

UNITED NATIONS  
TRUSTEESHIP  
COUNCIL

DOCUMENTS  
INDEX UNIT MASTER



MAR 30 1955



Distr.  
GENERAL

T/C.2/SR.234  
18 March 1955

ORIGINAL: ENGLISH

---

STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE TWO HUNDRED AND THIRTY-FOURTH MEETING

Held at Headquarters, New York,  
on Friday, 25 February 1955, at 10.40 a.m.

CONTENTS

Petitions concerning the Trust Territory of Togoland under British Administration: draft report (T/C.2/L.118/Add.2; T/PET.6/336 and Add.1, T/PET.6/337, T/PET.6/338; T/PV.581, T/PV.582)

Petitions concerning the Trust Territory of Tanganyika:

- (a) Examination of two petitions (T/PET.2/188, T/PET.2/189; T/OBS.2/21)
- (b) Draft reports (T/C.2/L.117/Add.2 and 3)

PRESENT:

Chairman:

Mr. TARAZI Syria

Members:

Mr. SCHEYVEN Belgium

Mr. DOISE France

Mr. JAIPAL India

Mr. KARTSEV Union of Soviet Socialist Republics

Mr. CRAMER United States of America

Also present:

Mr. ENSOR Special Representative of the  
Administering Authority for the  
Trust Territory of Togoland under  
British Administration

Mr. ELLIOTT Special Representative of the  
Administering Authority for the  
Trust Territory of Tanganyika

Secretariat:

Mr. RANKIN Secretary of the Committee

PETITIONS CONCERNING THE TRUST TERRITORY OF TOGOLAND UNDER BRITISH ADMINISTRATION:  
DRAFT REPORT (T/C.2/L.118/Add.2; T/PET.6/336 and Add.1, T/PET.6/337, T/PET.6/338;  
T/PV.581, T/PV.582)

At the invitation of the Chairman, Mr. Ensor, Special Representative of the Administering Authority for the Trust Territory of Togoland under British Administration took a place at the Committee table.

Document T/C.2/L.118/Add.2

V. Petitions concerning the marketing of cocoa, from the General Secretary of the Togoland National Farmers Union (T/PET.6/336 and Add.1), the Ghana Producers Association of New York, Inc. (T/PET.6/337) and the Togoland Cocoa Farmers' Committee (T/PET.6/338)

Mr. SCHEYVEN (Belgium) suggested that the words "and to the statements made by Mr. Kumah, Director of the Cocoa Purchasing Company, before the Trusteeship Council" should be added at the end of paragraph 1 of the draft resolution.

It was so decided.

Draft resolution V, as amended, was approved by 3 votes to none, with 3 abstentions.

The CHAIRMAN suggested that the Committee might recommend that the Council should decide that no special information was required concerning the action taken on any of the resolutions in the report.

It was so decided.

The draft report as a whole was adopted by 3 votes to none, with 3 abstentions.

Mr. Ensor, Special Representative of the Administering Authority for the Trust Territory of Togoland under British Administration, withdrew.

PETITIONS CONCERNING THE TRUST TERRITORY OF TANGANYIKA: (a) EXAMINATION OF TWO PETITIONS (T/PET.2/188, T/PET.2/189; T/OBS.2/21); (b) DRAFT REPORTS (T/C.2/L.117/Add.2 and Add.3)

At the invitation of the Chairman, Mr. Elliott, Special Representative of the Administering Authority for the Trust Territory of Tanganyika, took a place at the Committee table.

Petition from the Tanganyika African Government Servants Association (T/PET.2/188 and T/OBS.2/21, section 1)

Mr. JAIPAL (India) considered that the Committee was handicapped in its consideration of the petition by the fact that it had had no opportunity to study the report of the East African Salaries Commission. He suggested that the Secretariat might summarize the parts of the report which related to the points mentioned by the petitioners.

Mr. ELLIOTT (Special Representative) said that the report was very long and technical and that the petitioners, too, would need time and assistance in order to understand it thoroughly. It would be surprising if, when they had perused the report, they still wished to press their complaints.

Mr. JAIPAL (India) proposed that, since there was no reason to deal with the matter urgently, consideration of the petition should be postponed until the Committee had become acquainted with the relevant parts of the report.

Mr. CRAMER (United States of America) thought that the Committee should examine the petition in the light of the observations of the Administering Authority and insert in the draft resolution a paragraph to the effect that if, after studying the report, the petitioners still felt that they had a grievance, they should submit another petition, couched in clearer terms.

After a procedural discussion, the CHAIRMAN suggested that consideration of the petition should be postponed until the following meeting, when the Secretary would be able to inform the Committee whether or not the Secretariat could prepare a summary of the relevant parts of the report, as the Indian representative had suggested.

It was so decided.

