

THE MANDATE.

MANDATE FOR THE GERMAN POSSESSIONS IN THE PACIFIC OCEAN SITUATED SOUTH OF THE EQUATOR OTHER THAN GERMAN SAMOA AND NAURU.

The Council of the League of Nations:

Whereas by article 119 of the Treaty of Peace with Germany signed at Versailles on the 28th June, 1919, Germany renounced in favour of the Principal Allied and Associated Powers all her rights over her overseas possessions, including therein German New Guinea and the groups of islands in the Pacific Ocean lying south of the Equator other than German Samoa and Nauru; and

Whereas the Principal Allied and Associated Powers agreed that, in accordance with article 22, part I. (Covenant of the League of Nations), of the said treaty, a Mandate should be conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Commonwealth of Australia, to administer New Guinea and the said islands, and have proposed that the Mandate should be formulated in the following terms; and

Whereas His Britannic Majesty, for and on behalf of the Government of the Commonwealth of Australia, has agreed to accept the Mandate in respect of the said Territory and has undertaken to exercise it on behalf of the League of Nations in accordance with the following provisions; and

Whereas, by the aforementioned article 22, paragraph 8, it is provided that the degree of authority control or administration to be exercised by the Mandatory, not having been previously agreed upon by the members of the League, shall be explicitly defined by the Council of the League of Nations:

Confirming the said Mandate, defines its terms as follows:—

ARTICLE 1.

The Territory over which a Mandate is conferred upon His Britannic Majesty for and on behalf of the Government of the Commonwealth of Australia (hereinafter called the Mandatory) comprises the former German colony of New Guinea and the former German islands situated in the Pacific Ocean and lying south of the Equator, other than the islands of the Samoan group and the island of Nauru.

ARTICLE 2.

The Mandatory shall have full power of administration and legislation over the territory subject to the present Mandate as an integral portion of the Commonwealth of Australia, and may apply the laws of the Commonwealth of Australia to the territory, subject to such local modifications as circumstances may require.

The Mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory subject to the present Mandate.

ADMINISTRATION AND GOVERNMENT—

ARTICLE 3.

The Mandatory shall see that the slave trade is prohibited,⁽¹⁾ and that no forced labour is permitted,⁽²⁾ except for essential public works and services and then only for adequate remuneration.

The Mandatory shall also see that the traffic in arms and ammunition is controlled⁽³⁾ in accordance with principles analogous to those laid down in the convention relating to the control of the arms traffic, signed on the 10th September, 1919, or in any convention amending the same.

The supply of intoxicating spirits and beverages to the natives⁽⁴⁾ shall be prohibited.

ARTICLE 4.

The military training of the natives,⁽⁵⁾ otherwise than for purposes of internal police and the local defence of the territory, shall be prohibited. Furthermore, no military or naval bases shall be established or fortifications erected in the territory.⁽⁶⁾

ARTICLE 5.

Subject to the provisions of any local law for the maintenance of public order and public morals, the Mandatory shall ensure in the territory freedom of conscience⁽⁷⁾ and the free exercise of all forms of worship,⁽⁷⁾ and shall allow all missionaries, nationals of any State member of the League of Nations, to enter into, travel and reside in the territory for the purpose of prosecuting their calling.

ARTICLE 6.

The Mandatory shall make to the Council of the League of Nations an annual report⁽⁸⁾ to the satisfaction of the Council, containing full information with regard to the territory, and indicating the measures taken to carry out the obligations assumed under articles 2, 3, 4, and 5.

ARTICLE 7.

The consent of the Council of the League of Nations is required for any modification of the terms of the present Mandate.

The Mandatory agrees that, if any dispute whatever should arise between the Mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the Mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the permanent Court of International Justice provided for by article 14 of the Covenant of the League of Nations.

The present declaration shall be deposited in the archives of the League of Nations. Certified copies shall be forwarded by the Secretary-General of the League of Nations to all Powers signatories of the Treaty of Peace with Germany.

Made at Geneva the 17th day of December, 1920.

Certified true copy.

ERIC DRUMMOND,
Secretary-General.

(1) See Sections 32 (1) and 36 (1) of the *New Guinea Act 1920-1935*.
(2) Cf. Sections 32 (1) and 36 (2) of the *New Guinea Act 1920-1935*.
(3) Cf. Sections 32 (1) and 36 (3) of the *New Guinea Act 1920-1935*.
(4) See Sections 32 (1) and 36 (4) of the *New Guinea Act 1920-1935*.
(5) See Sections 32 (1) and 36 (5) of the *New Guinea Act 1920-1935*.
(6) See Sections 32 (1) and 36 (6) of the *New Guinea Act 1920-1935*.
(7) See Sections 32 (1) and 36 (7) of the *New Guinea Act 1920-1935*.
(8) See Section 37 of the *New Guinea Act 1920-1935*.