roads should be given a high priority, for it could not conceive of any permanent and steady progress, economic and social as well as political, if the various centres and the different areas of the Territory were not linked together by a system of main roads with which local communications could be gradually connected.

It felt that, if resources could not be found in the revenue of the Territory, including the grants from the Commonwealth, for an extensive programme of road building, the Government might envisage the raising of loans in order to provide New Guinea with the necessary funds, and might appeal to private contractors for the execution of the programme.

At its eighth session, the Council adopted the following recommendation:

The Council, noting the views of the Visiting Mission on the problems of transport and communications; noting with satisfaction the great development of air transport but noting that road construction is still inadequate; being of the opinion that a fully developed road system is necessary for a proper economic development of the Territory and is essential for the maintenance of adequate society and educational services; urges the

[364] T/PET.8/6.
[365] T/859.
[366] For the decision on the petition see resolution 327 (VIII).

Administering Authority to press forward with the development of communications and, in particular, to improve and develop the road system in the Territory.

Observations of members of the Trusteeship Council representing their individual opinions only

General economy

The representative of Iraq, although realizing the difficulties of development, thought that in view of the economic potentialities of the Territory, more imagination and energy should be manifested. While conceding that there was much wartime destruction and many post-war difficulties, the Council could not treat lightly the fact that, after six years of peace, there were scarcely any Government installations which were not of a temporary and primitive nature.

He considered that building material, technical staff and transport were the main means of reconstruction and that the Council should recommend to the Administering Authority that special efforts be made to obtain and expedite those three elements in order that the rebuilding of the country might continue uninterrupted.

He noted that the Visiting Mission quoted the Australian Minister of External Territories as stating that the purpose of the Administering Authority in the development of the Territory "was partly to ensure that the Native peoples of the Territories are enabled to participate to an ever-increasing extent in the fruits of this development". He expressed the hope that the participation of the indigenous inhabitants in the fruits of economic development would go as far as possible and be such as to benefit the country and its people rather than a few persons or groups. He considered that a recommendation, based on paragraph 131 of the Visiting Mission's report, should be made to the Administering Authority.

The representative of the Union of Soviet Socialist Republics considered that the Council should pay attention to the fact that the Administering Authority was not taking the necessary steps in bringing about economic progress in the Territory as far as the indigenous inhabitants were concerned. He stated that the indigenous population continued to follow a purely primitive economy and that, as stated in the Visiting Mission's report, "the participation of the indigenous population in the economic activities of New Guinea is still limited to the production of copra and a few other products, and to the supply of labour". He further stated that the Administering Authority, instead of creating vitally necessary industrial undertakings, interested itself mainly in pumping out the raw materials which it required from the Territory; as an example, he mentioned the creation of a company with a capital of £100,000 sterling designed for the construction of a large hydro-electric station to make possible an aluminium industry.

The representative of the Administering Authority stated that the developmental task must be a joint one between outside capital and enterprise and the indigenous inhabitants and that it was a task in which the inhabitants would have a progressively increasing share. Regarding participation by the indigenous inhabitants in the Territory's economy, it was quite untrue to say, as did the representative of the USSR, that the Administering Authority was only interested in extracting the maximum from the Territory regardless of the inhabitants' interests. From the information given regarding Native participation in the production of copra and in gold mining, regarding Native co-operatives and Native private enterprises, it was clear that Native inhabitants already participated in the economic life of the Territory and that the Administering Authority was intent on training them for increasing participation.

Public finance; taxation

The representative of the Union of Soviet Socialist Republics stated that, up to the present, the Administering Authority had not done away with the head tax and had not introduced an income tax; it had therefore not carried out the recommendations of the Council at its fifth session. He stated that the Council should recommend to the Administering Authority that it take steps to replace the head tax by a progressive income tax system or at least, by a system of income tax taking due account of the property and taxable capacity of the population.

Land

The representative of Iraq noted that the Visiting Mission report noted with interest the zeal of the Administering Authority for the protection of indigenous landowners in regard to their land holdings and agreed with the Mission that, where and when possible, alienated land should be returned to the indigenous population.

The representative of the United States of America noted that the Council must acknowledge the need for outside interests to help in the development of the Territory and that the Administering Authority must ensure that such interests did not lead to the disposition of land in any manner detrimental to Native interests. He felt that the Council should be especially interested in the results of the proposed investigation of indigenous land holdings with a view to determining what further areas would be available for non-native development without injury to the interests of indigenous inhabitants. He expressed the hope that the Trusteeship Council would be kept informed of the work of the Land Commission which was to be established to determine what land was available in the Territory for development.

The representative of the Union of Soviet Socialist Republics requested that detailed information be supplied regarding the work of the Land Commission and of the plans regarding it as they were evolved.

Mining

The representative of Belgium requested that the Council be given complete information on the gold mining industry in the Territory in order to determine whether the contribution it was making to the territorial revenue was sufficient or not. He noted that the information in the report under review did not contain sufficient information to permit the assessment of the relative value of investments and the profits from investments in the gold industry.

The representative of Iraq urged that the Administering Authority conclude its study of the gold royalty

question and inform the Council in its next report of the results of the study, with a view to increasing the royalties for the benefit of the inhabitants.

Copra

The representative of China expressed the hope that the study being undertaken by the Administering Authority with a view to ensuring to producers a reasonable price level for copra for a long period would soon yield a satisfactory result and that the Council would be kept informed on the subject. He also expressed his gratification concerning the amount accumulated of the stabilization fund.

Transport and communications

The representative of the United Kingdom considered that, while a country might be governed without roads and district staffs might do better work on foot than by motor travel, a country can never be developed without good road communications. The cost of road development and maintenance would be high, but the future of the Territory depended on a solution of this real problem. He suggested that any road programme should be integrated with the planned development of the area to be served.

The representative of Iraq thought that the absence of an adequate or even an elementary system of roads must make it difficult for the Administration to discharge its responsibilities and to maintain more than a superficial contact between its officials at certain points in the Territory. There were no facilities for trade and contact between one section of the population and another. He thought the lack of roads the most glaring deficiency in the Territory. He noted in the Visiting Mission's report that the Administering Authority considered the organization of education, health and other services more urgent and more important than the construction of a road system, but he queried how such services could be developed without adequate contact between districts. He considered that the Council should make a strong recommendation to the Administering Authority regarding the initiation of a system of roads.

The representative of the Administering Authority stated that it was necessary to correct certain misunderstandings regarding the road situation. New Guinea could be and was administered with the present system of communications, which included airways, water transport, and roads; medical supplies and very heavy materials could be and were transported long distances by air. Road construction in the Territory was a major operation; it involved the expenditure of large sums in construction and maintenance and considerable expenditure in labour. Road building might involve both funds and labour which might be occupied on other tasks of perhaps equal importance. He assured the members that the Administering Authority would examine their comments with the greatest seriousness.

IV. SOCIAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General policy

The Administering Authority states that almost all activities of the Administration are calculated in some degree to advance either directly or indirectly the social welfare of the indigenous people, and its policy is to provide them with better health and better education. It states that the social pattern of indigenous society in the Territory renders the need for social services less pressing than it is in some countries.

The Administration notes that it is constantly promoting the social welfare of the Native people, particularly through the activities of the Departments of Public Health, Education, Agriculture, Stock and Fisheries and District Services and Native Affairs; and by subsidizing the work of the various missionary organizations in the fields of health and education.

Population

A census is being conducted at present in areas under Administration control and should be completed by the end of June 1951. The information being collected in the course of the current census includes details as to ages, sexes, relationships, births, deaths and absences from villages (those absent at work and at school). Native village councils, constituted under the Native Village Councils Ordinance, 1949, will maintain a register of births and deaths within the area of the Council's jurisdiction.

It is pointed out by the Administering Authority that certain areas of the Territory are known to have problems of depopulation. Outstanding amongst these is the New Ireland District, and special attention was given to that district during the year. A demographic survey of the area during the year under review was carried on which was not completed at the end of the year. But a preliminary report shows that while in 1929 there were 8,645 people in this area, there were only 6,302 in 1950.

Immigration

Immigration into New Guinea is regulated by the Immigration Ordinance 1932-40 and the Regulations issued thereunder.

At its seventh session the Council, noting that the Immigration Ordinance, 1932-40, contains a provision prohibiting entry into the Territory of any person who fails to pass a dictation test in any language, recommended that the Administering Authority consider the possibility of removing this provision from the legislation and inform the Council of the action taken in this regard in time for consideration during its session in June 1951.

The Mission during its visit to the Territory received a petition[367] at Rabaul from the Chinese residents, dealing with a number of subjects including immigration. After discussions with Chinese residents at Rabaul, Kavieng and Lae the Mission noted the following categories of cases involving difficulties in regard to immigration restrictions:

(*a*) Chinese who entered New Guinea before 1922 have been granted the status of permanent residents, but those Chinese who entered after 1921 are not permanent residents and must obtain every three years a permit to remain in New Guinea. It is considered by the Chinese that the year 1922 has only been selected at random and

[367] T/PET.8/4 and T/PET.8/4/Add.1.

non-permanent residents are afraid that they may be discriminated against.

(*b*) A certificate of exemption (from a dictation test) is granted liberally to permanent residents when they leave for visits to China. This is not the case with non-permanent residents. Unless they secure the exemption before they depart, they dare not leave.

(*c*) Children born of a permanent resident father are regarded as permanent residents. Children born of a non-permanent resident father often have not been granted the status of permanent residents.

(*d*) In the case of non-permanent resident husbands and their permanent-resident wives, the Chinese fear that when the husbands' three-year term of residence expires and an extension is not granted, the families will be separated.

(*e*) The declared policy of the Administering Authority is that where approval is given for the entry of Chinese, their wives and children will be allowed to accompany them.

Some wives and dependants, however, face the problem of discrimination by the aforementioned selection of the year 1922 as a determining status. The wife of any Chinese domiciled in New Guinea who married her husband before 1922 is no longer subject to immigration restrictions. However, the position of wives who married their husbands after 1921 and have not yet come to New Guinea has not been determined. As a result, such wives at present cannot join their husbands in New Guinea.