Petition from employees of the Uzaramo Native Treasury (T/PET.2/189 and T/OBS.2/21, section 2)

Mr. JAIPAL (India) asked whether there was any means of arbitration in cases when the compensation assessed by the Administration was regarded by the recipient as inadequate.

Mr. ELLIOTT (Special Representative) replied that in such cases the matter was discussed direct between the parties concerned; there was no reason for taking legal action.

Mr. JAIPAL (India) considered that the assessment of 20/- compensation for a coconut tree was low, since the annual income from one tree was 12/- and a tree took from five to six years to bear fruit. He asked on what basis assessment was made.

Mr. ELLIOTT (Special Representative) replied that assessment was determined on the basis of a regular review of all available information about the market value of coconut trees. The maximum potential value of trees could not be regarded as the general market value, for many factors - exhaustion through tapping for toddy, the ravages of weather etc. - had to be taken into account. The principal consideration was the price which ordinary producers obtained for the trees they sold.

Mr. JAIPAL (India) asked that his delegation's opinion that the assessment of 20/- per tree was inadequate should be incorporated in the draft resolution concerning the petition.

In reply to questions by Mr. DOISE (France), Mr. ELLIOTT (Special Representative) said that land in the Uzaramo region was governed by a system of native law and custom, which was applicable to the tribal group rather than to individual right of occupancy. There was, however, a growing tendency among the inhabitants to remain on their plots of land now that they had learned how to revive the fertility of exhausted soil.

There were no exact figures for the proportion of land alienated for such purposes as the construction of airfields and factories. Large areas of the Uzaramo country round Dar-es-Salaam were entirely empty; there was no difficulty in finding alternative land for airfields and factories if any given tract were not available for some reason.

The CHAIRMAN, speaking as the representative of Syria, suggested that the petitioners' attention should be drawn to the observations of the Administering Authority and to the statements of the Special Representative.

Mr. CRAMER (United States of America) suggested that the draft resolution should contain a reference to the fact that the compensation rate for coconut trees was 20/- in the coastal area and 15/- in the hinterland, since the petitioners seemed to be under the impression that the rate was only 10/-.

It was so decided.

Document T/C.2/L.117/Add.2

I. Petition from the representatives of the Washambala (T/PET.2/170 and Add.1)

Mr. JAIPAL (India) proposed the addition of the following paragraph to the operative part of the draft resolution:

"Suggests to the petitioners that, if they so desire, they may address the Trusteeship Council further in the matter with reference to the observations of the Administering Authority."

The purpose of his proposal was to inform the petitioners that the fact that the Trusteeship Council drew their attention to the observations of the Administering Authority did not debar them from communicating with the Council again.

Mr. SCHEYVEN (Belgium) requested a separate vote on the new paragraph, because it had been his experience that resolutions drawing the attention of petitioners to the Administering Authority's observations did not give the impression that the case was closed.

The CHAIRMAN put the Indian proposal to the vote.

The proposal was adopted by 4 votes to none, with 2 abstentions.

Draft resolution I, thus amended, was approved by 3 votes to none, with 3 abstentions.

II. Petition from Mr. G. Ekeroth (T/PET.2/173)

Draft resolution II was approved by 4 votes to none, with 2 abstentions.

III. Petition from Mr. Joseph Boehrer (T/PET.2/176)

Draft resolution III was adopted by 4 votes to none, with 2 abstentions.

IV. Petition from representatives of the Wasangi (T/PET.2/184)

Draft resolution IV was approved by 4 votes to none, with 2 abstentions.

V. Petitions concerning the status of members of the Ishakia Community from the President of the Ishakia Association (T/PET.2/174) and the Ishak Arab Community, Arusha Branch (T/COM.2/L.17)

Mr. ELLIOTT (Special Representative) said that the statement attributed to him in the last sentence of paragraph 13 should be amended to read: "For this purpose members of the Ishakia Association were ~~regarded~~ as if they were indigenous inhabitants: in certain other respects they were regarded as being non-natives."

Mr. CRAMER (United States of America) proposed the addition of the words "and if so on what grounds" at the end of paragraph 2 of the draft resolution.

The amendment was adopted.

Draft resolution V, thus amended, was approved by 5 votes to none, with 1 abstention.

VI. Petitions concerning prospecting for diamonds, from Mr. A. Watts (T/PET.2/166 and Add.1-2) and Mr. H. Arneson (T/PET.2/172)

Draft resolution VI was approved by 3 votes to none, with 3 abstentions.

VII. Petition from Mr. F.D. Cornish (T/PET.2/171)

Draft resolution VII was approved by 4 votes to none, with 2 abstentions.

The CHAIRMAN stated that, for the purposes of paragraph 3 of the introduction to the draft report, special information would be requested in respect of all the draft resolutions except draft resolution V.

