



UNITED NATIONS

RUSTEESHIP  
OUNCIL



GENERAL  
T/C.2/SR.30  
3 July 1952  
ORIGINAL: ENGLISH

STANDING COMMITTEE ON PETITIONS  
First Session

SUMMARY RECORD OF THE THIRTIETH MEETING

Held at Headquarters, New York,  
on Thursday, 19 June 1952, at 10.30 a.m.

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| <u>Chairman:</u>     | Mr. PEACHEY   | Australia   |
| <u>Members:</u>      | Mr. YANG      | China   |
|                      | Mr. QUIROS    | El Salvador   |
|                      | Mr. DAVIN     | New Zealand   |
|                      | Mr. SOLDATOV  | Union of Soviet Socialist Republics   |
|                      | Mr. STRONG    | United States of America  |
| <u>Also present:</u> | Mr. MATHIESON | United Kingdom of Great Britain and Northern Ireland, Administering Authority for the Trust Territory of Tanganyika |
|                      | Sir John LAMB | Special Representative of the Administering Authority   |
|                      | Mr. PASTRANA  | Philippines, member of the Advisory Council for Somaliland under Italian Administration                             |
| <u>Secretariat:</u>  | Mr. AMMAR     | Secretary of the Committee  |

EXAMINATION OF PETITIONS CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION:  
DRAFT ELEVENTH REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/C.2/L.19)  
(continued)

The CHAIRMAN said paragraph 3 of the report still remained to be settled. In stating that no special information was required concerning the action taken on the resolutions contained in the report, certain exceptions might be made. Additional information might, for instance, be asked for concerning the petition contained in document T/PET.11/142.

Mr. STRONG (United States of America) suggested that the Administering Authority might be asked to report how the two claims referred to in petition T/PET.11/138 had finally been disposed of.

The CHAIRMAN suggested that, with the exception of the two petitions mentioned, the Secretariat should be requested to insert in paragraph 3 of the Committee's report the numbers of the various resolutions adopted by the Committee.

It was so agreed.

The CHAIRMAN put to the vote the draft eleventh report of the Standing Committee on Petitions.

The report was adopted by 5 votes to 1.

EXAMINATION OF PETITIONS CONCERNING TANGANYIKA (T/C.2/L.14, T/C.2/L.14/Add.1)  
(continued)

At the invitation of the Chairman, Mr. MATHIESON, representative of the United Kingdom, and Sir John LAMB, Special Representative of the Trust Territory of Tanganyika, took places at the Committee table.

/The CHAIRMAN

The CHAIRMAN invited comment on the petition from Mr. G. A. Papadopoulos (T/PET.2/135).

Mr. NATHIESON (United Kingdom) observed that the Trusteeship Council had earlier considered a telegram from a petitioner concerning the same subject matter as the petition which the Committee was about to consider. The Council had decided to invite the petitioner to make an oral statement before the conclusion of its current session, preferably during the presence of the Special Representative of the Trust Territory. The Council might be assisted in its work if the Committee dealt in a preliminary way with the several petitions relating to the redistribution of land in the Arusha-Moshi area in order that the Special Representative might answer any questions which arose in case he had to leave before the petitioner's arrival.

The CHAIRMAN said that the suggestion would be considered at a later stage, either at the current meeting or at a subsequent meeting.

Mr. STRONG (United States of America) wondered whether Mr. Papadopoulos had made further representations to the Administering Authority since January 1951 when efforts to find other suitable land for him were abandoned.

Sir John LAMB (Special Representative) said that he had no information on the subject. He thought it probable, however, that no further action had been taken by the petitioner pending consideration of his petition by the Trusteeship Council. The petitioner to whom the Council had granted a hearing was an African. Mr. Papadopoulos was not. Both petitions concerned the redistribution of land in the Arusha-Moshi area.

Mr. STRONG (United States of America) said the point had not escaped the Committee. He suggested that the Committee defer consideration of the petition pending a decision with regard to the complaint of the petitioner who was to appear in person before the Council.

Sir John LAMB (Special Representative) doubted whether the ends of the Committee or the Council would be advanced by deferring consideration of the petition from Mr. Papadopoulos.

/The CHAIRMAN

The CHAIRMAN suggested that the Committee should deal with the petition forthwith and draw the Council's attention thereto.

Mr. STRONG (United States of America) said the petition seemed to relate to another aspect of the land redistribution plan of the Arusha-Moshi Lands Commission and hence was closely related to other petitions on the same subject.