The Mission felt that the Administration's policy to let wives and children accompany those Chinese who are allowed to enter New Guinea has not been interpreted in the broad sense. This policy should apply to those Chinese also who have entered the Territory previously, and not be limited to approval of entry in the future.

(*f*) Many Chinese in New Guinea have reached the age of 60 years. When they entered the Territory years ago as young men, their wives and children remained in China. Now, in their old age, they are anxious that their sons should succeed them in their business. But their sons are now grown men and can no longer be classed as their dependants. According to the existing law, fathers must apply for entry of their sons as "assistants" or "substitutes". But as "assistants" or "substitutes" they cannot reside in the Territory permanently.

A number of Chinese businesses, therefore, inevitably face extinction at the death of their owners.

The Mission was of the opinion that, under the circumstances, the granting of permission for entry of permanent "substitutes" was logical and necessary. The Mission further hoped that the Administering Authority would review the matter of immigration as a whole in a sympathetic spirit.

In its written observations[368] on the petition the Administering Authority stated that the subject was under examination by the Territorial Administration and the Australian Government but a decision had not yet been taken in regard thereto. In view of this fact the Council decided to postpone consideration of the petition to another session.

[368] T/859.

The *Ad Hoc* Committee on Petitions, in its report on this petition[369] expressed the hope that the Administering Authority would take into account, in its examination, the suggestions and recommendations of the Visiting Mission on the questions raised in the petition, and suggested that the Administering Authority be invited to include in its next annual report all necessary information on the conclusions reached by it.

Standard of living

The annual report notes that no family living studies have yet been undertaken in the Territory and no cost-of-living surveys are available.

At its fifth and seventh sessions, the Council requested the Administering Authority to conduct, as soon as possible, cost-of-living surveys, at the beginning only in some typical rural, urban or mining communities, and transmit the results of those surveys to the Council, and, at its seventh session, the Council noted the assurance that the Administering Authority would conduct a cost-of-living survey in some of the larger towns, and requested that the result of this survey be furnished to the Council in time to be examined with the next annual report on the Territory.

The Visiting Mission also recommended that a cost-of-living survey should be made as soon as possible and studied in relation to wages.

The Administering Authority stated that, as the majority of the Native people follow a subsistence economy and exchange or barter any surplus of one crop or produce, it is not practicable to conduct cost-of-living surveys. In the case of a worker, he and his family (if residing with him) are clothed and fed at the expense of the employer; he receives free medical and hospital attention and, at the completion of his period of employment, his employer pays his fare home to his village.

At its eighth session, the Council adopted the following conclusion:

The Council notes that the information regarding a cost-of-living survey in some of the larger towns will be supplied in the next annual report.

Human rights and fundamental freedoms

The annual report states that all elements of the population are secure in the enjoyment of human rights and fundamental freedoms without discrimination as to race, sex, language and religion.

At its fifth session, the Council recommended that the Administering Authority revise the Police Offences Ordinance and other laws, regulations and practices relating to the power of arrest and curfew and that it review all legislation with a view to abolishing any discrimination contrary to the Charter or the Trusteeship Agreement.

At its fourth session, the General Assembly recommended the abolition of discriminatory laws and practices, contrary to the principles of the Charter and the Trusteeship Agreement, in all Trust Territories in which such laws and practices still existed.

The Administering Authority noted that the powers of arrest and curfew are being examined in conjunction

[369] T/L.152, page 6.

with the review of the Criminal Code and the Police Offences Ordinances.

At its eighth session, the Council adopted the following recommendation:

The Council urges the Administering Authority to complete the review of the Criminal Code and the Police Offences Ordinance, keeping in mind the recommendations of the General Assembly at its fourth session regarding discriminatory laws and practices, as well as the recommendations of the Trusteeship Council at its fifth session regarding the revision of the Police Offences Ordinance and other laws.

Labour

The Administering Authority notes that a Native Labour Branch has been established within the Department of the Government Secretary which will conduct inspections of employment conditions at all places of employment, both Administration and private. It will advise employers and workers on their obligations to one another, assist in the establishment and maintenance of harmonious relations between employers and employees and mediate in industrial disputes.

The legislation relating to Native labour in force at 30 June 1950 is the Native Labour Ordinance, 1946, and the Regulations thereunder, which regulate contracts and sanctions, industrial relations including freedom of association, conciliation and arbitration, remuneration, hours of work, housing conditions, inspection of conditions affecting labour, medical inspection, workers' compensation and rehabilitation, employment of women, young persons and children, recruiting of workers for service within or outside the Territory, movement of workers within the Territory etc.

The Administering Authority points out that the Native Labour Ordinance is at present under review and it is expected that a new ordinance will be promulgated next year.

At the eighth session of the Council, the special representative stated that, since the completion of the annual report for 1949-50, the Native Labour Ordinance, 1946, has been replaced by a new ordinance — the Native Labour Ordinance of 1950 — which came into operation on 1 January 1951. The Native Labour Ordinance, 1950, repeals the Native Labour Ordinance, 1946, but provides that any contract of services made under the repealed Ordinance and in force immediately before the commencement of the new Ordinance, shall continue in force, and the provisions of the repealed Ordinance shall, in relation to any such contract, be deemed to continue in force. This means that there will be no contracts of service in force after 31 December 1951.

He further stated that the Native Labour Ordinance, 1950, provides for a simple form of civil agreement, and for casual employment, and the provisions relating to working conditions and the protection of the worker are similar to those in the repealed Ordinance, with the addition that an employee is now assured of his fare home, and that of his family if residing with him at his place of employment. There are no penal provisions for breach of agreement such as were provided for in the repealed Ordinance for "absent from work without reasonable excuse".

The Visiting Mission noted that the recruitment of coastal and low-level inland labourers for work at low altitudes had reached a critical stage, and that the Administering Authority, therefore, permitted the employment of Central Highlands workers in any part of the Territory, subject to certain compulsory health precautions to be taken by the employers. The Mission was of the opinion that to prevent malaria infection, the issuance of mosquito nets should be made compulsory. It was assured that this would be done.

The Mission noted that much of the rehabilitation work in the Territory made necessary by war damage had been completed; but to accomplish what remained to be done and for all governmental development work which was projected, to say nothing of the hoped-for increase in private enterprise, much more indigenous labour would be required than was at present available.

Native wages and cost of living

Section 58 of the Native Labour Ordinance provides that the minimum monthly wages for a labourer shall be 15 shillings per month. The average wage for labourers approximates 17 shillings and 6 pence per month, plus rations, accommodations, medical attention, etc.

At its third session, the Council recommended that the Administering Authority establish in the future wage rates which were not merely commensurate with the cost of living according to the existing standards of the indigenous inhabitants, but which would enable them to improve their standard of living and that, in establishing wage rates for indigenous and non-indigenous workers, the Administering Authority be guided at all times by the principle of equal pay for equal work. At its fifth session, the Council reiterated its recommendation regarding equal pay for equal work and also recommended that all possible steps be taken to readjust the existing salary and wage rates in order that there should be no differentiation except on the basis of skill, and that the possibility of increasing the minimum wage of 15 shillings per month should be studied.

At its seventh session, the Council noted the introduction of a new wage scale as from 1 January 1950 for Administration servants in the Territory and urged the Administering Authority to continue its study as to the possibility of increasing the minimum wage for indigenous workers.

The Visiting Mission was unable to assemble sufficient data to be able to express any opinion concerning the adequacy or otherwise of the wages paid; and no cost-of-living surveys were available. The Mission, however, noted that the cost of rations and clothing had already been adjusted upwards, but the minimum cash wages of 15 shillings per month remained the same. The Mission recommended that a cost-of-living survey be made as soon as possible and studied in relation to wages.

The Mission observed, during its visit, that services rendered by indigenous individuals to the Administration were sometimes paid for in Native goods, often in shell money, or salt. The chief of a village near Rabaul showed with great pride to the Mission his wealth in shell money, said to amount in value to several thousand Australian pounds. During an interview held in Port Moresby, the Mission, on asking whether it was the policy of the Administration to pay for services in kind

or to pay in Territory currency, learned that instructions were to be given to all officers to have currency as well as trade goods on hand in order to satisfy possible demands for currency. The Mission felt that, in the interest of the indigenous inhabitants and of a sound economy, efforts should be made to have the currency of the Territory as the only means of payment.

At the eighth session, the special representative informed the Council that it was the policy of the Administration to make payment in the currency of the Territory, but that, in areas recently brought under administrative influence, the change had to be gradual so as not to upset the Native barter rate of exchange.

At the same session, the Council adopted the following recommendations:

The Council, realizing that the real wages of an indigenous worker are composed of cash wages and also housing, food, clothing, medical service and transportation for himself and for his family, if accompanied by him; finding difficulty in assessing the relationship of the real wage to the existing cost of living; requests the Administering Authority to make available to the Council detailed data on the relationship between real wages and the cost of living.

In the meantime, the Council requests the Administering Authority to give serious consideration to the possibility of further increasing the minimum cash wages.

Industrial relations

The annual report under review contains no information on trade unions or other forms of collective bargaining.

At its third and fifth sessions, the Council recommended that encouragement and training be given to indigenous inhabitants which would lead to the establishment of some form of collective bargaining and, whenever possible, the establishment of trade unions.

Abolition of the indenture system

At its fifth session, the Council, noting that the system of indentured labour was to be abolished within a minimum period of five years, recommended that appropriate measures be considered in order to hasten the abolition of the system.

The Visiting Mission was informed that the system would be completely abolished by the end of 1950. A new system of written agreements, to be known as Native Employees' Agreements, would take its place and provide for a maximum of two years' employment. The whole relationship between employers and labourers would come under the civil law.

At the eighth session, the special representative stated that, under the Native Labour Ordinance, 1950, which came into operation on 1 January 1951, the indenture system will go out of existence at the end of 1951.

At the same session, the Council adopted the following conclusion:

The Council, noting its previous recommendations concerning the indenture system and noting that the Labour Ordinance, 1950, which came into operation on 1 January 1951 abolishes penal sanctions and indentured labour by the end of 1951, expresses its satisfaction with the action taken by the Administering Authority.

