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Agenda item 4

PETITIONS CONCERNING TANGANYIKA

Draft 257th Report of the Standing Committee on Petitions

Chairman: Mr. M. RASGOTRA (India)

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Note by the Secretariat: In order to avoid unnecessary duplication of material which has already been circulated in mimeographed form, the present draft report contains only the material to be added to that contained in the Secretariat working paper (T/C.2/L.412 and Add.1) and the draft resolutions. The original material should be considered as forming part of the draft, except where otherwise indicated.]

1. At its 544th, 545th and meetings on 20, 23 and May 1960, the Standing Committee on Petitions, composed of the representatives of Belgium, China, India, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, examined the petitions concerning Tanganyika which are listed in the preceding table of contents.
2. Mr. J.A. Chant participated in the examination as the Special Representative of the Administering Authority concerned.
3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-IV and VI-VIII.

I. Petition from Mr. A.H. Paes (T/PET.2/229 and Add.1 and 2)

7. The petition was examined and discussed at the 544th and meetings of the Standing Committee (documents T/C.2/SR.544 and ).
8. The Special Representative stated that the petitioner had now been employed in Mombasa, Kenya, for the past five months. The petitioner was not entitled to any pension as his total service was less than the minimum period of ten years prescribed by the regulations; he was, however, granted the gratuity to which he was entitled. The Special Representative stated further that the Tanganyika Government did not discriminate between indigenous and non-indigenous personnel as regards its endorsement of certificates of service; he reiterated the Administering Authority's observation that the certificate of service issued to the petitioner could not now be altered.
9. At its meeting, the Committee approved by votes to with abstention draft resolution I, annexed to the present report, which it recommends that the Council adopt.

I. Petition from Mr. A.H. Paes (T/PET.2/229 and Add.1 and 2)

The Trusteeship Council,

Having examined, in consultation with the United Kingdom as the Administering Authority concerned, the petition from Mr. A.H. Paes concerning Tanganyika (T/PET.2/229 and Add.1 and 2, T/OBS.2/51 and Add.1 and 2, T/L. ),

1. Draws the attention of the petitioner to the observations of the Administering Authority and to the statements of the Special Representative;
2. Suggests to the Administering Authority that, in the certificates issued to Government officials when they are retired from service, it should avoid the use of expressions which are liable to be misunderstood and thereby hinder their chances of their obtaining employment elsewhere.

II. Petition from Mr. Emili Malinzi (T/PET.2/230)

7. The petition was examined and discussed at the 544th and meetings of the Standing Committee (documents T/C.2/SR.544 and ).

8. At its meeting, the Committee approved by votes to with abstention draft resolution II, annexed to the present report, which it recommends that the Council adopt.

II. Petition from Mr. Emili Malinzi (T/PET.2/230)

The Trusteeship Council,

Having examined, in consultation with the United Kingdom as the Administering Authority concerned, the petition from Mr. Emili Malinzi concerning Tanganyika (T/PET.2/230, T/OBS.2/54, T/L. ),

1. Draws the attention of the petitioner to the observations of the Administering Authority;

2. Takes note of the statement of the Administering Authority that it will continue to seek some suitable form of training and employment for the petitioner and that it hoped to succeed in doing so with the co-operation of the petitioner.

III. Petition from Mr. David L.K. Lubogo, on behalf of the Bahaya Landlords in the District of Bukoba (T/PET.2/231)

11. The petition was examined and discussed at the 544th and meetings of the Standing Committee (documents T/C.2/SR.544 and ).
12. The Standing Committee decided to suggest to the Trusteeship Council that it take into account the points raised in this petition and the Administering Authority's observations thereon, when it examines the question of land tenure in the Territory in connexion with the relevant report of its Committee on Rural Economic Development.
13. At its meeting, the Committee approved by votes to with abstention draft resolution III, annexed to the present report, which it recommends that the Council adopt.

III. Petition from Mr. David L.K. Lubogo, on behalf of the Bahaya Landlords in the District of Bukoba (T/PET.2/231)

The Trusteeship Council,

Having examined, in consultation with the United Kingdom as the Administering Authority concerned, the petition from Mr. David L.K. Lubogo, on behalf of the Bahaya Landlords in the District of Bukoba, concerning Tanganyika (T/PET.2/231, T/OBS.2/53, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority.

IV. Petition from the Bahaya Coffee Planters Association (T/PET.2/232 and Add.1)

9. The petition was examined and discussed at the 544th and meetings of the Standing Committee (documents T/C.2/SR.544 and ).
10. The Special Representative stated that the Administering Authority was encouraging the development of co-operatives in the Territory, in conformity with Trusteeship Council resolution 1930 (XXIII), to the extent consistent with the protection of the interests of the existing co-operatives. There are at present in Tanganyika 617 co-operatives as compared to 542 in 1958.
11. The Special Representative explained that the Bukoba Native Coffee Board was a statutory body established to ensure the best marketing of the coffee produced by the members of the Bukoba Native Coffee Co-operative Union. The system was working extremely well as demonstrated by the fact that the Union's coffee commanded higher prices than any other coffee from the area. The Special Representative said that the Bahaya Coffee Planters wished to market small parcels of inferior quality coffee. If they were allowed to do so, the general reputation of Bukoba coffee would suffer. It was therefore not reasonable to allow such a small group to affect the interests of the 67,000 members of the Bukoba Native Coffee Co-operative Union.
12. At its meeting, the Committee approved by votes to with abstention draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

IV. Petition from the Bahaya Coffee Planters Association  
(T/FET.2/232 and Add.1)

The Trusteeship Council,

Having examined, in consultation with the United Kingdom as the Administering Authority concerned, the petition from the Bahaya Coffee Planters Association concerning Tanganyika (T/PET.2/232 and Add.1, T/OBS.2/55 and Add.1, T/L. ),

Recalling its resolution 1930 (XXIII),

Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of the Special Representative.

