



Treaty Series No. 89 (1947)

NAURU

TEXT OF TRUSTEESHIP AGREEMENT AS
APPROVED BY THE GENERAL ASSEMBLY
OF THE UNITED NATIONS

New York, 1st November, 1947

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

HIS MAJESTY'S STATIONERY OFFICE

ONE PENNY NET

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IN pursuance of a Mandate conferred upon His Britannic Majesty the Territory of Nauru has been administered in accordance with Article 22 of the Covenant of the League of Nations⁽¹⁾ by the Government of Australia on the joint behalf of the Governments of Australia, New Zealand, and the United Kingdom of Great Britain and Northern Ireland.

The Charter of the United Nations, signed at San Francisco on 26th June, 1945⁽²⁾, provides by Article 75 for the establishment of an International Trusteeship System for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements.

His Majesty desires to place the Territory of Nauru under the Trusteeship System and the Governments of Australia, New Zealand and the United Kingdom undertake to administer it on the terms set forth in the present Trusteeship Agreement.

Therefore the General Assembly of the United Nations, acting in pursuance of Article 85 of the Charter,

Approves the following terms of Trusteeship for the Territory of Nauru in substitution for the terms of the Mandate under which the Territory has been administered.

ARTICLE 1

The Territory to which this Trusteeship Agreement applies (hereinafter called "the Territory") consists of the island of Nauru (Pleasant Island) situated approximately 167° Longitude East and approximately 0° 25' Latitude South, being the Territory administered under the Mandate above referred to.

ARTICLE 2

The Governments of Australia, New Zealand and the United Kingdom (hereinafter called "the Administering Authority") are hereby designated as the joint authority which will exercise the administration of the Territory.

ARTICLE 3

The Administering Authority undertakes to administer the Territory in accordance with the provisions of the Charter and in such a manner as to achieve in the Territory the basic objectives of the International Trusteeship System, which are set forth in Article 76 of the Charter.

ARTICLE 4

The Administering Authority will be responsible for the peace, order, good government and defence of the Territory, and for this purpose, in pursuance of an agreement made by the Governments of Australia, New Zealand and the United Kingdom, the Government of Australia will, on behalf

⁽¹⁾ "Treaty Series No. 4 (1919)," Cmd. 153.

⁽²⁾ "Treaty Series No. 67 (1946)," Cmd. 7015.

of the Administering Authority and except and until otherwise agreed by the Governments of Australia, New Zealand and the United Kingdom, continue to exercise full powers of legislation, administration and jurisdiction in and over the Territory.

ARTICLE 5

The Administering Authority undertakes that in the discharge of its obligations under Article 3 of this Agreement:

1. It will co-operate with the Trusteeship Council in the discharge of all the Council's functions under Articles 87 and 88 of the Charter.
2. It will, in accordance with its established policy—
 - (a) take into consideration the customs and usages of the inhabitants of Nauru and respect the rights and safeguard the interests, both present and future, of the indigenous inhabitants of the Territory; and in particular ensure that no rights over native land in favour of any person not an indigenous inhabitant of Nauru may be created or transferred except with the consent of the competent public authority;
 - (b) promote, as may be appropriate to the circumstances of the Territory, the economic, social, educational and cultural advancement of the inhabitants;
 - (c) assure to the inhabitants of the Territory, as may be appropriate to the particular circumstances of the Territory and its peoples, a progressively increasing share in the administrative and other services of the Territory and take all appropriate measures with a view to the political advancement of the inhabitants in accordance with Article 76 (b) of the Charter;
 - (d) guarantee to the inhabitants of the Territory, subject only to the requirements of public order, freedom of speech, of the press, of assembly and of petition, freedom of conscience and worship and freedom of religious teaching.

ARTICLE 6

The Administering Authority further undertakes to apply in the Territory the provisions of such international agreements and such recommendations of the specialised agencies referred to in Article 57 of the Charter as are, in the opinion of the Administering Authority, suited to the needs and conditions of the Territory and conducive to the achievement of the basic objectives of the Trusteeship System.

ARTICLE 7

In order to discharge its duties under Article 84 of the Charter and Article 4 of the present Agreement, the Administering Authority may take all measures in the Territory which it considers desirable to provide for the defence of the Territory and for the maintenance of international peace and security.

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