International Labour Conventions

The three International Labour Conventions applied to the Territory concern Unemployment Indemnity in case of Loss or Foundering of the Ship; Marking of the Weight on Heavy Packages Transported by Vessel; and Forced or Compulsory Labour.

At its seventh session, the Council urged the Administering Authority to speed up as much as possible the process for the ratification and application to the Territory of international conventions, particularly those affecting labour and other social questions, to which the Administering Authority is a party.

Public health

TheAdministering Authority states that the general policy of the Administration with regard to public health is to control infectious diseases in the village by all methods of sanitation and treatment; to treat all diseases and develop specialist services to improve the welfare of all persons; to train an increasing number of indigenous inhabitants so that they may take an increasing part in the public health programme; and to expand, especially, infant and maternal welfare.

During the year under review, 57,366 indigenous inhabitants were admitted to Administration hospitals and of these 641 (or 1.12 per cent) died.

Of the causes of admission 60 per cent were due to external injuries, diseases of the skin and areolar tissue, septic sores and infections, and yaws, while the three principal causes of admission — tropical ulcer (12,345 or 21.5 per cent), yaws (10,911 or 19.02 per cent) and malaria (5,435 or 9.5 per cent) represent approximately 50 per cent of the total number of admissions.

The diseases, pneumonia (189 or 29.5 per cent of deaths), malaria (73 or 11.4 per cent of deaths) and pulmonary tuberculosis (59 or 9.2 per cent of deaths) were responsible for about 50 per cent of the death-rate in Administration hospitals.

The official medical personnel of the Department of Public Health included thirty-five physicians and surgeons, two dentists, thirty-one qualified nurses, 273 medical assistants, 699 Native medical orderlies, five sanitation inspectors, four pharmacists, sixteen laboratory assistants and 174 other personnel.

At its third and fifth sessions, the Council recommended that the existing medical services be improved; increased efforts be made to recruit sufficient numbers of qualified medical practitioners for service in the Territory; the numbers of other medical personnel be increased; a more extensive programme be introduced for the training of indigenous inhabitants as physicians and nurses and for other medical work, and that greater priority be given to the establishment of additional hospitals, clinics and similar centres. In addition, the Council recommended, at its fifth session, that all possible steps be taken to expand and develop the public health services.

The Administering Authority reports that there has been a general improvement in the medical services. The staff has been increased, new institutions have been established, adequate supplies of modern equip-

ment and drugs have been made available, and a commencement has been made with the erection of new hospitals. A marked improvement in the staff position of the Department of Public Health was attributed largely to the decision to employ graduates from European universities. Action was taken to invite applications from these graduates, with the result that thirty-seven were appointed and took up duty in 1950.

In-patients increased by 14 per cent, while the hospital death-rate decreased from 1.23 per cent to 1.12 per cent. Medical patrols increased to the extent that a recorded 10 per cent more indigenous inhabitants were seen and nearly 8 per cent more were treated during patrols. In addition, 95,000 Natives were seen and treated when necessary, during the anti-tuberculosis campaign conducted in the Central Highlands District. Medical aid was brought to at least 8,000 Natives during the medical survey undertaken in the New Ireland District during the year. The total number of Administration village aid posts in the Territory is now 172, an increase of 130 over the number of posts as at 30 June 1949. A marked increase was reported in the medical activities of the several mission organizations operating in the Territory. Expenditures on public health, including aid to missions, totalled £579,420 during the year under review.

The Administering Authority noted that difficulty was still being experienced in obtaining trained nurses, medical assistants, pharmacists, health inspectors, technicians and dental mechanics, but hoped that, with the new classification of the public service of the Territory which included improved salary and other conditions, the position would improve.

At its seventh session, the Council noted with satisfaction the increased expenditure on the medical and health services of the Territory and congratulated the Administering Authority for the steps it had taken to accelerate the recruiting of medical personnel; it noted, particularly, that thirty-eight medical practitioners had been recruited from among European displaced persons, of whom twenty-four had already taken up duty in the Territory by 31 May 1950.

The Council, however, recognizing the inadequacy of the medical services in the Territory, recommended that the Administering Authority take further steps in that direction.

In a petition[370] presented to the Visiting Mission by the New Ireland Club, a request was made for more medical assistance. The Mission recommended that the Trusteeship Council reassure the petitioner that this matter had been brought to the attention of the local Administration.

The Administering Authority stated in its written observations[371] on the petition that since the petition was addressed to the Visiting Mission three medical officers had been stationed in the New Ireland District; in addition, a European nurse for Native welfare travelled from village to village with a mobile clinic.[372]

The Mission pointed out that the physical appearance of a number of indigenous inhabitants it met, especially children having so many diseases, did not seem to indicate a very satisfactory condition of health. The Mission wished to bring this observation to the attention of the Administering Authority.

At the eighth session of the Council, the special representative stated that approval had now been given for a hospital construction programme which included base hospitals at Lae and Rabaul; major regional hospitals at Wewak, Goroka, Madang and Wau; minor regional hospitals at Talasea, Mt. Hagen, Kieta and Kainantu; and sub-regional hospitals — five in the Sepik District, four in the Central Highlands District, three in the New Britain District, four in the Madang District, eight in the Morobe District, five in the New Ireland District, four in the Bougainville District, and one in the Manus District. In addition, four tuberculosis hospitals and four leper hospitals were to be built at locations to be selected, and bulk medical stores were to be set up at Lae and Rabaul.

The estimated cost will be in the vicinity of £A.4,500,000, plus an additional £500,000 for movable hospital equipment and furniture not already held in existing hospitals. The whole programme was planned with a view to its completion within five years.

At its eighth session, the Council adopted the following conclusion and recommendation:

The Council, noting the increase in the medical and health services, in medical staff, and in medical patrols; noting the replacement of medical Tultuls *by trained personnel in the villages, and noting the formulation of a five-year hospital building programme; commends the Administering Authority for the progress made in the field of public health; expresses the hope that the Administering Authority will continue its work and hopes that it will complete its hospital building programme on schedule, if not earlier.*

Medical patrols

At its seventh session, the Council, noting the use in the Territory of medical patrols transported by land, sea or air, suggested that the Administering Authority study the possibility of extending these facilities.

The Administering Authority stated that, during the year under review, 131,471 indigenous inhabitants were examined in their villages by members of the staff of the Department of Public Health on patrol.

The conduct of patrols, it was reported, continued to be the best method of providing the great mass of the people with medical treatment and this would continue to be the case until road systems would allow the easy transport of patients to hospitals.

Criminal code

A convicted person may in certain circumstances be declared an habitual criminal, and at the expiration of his prison sentence for a specific crime may be detained until such time as the Administrator of the Territory considers him fit to be at large.

The criminal code contains provision for corporal punishment, but no sentences of corporal punishment have been imposed for a number of years.

At its fifth session, the Council recommended that corporal punishment be abolished, and that legislation be reviewed with a view to ensuring provision for the judicial declaration of an habitual criminal and for the

[370] T/PET 8/6.
[371] T/859.
[372] For the decision on the petition see resolution 327 (VIII).

fixing of the minimum and maximum period of further punishment. The General Assembly, at its fourth session, recommended that effective measures be taken immediately to abolish corporal punishment.

The annual report of 1948-49, to which reference is made in the annual report under review, states that the provisions of the criminal code, regarding corporal punishment and the unlimited powers of the Administrator to prolong indefinitely the incarceration of prisoners, are under examination.

At its eighth session, the Council adopted the following recommendation:

The Council, noting the statement of the Administering Authority that corporal punishment is not practised in the Territory, but that provision for its application still exists in the penal code, recommends to the Administering Authority that corporal punishment be formally abolished.

Observations of members of the Trusteeship Council representing their individual opinions only

Population

The representative of Belgium hoped that information would be given on the results of investigations into the depopulation of certain regions of the Territory.

Human rights and fundamental freedoms

The representative of the Union of Soviet Socialist Republics stated that the Administering Authority, carrying out an anti-democratic policy with regard to the indigenous inhabitants, allowed racial discrimination and crude violation of the rights and interests of the indigenous inhabitants. In this regard, he mentioned ordinances which prohibit indigenous inhabitants from moving about between nine o'clock at night and six o'clock in the morning, and from leaving their villages to work for hire in some areas designated by the district officer. He considered that these ordinances were inconsistent with the obligations of the Administering Authority under the Charter and stated that the Council should recommend to the Administering Authority the revocation of all discriminatory ordinances and the prohibition in the future of racial discrimination against the indigenous inhabitants.

The representative of the Administering Authority emphasized that the Police Offences Ordinance and related Regulations were under review, that they had been imposed in the interests of the Native inhabitants and were not discriminatory, and that the references of the representative of the Union of Soviet Socialist Republics were by no means justified by the information given.

Labour

The representative of Iraq stressed the problem of finding more labour, especially if more developments were to be undertaken. He felt that the Administering Authority should study ways and means of how to attract more labour and suggested that conditions might be made more acceptable, for example, by the distribution of mosquito nets. He noted, in this connexion, that the Mission was assured that the issuance of nets would be made compulsory.

Native wages and cost of living

The representative of Iraq thought the absence of a cost-of-living survey left both the Administering Authority and the Council rather vague as to the problem. He agreed with the Visiting Mission that a survey should be made as soon as possible and be studied in relation to wages; he believed a recommendation to that effect should be made.

The representative of the Union of Soviet Socialist Republics stated that the indigenous inhabitants who work for wages were paid on a very low scale, and considered that a severe contrast could be seen between this beggarly wage and the salaries received by the most minor European officials working for the Administration. He pointed out that, from these facts, it was obvious that the Administering Authority was condemning the broad masses of the indigenous inhabitants to an existence of semi-starvation and desolation, in conditions of a primitive, natural economy.

The representative of the Administering Authority said that the representative of the Union of Soviet Socialist Republics in his remarks on wages failed to mention the provision of free housing, clothing, food, medical attention and fares for the worker and for his wife and family if living with him at his place of employment. These additional factors must be taken into account, as also the sum held in savings deposits accounts of Native inhabitants.