V. Petition from Mr. G.L. Allaway (T/PET.2/233 and Add.1-3)

21. In two further communications dated 5 and 6 May 1960 (T/PET.2/233/Add.2), Mr. Allaway stated that the Tanganyika Government had made informal approaches to him with a view to finding a satisfactory solution to the difficulties of the Tunduru farmers. He added that, if he felt that the Government had done all that could be expected of it, he would ask that his petition be withdrawn.

22. In a final communication dated 15 May 1960 (T/PET.2/233/Add.3), Mr. Allaway stated that his petition should be withdrawn. He added that he wished to place on record that he requested the withdrawal of the petition as a result of the assurance given to him by the Tanganyika Government on 12 May 1960 that it was the settled intention of that Government to offer to the Tunduru farmers mentioned in the petition, inter alia, special "short-term" leases (for three years), in order to relax their obligations during the period when they were recovering from their previous losses and were thus unable to fulfil the covenants attached to 99-year leases granted under the Lands Ordinance.

23. Taking into account the request of the petitioner stated in paragraph 22 above, the Standing Committee, at its 545th meeting (T/C.2/SR.545), decided not to examine this petition and to inform the Council accordingly.

VI. Petition from the Tanganyika African National Farmers Union (T/PET.2/234)

9. The petition was examined and discussed at the 545th and meetings of the Standing Committee (documents T/C.2/SR.545 and ).

10. The Special Representative stated that the Government of Tanganyika was in full sympathy with the professed aims of the Tanganyika African National Farmers Union; its only concern had been to see to it that the Union's constitution was in accordance with the provisions of the law. He added that there were commercial insurance companies in the Territory to which farmers' unions had access.

11. At its meeting, the Committee approved by votes to with abstention draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VI. Petition from the Tanganyika African National Farmers Union (T/PET.2/234)

The Trusteeship Council,

Having examined, in consultation with the United Kingdom as the Administering Authority concerned, the petition from the Tanganyika African National Farmers Union concerning Tanganyika (T/PET.2/234, T/OBS.2/58, T/L. ),

Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of the Special Representative.



VII. Petition from the Bungodimwe "Kingdom" Office (T/PET.2/235)

6. The petition was examined and discussed at the 545th and meetings of the Standing Committee (documents T/C.2/SR.545 and ).

7. At its meeting, the Committee approved by votes to with abstention draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VII. Petition from the Bungodimwe "Kingdom" Office (T/PET.2/235)

The Trusteeship Council,

Having examined, in consultation with the United Kingdom as the Administering Authority concerned, the petition from the Bungodimwe "Kingdom" Office concerning Tanganyika (T/PET.2/235, T/OBS.2/56, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority.

VIII. Petition from Mr. Manmohan Singh (T/PET.2/236)

1. This petitioner, in a letter sent from London on 19 October 1959, complains that he has been unable to obtain a job in England after a stay of ten months although he possesses United Kingdom citizenship, holds a Tanganyika passport and has been recognized by the British Ministry of Education as a qualified teacher and registered for more than eight months with the Ministry of Labour. He adds that the London County Council is employing untrained personnel, while the County Council and its nine divisional offices do not find him fit for a probationary teacher's post or even a post on a day to day basis, although he has had six years' experience as a teacher and headmaster in India, Kenya and Tanganyika. He appeals against such discriminatory treatment.
2. The petition was examined at the 545th and                      meetings of the Standing Committee (documents T/C.2/SR.545 and                      ).
3. The representative of the United Kingdom pointed out that, since the petition did not concern the affairs of a Trust Territory, there was no action which the Trusteeship Council could take.
4. At its                      meeting, the Committee approved by                      votes to with                      abstention                      draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

VIII. Petition from Mr. Manmohan Singh (T/PET.2/236)

The Trusteeship Council,

1. Decides that no action need be taken by the Council on the petition from Mr. Manmohan Singh (T/PET.2/236, T/L.                      ), since it does not concern the affairs of a Trust Territory;
2. Draws the attention of the petitioner to this decision.

IX. Petition from the All Muslim National Union of Tanganyika (T/FET.2/237 and Add.1)

13. The petition was examined and discussed at the 545th and meetings of the Standing Committee (documents T/C.2/SR.545 and ).

14. The Standing Committee, taking into account the general nature of the issues raised in this petition, particularly with regard to the development of education, decided to draw the attention of the Trusteeship Council to the petition and to the observations of the Administering Authority thereon for such action as it may consider appropriate.

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