Sir John LAMB (Special Representative) pointed out that the petitioner was not the only non-African who had to give up his land under the plan.

Mr. DAVIN (New Zealand) supported the Chairman's suggestion that the petition should be dealt with at the current meeting.

Mr. STRONG (United States of America) said he would not press his point. He enquired if the petitioner was objecting to the compensation which had been offered him or to the principle of having to give up his land.

Sir John LAMB (Special Representative) said he gathered that he was objecting to the principle of compulsory acquisition of his land and not only to the compensation offered.

The CHAIRMAN observed that the petitioner insisted that he should receive not less than 1,000 acres of land in place of the 213 acres he had been forced to give up. The Administering Authority appeared to be seeking a fair settlement of the dispute. The Committee might therefore merely note the Administering Authority's observations on the petition and draw the petitioner's attention to those observations.

Mr. STRONG (United States of America) suggested that the petitioner should also be informed that he could apply to the courts if he was dissatisfied with the settlement offered by the Administering Authority.

It was so agreed.

/Petition

Petition from the Chagga Council (T/HT.2/137)

The CHAIRMAN invited consideration of the petition from the Chagga Council concerning the status of the Trust Territory, land shortage and the adequacy of educational facilities.

Mr. SOLDATOV (Union of Soviet Socialist Republics) suggested that the Committee should adopt a draft resolution whereby the Trusteeship Council would recommend the Administering Authority to return to the indigenous population of the Trust Territory the land alienated from it in one form or another, prohibit the future alienation of land belonging to the indigenous population, and increase its budgetary appropriations to meet the educational needs of the population.

Sir John LAMB (Special Representative), replying to a question from the United States representative, said that the Chagga people were adequately represented on the District Education Committee. The Chagga, who were a progressive people keenly interested in educational facilities, appeared to be asking for complete control over educational activities in the district. The District Education Committee, however, was representative of all the educational agencies in the district and the Chagga Council's request would merit consideration only if all the schools in the District were native administration schools, which was not the case.

Mr. DAVIN (New Zealand) suggested that the Committee's draft resolution should merely draw the attention of the petitioners to the Administering Authority's observations.

Mr. STRONG (United States of America) felt that in view of the enterprising spirit of the Chagga people, the Administering Authority might be requested to give every encouragement to the initiative of the Chagga people and to consider the possibility of increasing their representation on the District Education Committee.

/Sir John LAMB

Sir John LAMB (Special Representative) said that such a request would be superfluous since the Administering Authority was already giving and would continue to give every encouragement to tribes such as the Chagga to push forward with their own educational programme.

The CHAIRMAN suggested that the Committee should express satisfaction with the development of education in the District and, with regard to the specific request contained in the petition, draw the attention of the petitioners to the observations of the Administering Authority.

Mr. STRONG (United States of America) felt that the Committee should also express the hope that the Chagga people would take an increasing interest in co-operating with the District Education Committee in developing education in the area.

Sir John LAMB (Special Representative) observed that since the Chagga people were already co-operating to a large extent, the Committee might express its confidence that they would continue to do so.

It was so agreed.

Petition from the representatives of the Waarusha (T/PET.2/144)

The CHAIRMAN said the petition raised a number of questions and might be considered paragraph by paragraph.

Mr. DAVIN (New Zealand) observed, with regard to paragraph (a) which dealt with the expansion of the Arusha township, that the petitioners complained of expansion. The Administering Authority, on the other hand, stated that the township had in fact been reduced to one quarter of its original size.

Sir John LAMB (Special Representative) said that the petitioners apparently did not quite understand the actual position. The limits of the township were marked on maps but that did not necessarily mean much to the people. Agricultural land had been included within those limits and when such land was required for urban development it was considered by them to mean extension of the boundaries. In some cases, compensation had been paid twice in respect of such land owing to the fact that a considerable period of time had elapsed between the original notice of removal and the actual transfer.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) proposed a resolution which would cover both the petition under consideration and the petition from the Arusha Citizens Union (T/PET.2/146) and whereby the Trusteeship Council would recommend the Administering Authority to return to the indigenous population of the Trust Territory the land alienated from it in one form or another, prohibit the future alienation of land belonging to the indigenous population, and appropriate the necessary funds to satisfy the request of the indigenous population for better medical facilities.

Mr. STRONG (United States of America) inquired how indigenous inhabitants who had been required to transfer from land within the township boundaries to other land lodged a claim when they felt that the alternative land or other compensation offered was inadequate.