Public health

The representative of New Zealand considered the Council should commend the Administering Authority for the hospital construction programme, to cost nearly £5 million over five years. This indicated the desire and intention of the Administering Authority to improve conditions in the Territory from the pocket of the Australian taxpayer.

The representative of China stated that the Administering Authority should be commended for the increase in budgetary allocations for medical and health services and for the five-year hospital construction programme. He noted with interest the intention to establish a directorate of medical training and hoped this would be expedited.

The representative of the Union of Soviet Socialist Republics pointed out that the health situation showed that the Administering Authority was not concerned with the medical and sanitary welfare of the indigenous inhabitants. He noted the Visiting Mission's comment on the unsatisfactory condition of the health of the indigenous inhabitants and stated that poverty, hunger, and the lack of medical and sanitary facilities, the lack of roads and transport, and an insufficiency of hospitals led to an increase in an already high mortality rate. He considered that the high figures of infant mortality rates given in the report of the Administering Authority, from 250 to 454 per 1,000 children born, indicated that the indigenous inhabitants lived in conditions of hunger, poverty, hard labour and lack of sanitation, and that the Administering Authority was not concerned with protecting the welfare of mothers and children.

He noted that, despite very pressing requirements, the Administering Authority was not giving the indigenous inhabitants opportunities to obtain medical education.

He considered the expenditure on health needs was completely insufficient and stated that the Council should recommend that the Administering Authority increase its budgetary appropriations for health services.

The representative of the Administering Authority was grateful to those members of the Council who had shown their appreciation of the attention given by the Administering Authority to the very real problems in the field of health and of the plans for the development of health services in the Territory. The Administering Authority was very much concerned with the health and welfare of the indigenous inhabitants, and cited evidence from the figures in the annual report showing an increase in hospital facilities.

V. EDUCATIONAL ADVANCEMENT

Outline of conditions and recommendations adopted by the Trusteeship Council

General

Schools in New Guinea are conducted by the Administration and missions, with the Administration exercising supervisory control over the entire school system. The Administration has stated that its policy is to seek to attain universal literacy and the development of the indigenous inhabitants as a community within their own environment. Education is not compulsory and the Visiting Mission was of the opinion that it was not practicable to apply compulsory education throughout the Territory.

During the year 1949-50 Administration schools increased from forty-four to fifty and mission schools from 1,790 to 2,360. Mission schools are subsidized by the Administration. No school fees are required in Administration and mission schools.

There are five types of schools for the indigenous inhabitants: (1) village schools conducted by missions giving four years of instruction in the vernacular, with the teaching of English in the fourth year to students between the ages of 5 and 9 years; (2) village higher schools conducted both by the Administration and missions, drawing pupils from the 10 to 13 age groups, offering a four-year course continuing on from the village school course, and with instruction in English commencing in the second year; (3) area schools serving a number of villages and conducted both by the Administration and missions in which the course is the same as that offered in village higher schools; (4) central schools for the 13 to 16 years age groups conducted by the Administration and by the missions and offering three-year technical and pre-vocational courses on the secondary level; (5) higher training centres, of which, according to the annual report for 1949-50 there were seventeen with an enrolment of 1,300 students. In addition to the above, there are primary schools for Europeans, Asians and part-Natives conducted by the Administration and the missions.

Of the 88,726 pupils attending schools in 1949-50 (67,385 in 1948-49) 2,827 were in Administration schools and 85,899 in mission schools. All but 753 of the total were indigenous inhabitants, and of the latter 85,467 were attending mission schools. There were 3,300 teachers in 1949-50 as compared to 2,540 in 1948-49; 125 were in Administration schools and 3,175 in mission schools.

Of the pupils attending mission schools on 30 June 1950, 75,369 were in village schools, 8,882 in intermediate schools, and 1,216 in higher training schools.

At its third session, the Council expressed concern at the inadequacy of educational facilities in the Territory and at the consequently high rate of illiteracy, which was hindering the political advancement of the indigenous inhabitants. The Council welcomed the assurance of the Administering Authority that education was a major item in plans for the future development of the Territory, and urged the Administering Authority to press forward with the execution of these plans.

At the same session, the Council recommended that the Administering Authority put into effect the general school-building programme which would at least restore the number of schools to the pre-war level in the shortest possible time.

At its fourth session, the Council requested the Administering Authorities to intensify, within their possibilities, their efforts to increase educational facilities, even if this should involve an increase in the budgetary provisions for this purpose and proposed that primary education should be free and that access to higher education should not be dependent on means.

During the year 1949-50, six Administration and 570 mission schools were established. In the preceding year six new schools were opened by the Administration. Education is free.

The Visiting Mission expressed the view that more intensive efforts should be made to develop education throughout New Guinea at as quick a tempo as possible and, with this in view, special attention should be paid to the training of indigenous teachers, to the opening of more Government schools and to the granting of a reasonable number of scholarships for attendance at schools in and outside New Guinea.

At its eighth session, the Council adopted the following recommendations:

The Council recommends to the Administering Authority that it take the necessary steps to expand elementary education in the Trust Territory and to afford the indigenous population further opportunities of receiving secondary and higher education.

The Council recommends that the Administering Authority give special attention to the training of indigenous teachers, to the opening of more governmental schools and to the granting of a reasonable number of scholarships for attendance at schools in and outside New Guinea.

Expenditure on education

The Council, at its fifth session, noted the considerable increase in the expenditure for education as between the years 1946-47 and 1947-48; it noted, however, that expenditure was still low, reiterated its recommendations of the fourth session regarding educational advancement and higher education, and recommended that

the Administering Authority undertake a further increase in expenditure in order to cope with the widespread illiteracy of the inhabitants and to provide for secondary and higher education and other cultural requirements.

At its fourth session, the General Assembly expressed the hope that the Administering Authorities, in preparing their budgets, would give special prominence to improving and increasing educational facilities.

Expenditure on education, including the Native Reconstruction Training Scheme, by the Administration in 1949-50 amounted to £282,669 as compared with £135,097 and £97,257 spent on education during 1948-49 and 1947-48 respectively. The sum for the year 1949-50 represents 8.7 per cent of the total expenditure as compared to 5.2 per cent for the previous year. The Visiting Mission has noted that the budget for 1950-51 provides for an expenditure of £280,000 plus £170,000 for technical training. The Mission was informed that this would represent approximately 10 per cent of the territorial budget.

Adult and mass education

Plans prepared for adult or mass education according to the Administering Authority provide for integrated work by a number of departments and include provisions for the utilization of radio, films, publications and other media of mass communication. Preparatory work has been commenced in the Maprik Education Area where it is proposed to extend on the adult level educational work of the area school type.

During 1949-50, a half-hour daily broadcast programme was maintained for adult indigenous listeners by the Department of Education. A programme of visual education is being carried out and during the year 1949-50 there were 268 screenings and 97,502 attendances.

The Administering Authority states that an experimental mass literacy campaign in one district, following the Laubach system, has met with considerable success; the work will not be extended, however, until suitable vernacular reading material for the newly literate can be made available. A Mass Literacy Educational Committee has been established to collect and distribute literature suitable for use in the mass literacy campaign. Both the Department of Education and the missions publish periodicals in the vernacular.

At its eighth session, the Council adopted the following recommendation:

The Council recommends that the Administering Authority intensify its effort to expand the mass literacy campaign.

Higher education

At its third session, the Council recommended that the Administering Authority devote special attention to the provision of education beyond the rudimentary stage, including the establishment of scholarships or similar facilities for higher study outside the Territory.

In a petition[373] presented to the Visiting Mission by a paramount chief in New Britain the petitioners noted that, although they wished to send their children to school outside the Territory and would pay their expenses, this had been refused. The Mission recommended that the Trusteeship Council should reassure the petitioner that there was no bar to indigenous children going to Australia for education provided they were qualified to take their places in an English-speaking school and satisfactory arrangements were made by their parents to pay their expenses.

The Administering Authority has stated that provision is made for persons for whom higher education is warranted to attend institutions in Australia. Facilities for professional and vocational training in medicine, health and technical subjects are planned but have not yet been provided in the Territory. According to the Visiting Mission these proposals must wait upon the teacher-training scheme for their fulfilment.

Teacher-training

According to the Administering Authority there are not yet enough teachers, indigenous and non-indigenous, to meet the demand for education. The Visiting Mission was of the opinion that this was the limiting factor both with regard to the number of schools and the standard of education provided in them. In 1949-50, eighty-four indigenous students were receiving their initial teacher-training at one institution where a two-year course is provided. A second teacher-training establishment will enroll students early in 1950-51. The majority of indigenous teachers in mission schools were trained before the Second World War; the lack of any great increase in their numbers is attributed to the difficult post-war rehabilitation period through which the missions had to pass. A training scheme for European education officers is in operation.

The Council noted, at its third session, the inadequacy of the teacher-training programme for indigenous schools, and recommended that the Administering Authority devote additional funds and facilities to this purpose.

At its fourth session, the Council suggested to the Administering Authorities that existing facilities for the training of indigenous teachers be improved and expanded.

The Visiting Mission was informed that the establishment of a fully organized teachers' college is envisaged within the next two years. It is proposed that graduates of the two-year course to be offered will be able to qualify for full certification as teachers thus qualifying them to take charge of one-teacher schools. Refresher courses would be provided for other teachers not fully trained.

One petition[374] reflecting the need for teachers, received by the Visiting Mission at Kavieng, requested assistance in securing a teacher. The Mission recommended that the Trusteeship Council inform the petitioner that the matter had been brought to the attention of the local Administration.

The Administering Authority stated in its written observations[375] on this petition that as teachers completed their training in the near future at the training college at Keravat they would be sent to schools in various districts including the school in Kavieng.

[373] T/PET.8/5.

[374] T/PET.8/6.

[375] T/859.

In its resolution on the petition the Council drew the attention of the petitioner to the statement of the Administering Authority; noted the lack of fully qualified school teachers; and felt that more intensive efforts should be made to develop education throughout the Territory with special attention given, among other things, to the training of indigenous teachers.[376]

At its eighth session, the Council adopted the following recommendation:

The Council, noting with satisfaction the present teacher-training programme, expresses the hope that the Administering Authority will increase its efforts in this respect, particularly the rapid completion of a proposed teachers' centre at Finschhafen and the development of the teacher-training project through the expansion of present facilities.

