

Then, on 16 February, 1900, by a series of conventions, the Powers partitioned the islands, the United States renouncing all rights to the main (western) part, including Apia, which then was taken over by Germany, and Germany in turn renouncing all rights to the smaller (eastern) part, with its harbour of Pago Pago, which went to the United States. Great Britain obtained imperial adjustments elsewhere.

15. The partitioning of Samoa is considered by many Samoans to-day to have been an arbitrary act performed without the consent of the Samoan people. It appears, however, that when the German Government raised its flag on 1 March, 1900, and declared Western Samoa a German protectorate, the leaders of the time gave at least public acquiescence. Mata'afa Iosefa, the outstanding candidate for the title of King (*Tupu*), accepted a newly created title of Paramount Chief (*Ali'i Sili*), and the *Tupu* title was conferred instead on the German Kaiser.

16. The German Administration of Western Samoa continued until 29 August, 1914, when, as a consequence of the war, a New Zealand Expeditionary Force took over the administration from the German authorities. The New Zealand Government instituted a military regime under the laws of belligerent occupation. This lasted for six years.

17. Under the Treaty of Peace of 28 June, 1919, Germany renounced in favour of the principal allied and associated Powers all her rights and titles over her overseas possessions, including Western Samoa. Article 22 of the Peace Treaty (and of the Covenant of the League of Nations) in setting up the mandates system provided that these territories should be administered on behalf of the League and under its supervision. On 7 May, 1919, the Supreme Council of the allied Powers decided to confer the Mandate for Western Samoa upon His Britannic Majesty, to be exercised on his behalf by the Government of New Zealand. The terms of the Mandate for Western Samoa (a "C" Class mandate) were confirmed by the Council of the League of Nations on 17 December, 1920. A constitution for the Territory was provided by an Act of the New Zealand Parliament, called the Samoa Act, 1921. The residents of the Territory were not formally consulted on these arrangements.

18. Neither Article 22 of the Covenant of the League of Nations, which states the underlying principles of the mandates system, nor the mandates charter itself, made explicit reference to "self-government" as an objective of the mandatory regime, but they stressed the responsibilities of trusteeship and "tutelage" towards "those peoples not yet able to stand by themselves under the strenuous conditions of the modern world." The mandatory Power pledged itself to "promote to the utmost the material and moral well-being and the social progress of the inhabitants."

19. When the League of Nations came to an end the New Zealand Government did not regard its rights as having been increased or diminished by this fact. It therefore proposed to continue the administration of the Territory in accordance with the principles of the mandate until other arrangements were made in agreement with the United Nations.

20. The establishment of the United Nations was the occasion for the development of a legal substitute for the mandates system. The preparation of the Charter also gave opportunity for forward steps to be taken in developing the concept of international trusteeship. It