Sir John LAMB (Special Representative) said that they might appear before the indigenous authorities or go direct to the District Commissioner himself. They were quite familiar with the procedure.

Mr. STRONG (United States of America) suggested that the Committee's resolution should reflect in detail the oral statement made by the Special Representative concerning the procedure for claiming compensation.

With regard to paragraph (b), the resolution should include any general conclusions or recommendations adopted by the Council concerning the need for increased medical facilities and the training of medical personnel.

Sir John LAMB (Special Representative) noted that under paragraph (c) the petitioners claimed that "shambas" had been cleared by Africans but had not been returned to them. The Africans had not volunteered to clear the land but were employed by the authorities to undertake clearing as an anti-tsetse measure. The land in question was public land.

Mr. DAVIN (New Zealand) asked what type of contract was entered into by the European farmers.

Sir John LAMB (Special Representative) said that they enjoyed normal rights of occupancy for which they paid an annual rent.

/The CHAIRMAN

The CHAIRMAN, referring to paragraph (d), inquired whether the landmarks had been erected in the actual township or in the planned expanded town.

Sir John LAMB (Special Representative) said that the landmarks had been erected in both.

Mr. STRONG (United States of America) asked if the purpose of the landmarks was explained to the population.

Sir John LAMB (Special Representative) said that the normal procedure was for the indigenous authorities to be advised when land was to be surveyed. Moreover, African staff worked with European surveyors. The population would normally be informed by the indigenous authorities.

The CHAIRMAN suggested that the Committee, in its resolution, should note the Special Representative's observations.

The point raised in paragraph (e), seemed to be adequately covered by the Administering Authority's explanation.

Sir John LAMB (Special Representative) said that there was considerable need for re-forestation in the area and that the population was being made aware of that need. The Chagga people engaged in re-forestation work themselves.

Petition from the Arusha Citizens' Union (T/PET.2/146) (T/C.2/L.14)

The CHAIRMAN recalled that the USSR representative had already submitted a draft resolution referring both to T/PET.2/144 and T/PET.2/146. He himself wished to ascertain the standing of the Citizens' Union.

Sir John LAMB (Special Representative) thought that the Arusha Citizens' Union was a new body, whose membership was confined mainly to Arusha township itself as distinct from the Waarusha tribe.

/Mr. STRONG



Mr. STRONG (United States of America) felt that with regard to sub-paragraph (a) of the summarized petition, the same action might be taken as for the previous petition. With regard to paragraph (b), he wondered if the three additional pipelines mentioned in the fuller observations of the Administering Authority (T/953/Add.2) provided adequate supplies.

Sir John LAMB (Special Representative) said that he could not state the exact volume of water supplied. Water supply in the Territory generally was a vast problem, and supplies in some areas were inadequate particularly at certain seasons. He thought, however, that in the case under consideration the supplies were adequate. In reply to a question from the CHAIRMAN, he explained that the water was intended for all domestic purposes. Problems in connexion with water supplies had been dealt with by a local Water Board. Water was largely distributed by means of furrows which conveyed it from the main supply centres to the individual consumer.

In reply to a question from Mr. STRONG (United States of America) he explained that, while he was not sure of the exact constitution of the Water Board in the northern province, there had always been official representation on such Boards to look after the interests of the African population. He added that the provision of water supplies was one of the most important parts of the Administering Authority's development plan.

Mr. STRONG (United States of America) thought the problem could hardly be dealt with in isolation. The Committee's resolution should contain a reference to the existence of Water Boards on which the African population was represented. A space should be left in the text for a possible recommendation of the Trusteeship Council on the general question of water supplies.

The CHAIRMAN felt that sub-paragraph (c) of the summarized petition was closely linked with the previous paragraph and might be covered by the same recommendation. With regard to sub-paragraph (d) he suggested that the opposition of the local population to land conservation measures would appear to call for a publicity campaign emphasizing the dangers of soil erosion.

/Mr. STRONG

Mr. STRONG (United States of America) thought that sub-paragraph (d) raised a general problem involving two questions: anti-erosion measures and the training of agricultural instructors. In all probability the problem would be treated by the Trusteeship Council as a general problem, and any conclusions or recommendations of the Council on it, particularly on those two aspects, should be included in the resolution on that petition.

Sir John LAMB (Special Representative) said that hostility to land conservation measures was an understandable natural reaction of the Africans towards a new measure which to them appeared revolutionary.