Mission schools

At its third session, the Council, noting the preponderant part taken by religious missions in the education of the indigenous inhabitants, recommended that the Administering Authority assume an increasing measure of responsibility and initiative in the future. The Council requested the Administering Authority to provide in the next annual report information on the proportional part played by the Government and missions, respectively, in the task of education.

At its fifth session, the Council, recognizing the serious efforts that had been made in the field of education and noting the relationship between the Administration and the religious missions in this field, commended the Administering Authority for the present arrangements giving it supervisory control over the whole programme.

At present there is no statutory control of schools operated by the missions. The Visiting Mission was informed that agreement in most matters has been reached between the Administration and the missions. Grants-in-aid are made to the missions in respect of trained European teaching staff, with due regard to the types of schools operated and to the members attending such schools. The amount of the grant made to missions during 1949-50 was £82,310 as compared to £22,650 during the previous year. The recorded expenditure of money from their own funds by missions during 1949-50 was £65,923 (£48,275 in 1948-49). The Visiting Mission noted that, under a proposed new education ordinance, the Administration would be empowered to lay down in some detail the syllabus and supplementary activities to be followed by the missions in schools and also in the training of teachers. However, the Visiting Mission was unable to obtain any probable date of promulgation for the proposed education ordinance.

At its eighth session, the Council adopted the following recommendation:

The Council expresses the hope that the new Education Ordinance will make provision for the supervisory control by the Administering Authority of education and all educational institutions.

Language of instruction in the schools

The Visiting Mission has observed that the multiplicity of languages in New Guinea presents a very great problem to educators. In its latest report the Administering Authority states that the use of English appears to be the ultimate solution to the problem of linguistic diversity in the Territory. A linguist has undertaken a survey of the Territory which will serve as a basis for policy in respect of languages for particular areas. Certain points of policy have already been established.

The Visiting Mission noted that few of the indigenous teachers are fluent in English and was of the opinion that this was a retarding factor. The Mission was of the opinion that teaching in the local vernacular in the village schools was necessary; but it welcomed the declaration of the Administering Authority that English was to be the medium of instruction in the higher schools.

Indigenous art and culture

The Special Services Division of the Department of Education has a music section and an art and handicrafts section in which it conducts research and designs programmes for special educational activities intended to maintain interest in indigenous art and culture. A handicrafts officer of the women's branch of the Department of Education tours the Territory, advising teachers concerning the inclusion of local crafts in school work, interesting local experts in giving instruction and guidance in the practice of their crafts in schools, and encouraging the interest of adults in their own crafts and introducing such new forms and techniques as they may wish. An arts and handicrafts exhibition was organized during the year, in which a prominent place was given to the work of the indigenous inhabitants. A Science Association and an Arts Council in the Territory are both interested in spreading a knowledge of indigenous culture, by means of meetings, discussions and exhibitions.

The Broadcasts Section of the Department of Education has made many recordings of indigenous music in different localities for use in its daily sessions. The people's interest in its own music is further encouraged by inter-village and inter-school choral competitions. Folklore is included in publications and attention is given to it in schools.

At its eighth session, the Council adopted the following conclusion and recommendation:

The Council notes with approval the steps taken by the Administering Authority to encourage the development of the indigenous art and culture, and hopes that the Administering Authority will continue its efforts in this direction.

Observations of members of the Trusteeship Council representing their individual opinions only

General

The representative of Iraq regretted that education was not compulsory in New Guinea and hoped that the results of the Administering Authority's study of a draft ordinance in this field would be communicated to the Council as soon as possible. He thought that the Administering Authority should be urged to seize on the opportunity presented by the indigenous population's desire for education, in order to improve the

[376] For the decision on the petition see resolution 327 (VIII).

educational facilities of the Territory and to teach them how to co-operate with the Administering Authority's work for their own country. He considered that the Council should make a recommendation to the Administering Authority regarding the development of education on the lines of the last paragraph in the Visiting Mission's report.

The representative of Thailand considered that if the policy of the Administering Authority were to seek to attain universal literacy the first thing to do would be to render education compulsory. The representative of Thailand and the representative of China fully agreed with the Visiting Mission's recommendation that "more intensive efforts should be made to develop education".

The representative of the Union of Soviet Socialist Republics noted that the educational situation was completely unsatisfactory, that discrimination between Europeans and indigenous inhabitants was practised with regard to educational possibilities, and that only a very insignificant percentage of school-age children of indigenous inhabitants attend school. He considered that the Council should recommend that the Administering Authority take the necessary steps to provide primary education for the children of the Territory.

The representative of the Administering Authority stated that the Administration was taking steps to improve the standard of schools and training institutions, and emphasized that the budgetary allocation for the education department and its activities had been considerably increased.

Expenditure on education

The representative of the Union of Soviet Socialist Republics considered that the Council should recommend that the Administering Authority increase its budgetary allocations for education.

Adult and mass education

The representative of Thailand expressed regret that the experimental mass literacy campaign along the line of the Laubach system, found successful in one district had not been continued and extended.

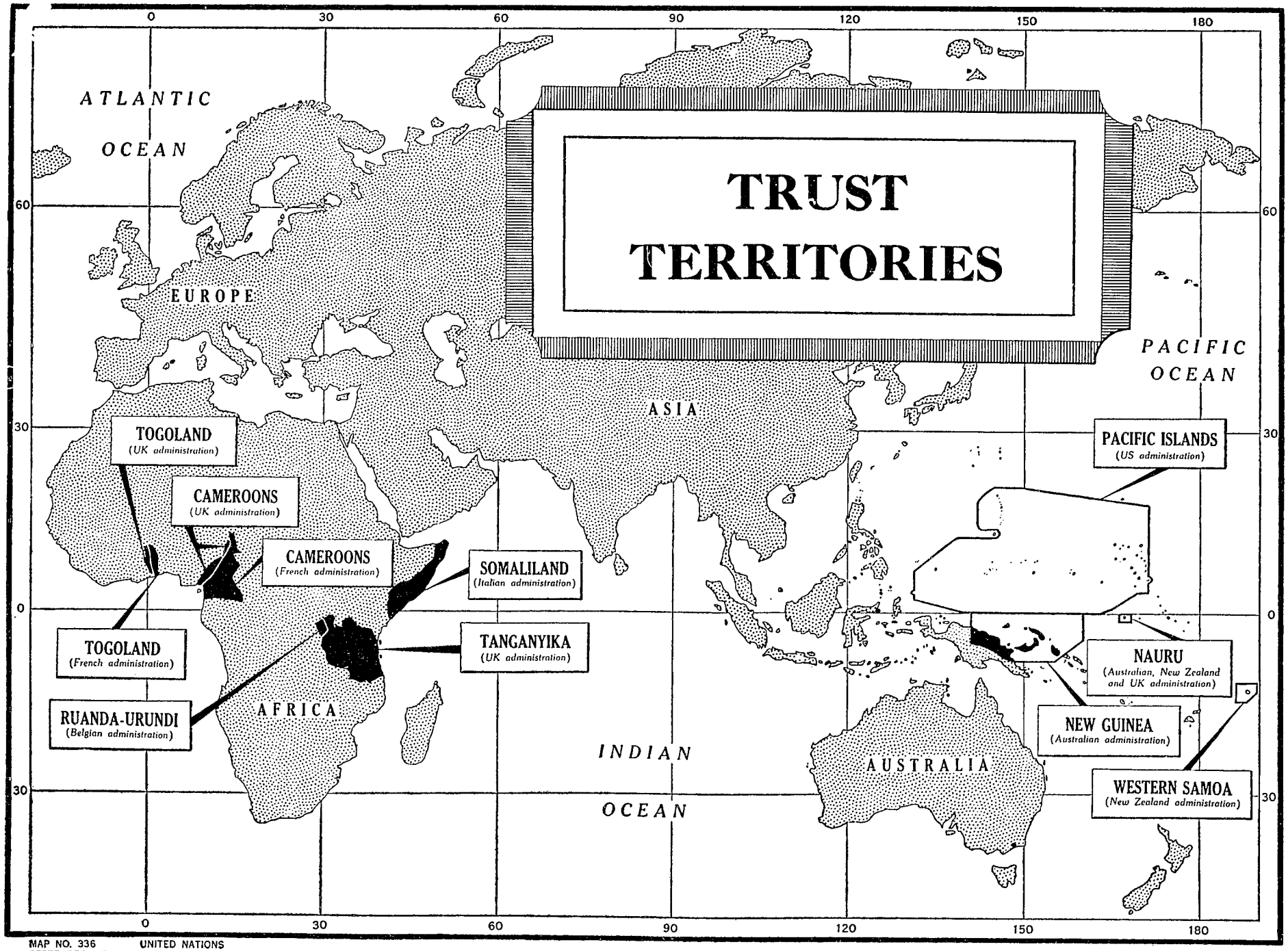
Higher education

The representative of the Union of Soviet Socialist Republics considered that the Council should recommend that the Administering Authority take the necessary steps to give the indigenous inhabitants the possibility of obtaining secondary and higher education.

Teacher-training

The representative of Iraq thought the Administration might consider ways and means of making conditions reasonably comfortable for teachers in order to encourage recruitment.

The representative of the Union of Soviet Socialist Republics noted that, despite the critical shortage of teachers, the Administering Authority had done nothing to train a sufficient number of teachers from among the indigenous inhabitants.



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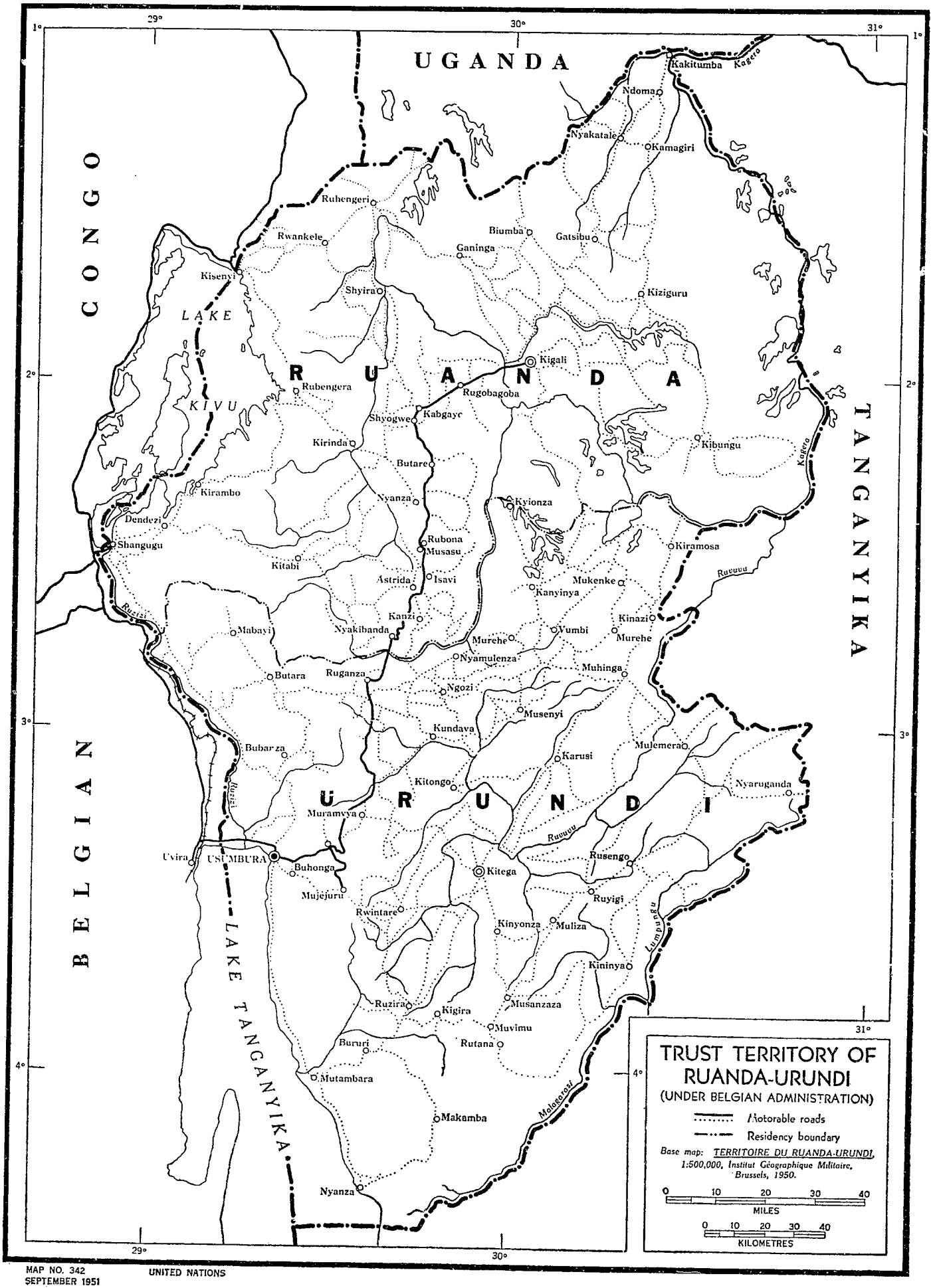

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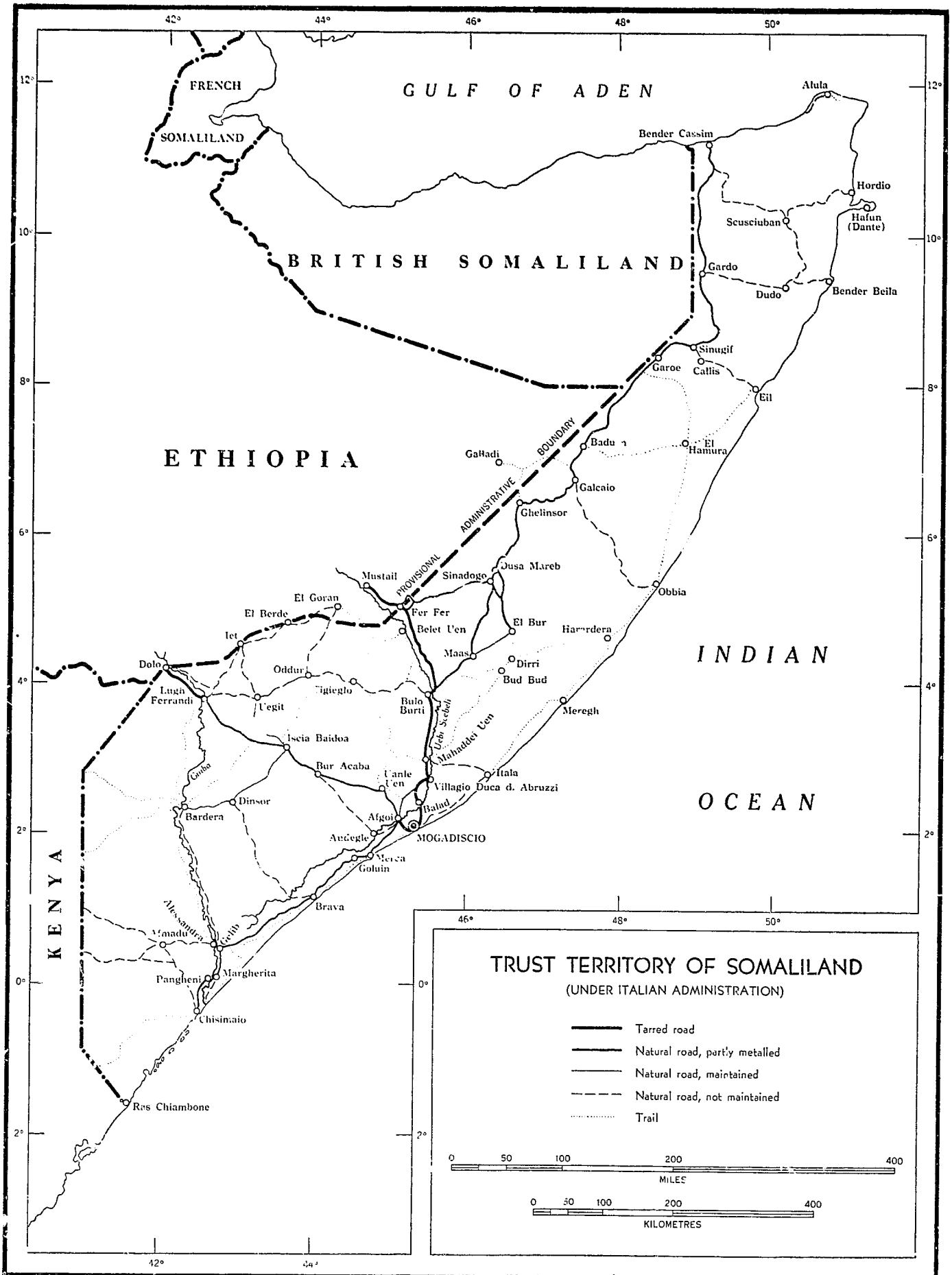

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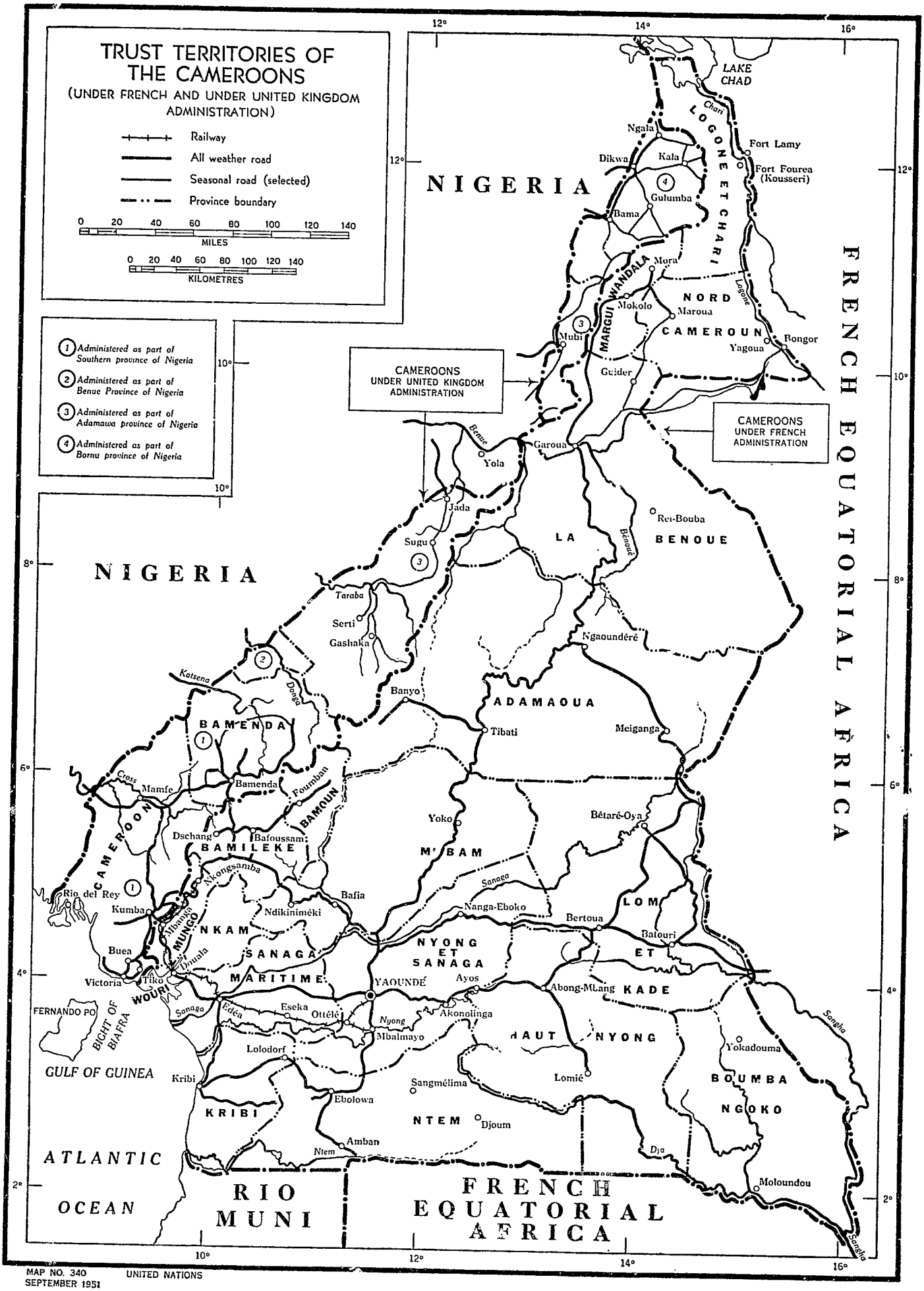