The CHAIRMAN, referring to sub-paragraph (e) of the summarized petition thought that no Council action was required with regard to the dipping of cattle; and the question of land shortage was covered by the Administering Authority's observations.

Sir John LAMB (Special Representative) explained that the cattle population should be reduced to relieve pressure on land, and that a stock culling campaign had met with great success in a district adjacent to that occupied by the Waarusha tribe. He hoped that the Waarusha might learn a lesson from the experience of their neighbours.

In reply to questions from Mr. STRONG (United States of America), Sir John said he could not account for the success in one tribe of a measure which caused hostility in another, except by differences in character. Some tribes were more amenable than others, although none liked reducing their stock. Several sociologists were employed to study such problems in connexion with the Administering Authority's programme.

The CHAIRMAN thought that the Committee should note the Administering Authority's oral observations concerning a successful slaughtering scheme in an area adjacent to that referred to in the petition. He felt that publicity in favour of such programmes might be of use both to the Administering Authority and to the local inhabitants.

With regard to sub-paragraph (f), he pointed out that an earlier petition had raised the question of forests, and the Committee might take the same action on the petition under discussion as it had taken on that earlier petition. With regard to the question of education, raised in sub-paragraph (g),

/the Administering

the Administering Authority's observations noted that existing facilities were to be expanded under a ten-year plan. The Committee's resolution might incorporate a possible recommendation on the subject by the Council.

Mr. STRONG (United States of America), commenting on sub-paragraph (h) of the summarized petition, asked what were the distances to the Arusha or Menduli hospitals, and also whether there was any provision for visiting nurses or doctors.

Sir John LAMB (Special Representative) thought that twenty miles would be the maximum distance which patients would have to travel to reach a hospital. Arusha was a small district, and the Arusha hospital was situated in it, while the Menduli hospital was on the borders. Visiting nurse or visiting doctor services could not be provided with the staff at present available. The medical programme envisaged the establishment of more dispensaries in the Territory, but such dispensaries had first to be stocked and staffed. That meant training staff, and also required supervision to keep such dispensaries up to the required standard. There was provision for the training of nurses and midwives.

Mr. STRONG (United States of America) pointed out that the provision of medical facilities and the training of staff were general questions upon which the Council would doubtless comment. Any conclusions or recommendations of the Council on those points should be included in the resolution on the petition.

The CHAIRMAN suggested, with reference to sub-paragraph (i) of the summarized petition, that the Committee should take note of the Administering Authority's observations and also of the Visiting Mission's comment on freedom of speech in the Territory. He did not know how far the Committee should give credence to the complaints of the Arusha Citizens' Union.

Sir John LAMB (Special Representative), replying to a comment by Mr. STRONG (United States of America) said that not only had the African population no need to fear reprisals for the formation of unions or the free expression of their opinions, but that no such fear was actually felt. Even if certain remote tribes might have an excuse for fears, that would not be the case with the citizens of Arusha.

/The CHAIRMAN

The CHAIRMAN thought that the Administering Authority's policy in respect of African representation, the point raised in sub-paragraph (j) of the summarized petition, was correct. He did not think that the Committee would wish to recommend the allocation of seats on a tribal basis. On that point the Committee should take note of the Administering Authority's observation.

Mr. STRONG (United States of America) pointed out that African representation was a general problem likely to be discussed by the Council, and thought that a space should be left in the Committee's resolution for the Council's recommendation on the subject.

Petition from Mr. Joseph Byehaliro (T/PET.2/148, T/C.2/L.14)

The CHAIRMAN pointed out that the petition raised the question of prostitution, which had been raised in previous petitions. The Committee might adopt the same recommendation as it had adopted in connexion with those petitions. He thought that paragraph 61 of the summarized petition was fully covered by the Administering Authority's observations. Some acceptable way should be found of expressing the hope that the Administering Authority would stamp out smuggling and black marketing, a subject on which the Council would doubtless wish a recommendation to be made.

Mr. STRONG (United States of America) thought that the Administering Authority's observations made it clear that the interests of the indigenous inhabitants were being protected. The various points raised in those observations might be noted, in particular the trend towards the appointment of qualified Africans to posts on the Bukoba Coffee Board. With regard to the Chairman's last comment, the Committee could properly express the hope that the Administering Authority's efforts to stamp out smuggling and black marketing would meet with success.