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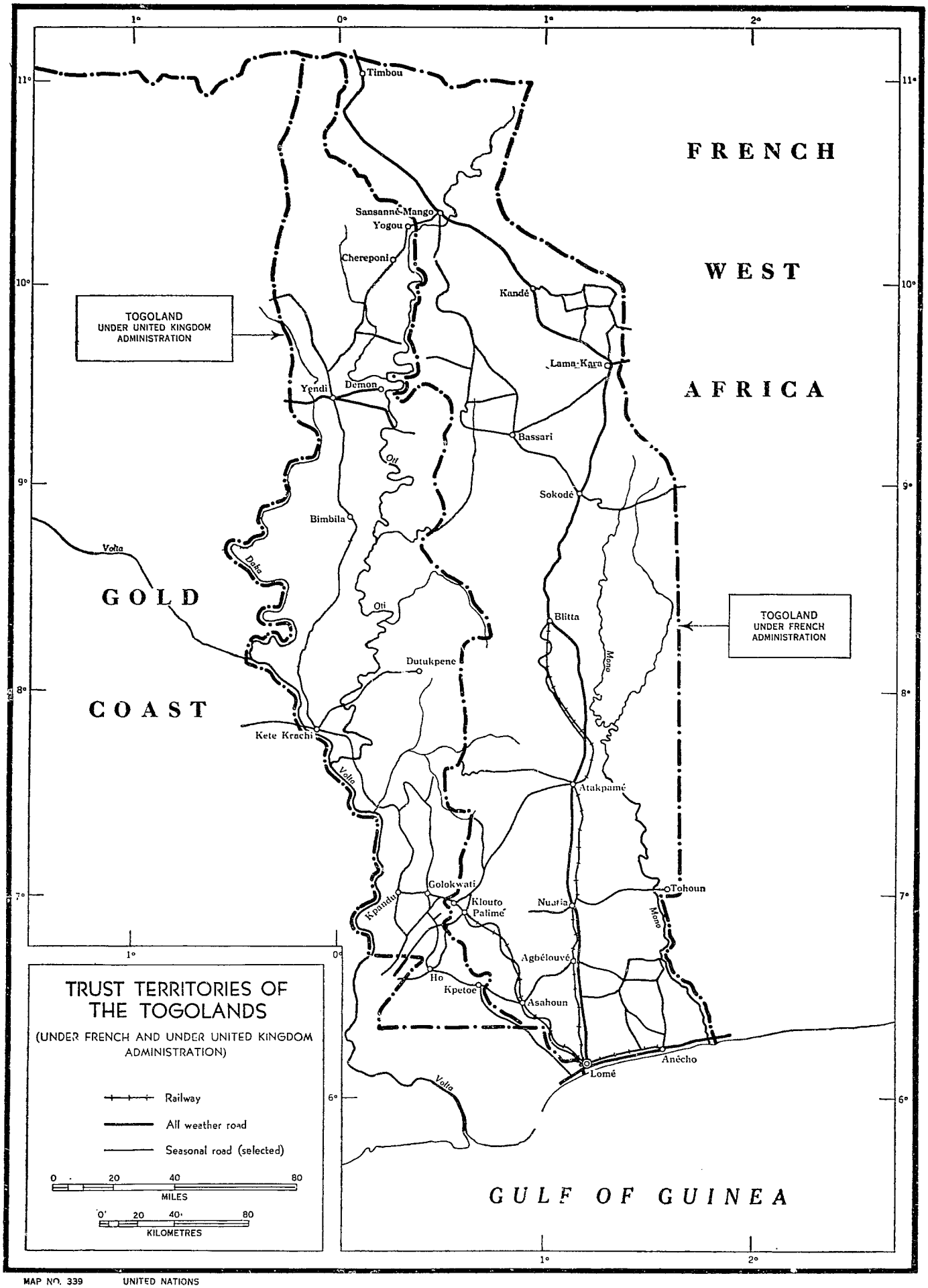

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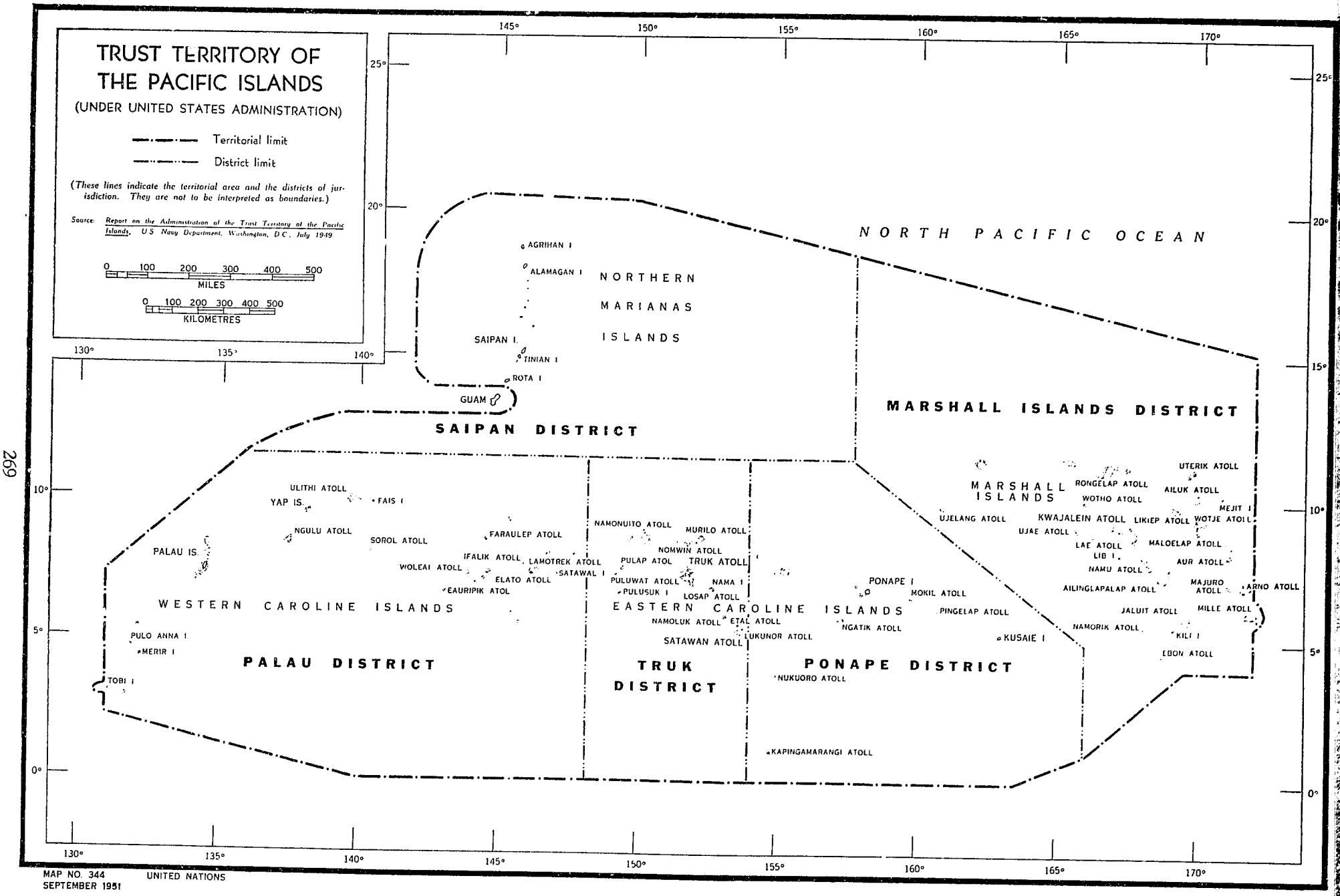

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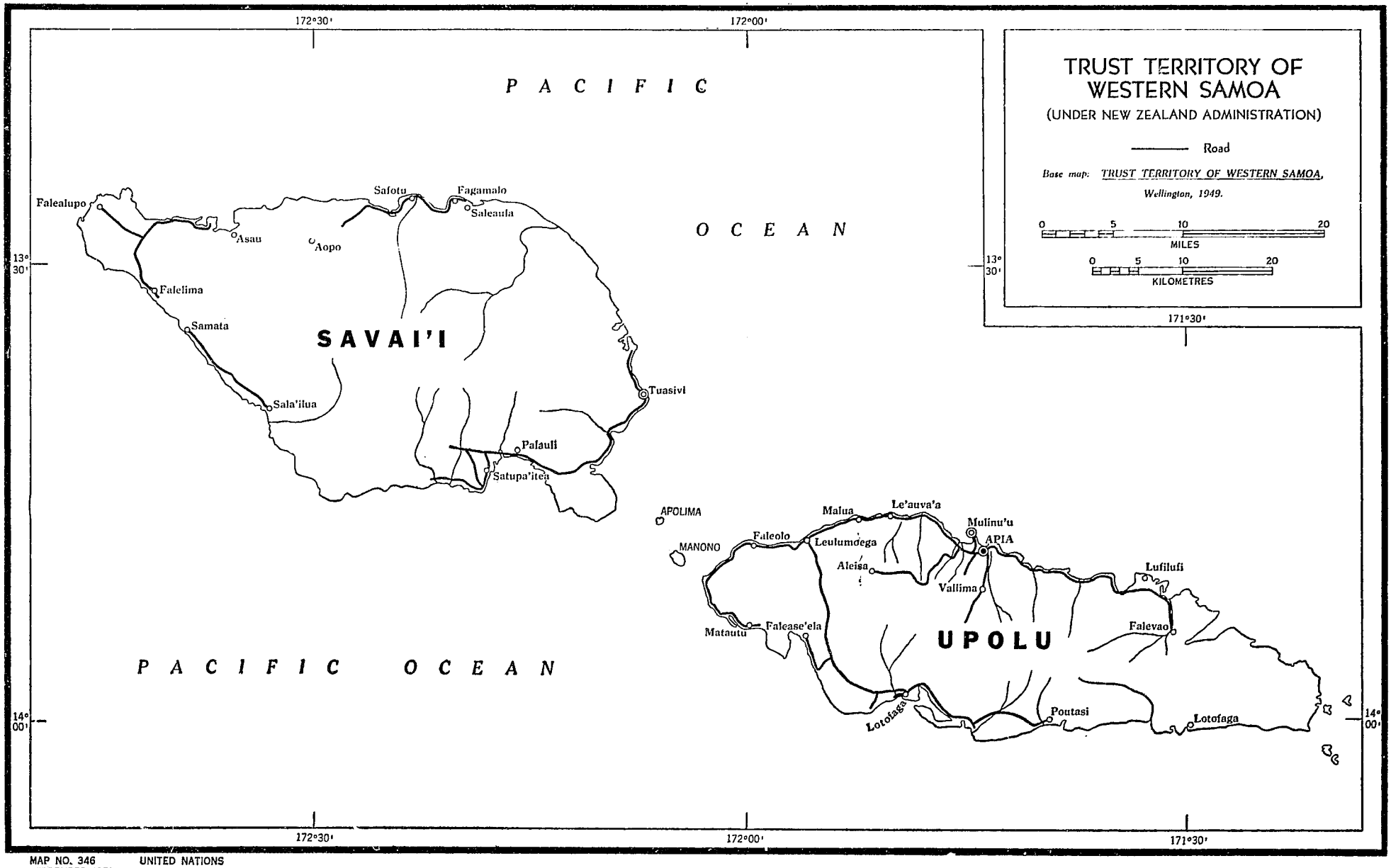

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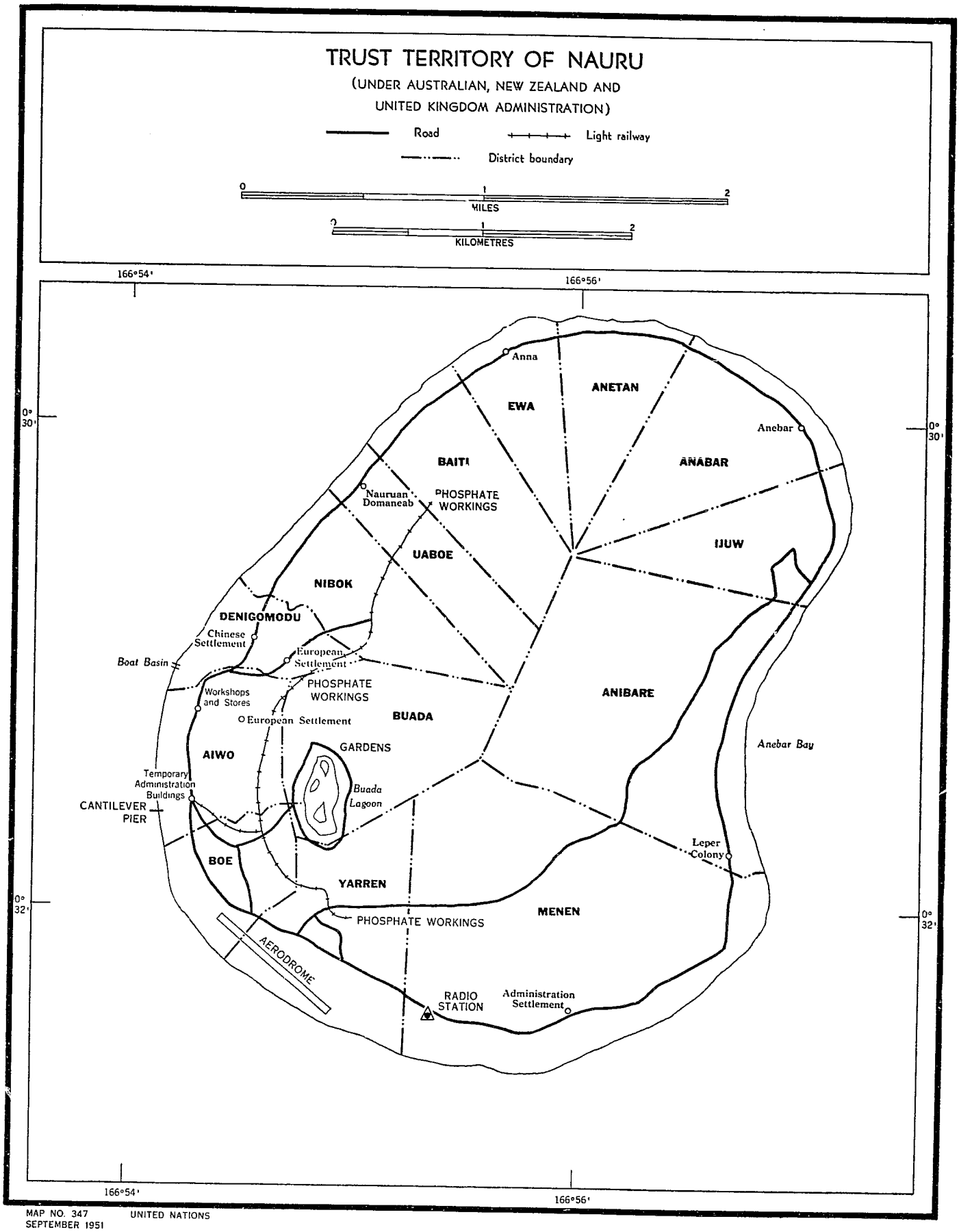

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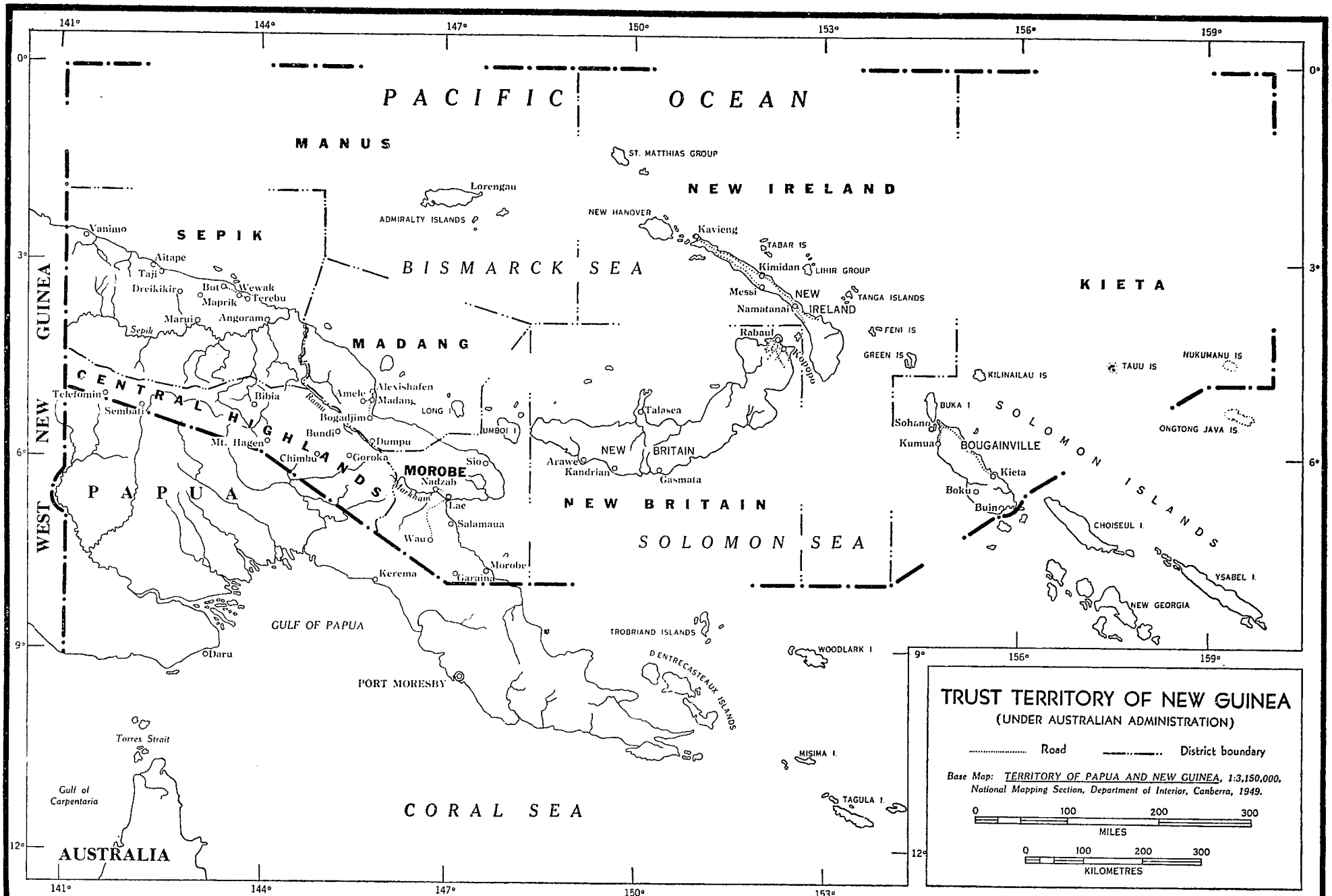

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