Petition from Mr. Remi Tengo (T/PET.2/150, T/C.2/L.14)

Mr. STRONG (United States of America) said that the Administering Authority's observations suggested that funds from the native treasuries could be used for the purchase of agricultural machinery. He wondered if such purchases had in fact taken place.

/Sir John LAMB

Sir John IAMB (Special Representative) pointed out that the petitioner was demanding something which was quite beyond the scope of the funds at the moment. Not only were funds limited, but the expenditure of public money had to be subject to certain safeguards. Agricultural machinery had in fact already been purchased with money from those funds. Steps were already being taken to expand facilities for indigenous farmers, and co-operatives were being formed.

The CHAIRMAN said the petitioner seemed to be making an unreasonable demand. The Special Representative's last comment was valuable and should be noted.

Mr. STRONG (United States of America) pointed out that the Trusteeship Council had dealt with the question of credit facilities and co-operatives for African farmers before, and probably would do so again. The Committee's resolution should leave a space for possible recommendations on those subjects by the Council.

Petition from Mr. R.M. Mauchauffee (T/PET.2/152, T/C.2/L.14)

Mr. STRONG (United States of America) pointed out that the subject raised in the petition was covered by the Administering Authority's observations concerning T/PET.2/128. He felt that the Board mentioned in those observations had perhaps found the petitioner's qualifications inadequate.

Sir John IAMB (Special Representative) explained that the petitioner's application had been rejected on account of the small number of estates available rather than owing to the inadequacy of his qualifications, though in fact other applicants had proved better qualified.

Mr. STRONG (United States of America) thought that the Committee might take note of the Administering Authority's oral observations. No recommendation appeared necessary.

The CHAIRMAN noted that the petitioner had been in correspondence with the authorities since the transmission of the petition, and had been informed that land might be made available to him elsewhere.

/Petition from

Petition from the Buhaya (Bukoba) Council. (T/PET.2/154, T/C.2/L.14)

The CHAIRMAN pointed out that the petition raised only one specific point, namely the question of prostitution, and that the Committee might therefore take the same action as it had taken on similar petitions.

Petition from Mr. Hassani Semboja and fourteen others (T/PET.2/155, T/C.2/L.14)

In reply to a question from the CHAIRMAN, Sir John LAMB (Special Representative) said that there had been no new developments in the case raised by the petitioners, who had been interviewed by the Visiting Mission.

Mr. STRONG (United States of America) pointed out that the Council had already dealt with the question, and that no evidence had been produced that called for further action. Reference to the Council's previous action would be sufficient.

The CHAIRMAN agreed with that proposal.

Petition from Mr. Abdalahamani Kaponta (T/PET.2/156, T/C.2/L.14)

Mr. SOLDATOV (Union of Soviet Socialist Republics) proposed that the Committee should adopt a resolution urging the Administering Authority to put a stop to its anti-democratic policy, which allowed racial discrimination and violated the rights of the indigenous population.

Mr. STRONG (United States of America) noted that the Administering Authority's observations made it clear that the petitioner was ignorant of the legal procedures involved in the matter of which he was complaining. He enquired how the local population was informed of such legal procedures.

Sir John LAMB (Special Representative) explained that proclamations concerning the establishment of game reserves were published in the Gazette and elsewhere. The land affected was surveyed, and the local inhabitants were naturally informed of the boundaries of the projected reserve. The petition under consideration had been written by an illiterate person, /and some

and some of the subject matter was far from clear. It had been later stated that there was no game reserve in the area in question, but that the indigenous population had been warned not to hunt in an area where sleeping sickness was prevalent.

The CHAIRMAN suggested that the Committee should take note of the Special Representative's comments. With regard to sub-paragraphs (b) and (c) of the summarized petition, he felt that the Administering Authority's observations fully covered the points raised.

Mr. STRONG (United States of America) wondered whether stationmasters had instructions to give assistance to illiterate persons in the preparation of waybills or the completion of forms generally.

Sir John LAMB (Special Representative) replied that no such had been given, nor were they likely to prove practical. Illiterate people could always ask for assistance or make use of professional letter-writers. regard to the specific case in point, he had received a note from the District Commissioner, stating similar complaints had been received but that action had been impossible owing to lack of evidence.

The CHAIRMAN proposed that the Committee should abandon further discussion of the petition until a draft resolution on the subject had been prepared.

He proposed that the remaining petitions should be discussed later.

It was so agreed.

The meeting rose at 12.45 p.m.