The draft report as a whole was approved by 4 votes to none, with 2 abstentions.

Document T/C.2/L.116/Add.3

I. Petition from the Abbot-Bishop of Ndanda (T/PET.2/183)

Mr. JAIPAL (India) proposed the addition of the words "as soon as possible" at the end of paragraph 3 of the draft resolution.

It was so agreed.

Draft resolution I was approved unanimously.

II. Petition from Mr. Anton Weber (T/PET.2/168 and Add.1)

Draft resolution II was approved unanimously.

III. Petition from Mr. D.M. Anjaria (T/PET.2/187)

Mr. JAIPAL (India) proposed the insertion of the following paragraph between paragraphs 1 and 2 of the draft resolution:



(Mr. Jaipal, India)

"Draws the attention of the Administering Authority to the provisions of the immigration laws in the neighbouring territories of Kenya and Uganda which permit the restricted entry of the husbands of resident wives and expresses the hope that the Administering Authority will consider sympathetically the introduction of similar legislation."

Mr. RANKIN (Secretary of the Committee) pointed out that the Indian amendment would entail, as a consequential amendment, the insertion of the word "existing" before the word "law" in the last paragraph of the draft resolution.

Mr. ELLIOTT (Special Representative) remarked that the Tanganyikan Government had already fully considered the legislation on immigration and had taken into account the relevant ordinances in Kenya and Uganda, which it had rejected as not appropriate to the circumstances prevailing in Tanganyika.

Mr. SCHEYVEN (Belgium) felt that the purpose of the Indian proposal was already fulfilled in the last paragraph.

The Indian proposal was adopted by 4 votes to 1, with 1 abstention.

Draft resolution III, thus amended, was approved by 4 votes to none, with 2 abstentions.

IV. Petition from Mr. Arnulf Johannes (T/PET.2/167)

Draft resolution IV was approved unanimously.

V. Petition from Mr. Karl Finger (T/PET.2/169)

Draft resolution V was approved unanimously.

VI. Petition from the Trade Union of African Cooks (T/PET.2/177)

Mr. JAIPAL (India) proposed the addition to the draft resolution of the following paragraph:

"Expresses the hope that a union will successfully secure registration once again under the Trade Union Ordinance and will seek the improvement of the conditions of its members according to recognized trade union principles."

Mr. DOISE (France) asked whether other similar trade unions existed in the Territory.

Mr. ELLIOTT (Special Representative) replied that he knew of no others, although one might possibly have been established in the Lake Province.

The Indian amendment was adopted.

Draft resolution VI, thus amended, was adopted by 5 votes to none, with 1 abstention.

VII. Petition from the African Commercial Employees Association (T/PET.2/178)

Mr. JAIPAL (India) proposed the addition to the draft resolution of the following paragraph:

"Expresses the hope that the Administering Authority will consider the possibility of recommending to commercial concerns the desirability of granting their employees cost of living allowances, annual increments, holidays with pay and such other privileges as may be appropriate".

The Indian amendment was adopted by 4 votes to none, with 2 abstentions.

Draft resolution VII, thus amended, was approved by 4 votes to none, with 2 abstentions.

VIII. Petition from Mr. Joseph Mathew (T/PET.2/179)

Mr. JAIPAL (India) proposed that the words "the kind of work that he is looking for", in paragraph 2 of the draft resolution, should be replaced by the words "suitable work".

It was so agreed.

Draft resolution VIII, thus amended, was approved unanimously.

IX. Petition from Mr. Saidi Abdullah (T/PET.2/180)

Mr. SCHEYVEN (Belgium) proposed the addition of the words "if he sees fit" after the words "to pursue" at the end of the draft resolution.

The Belgian proposal was adopted.

Draft resolution IX, thus amended, was approved unanimously.

X. Petition from Mr. Philip Moses (T/PET.2/181)

The CHAIRMAN suggested that the final paragraph of the draft resolution should be amended in the same way as draft resolution IX had been.

It was so agreed.

Draft resolution X, thus amended, was approved unanimously.

XI. Petition from Mr. Mponda Fukuta (T/PET.2/182)

Mr. JAIPAL (India) suggested that alternatives A and B should be combined.

Mr. DOISE (France) and Mr. KARTSEV (Union of Soviet Socialist Republics) agreed.

Mr. SCHEYVEN (Belgium) proposed the insertion of the words "if necessary" before the words "the Courts".

Mr. RANKIN (Secretary of the Committee) said that the last paragraph would thus read: "Draws further the attention of the petitioner to the possibility that is open to him of laying his complaint before the Dar-es-Salaam Area Labour Office and, if necessary, the Courts."

Draft resolution XI, thus amended, was approved unanimously.

XII. Petition from Mr. Tine Tumwilike (T/PET.2/185)

Draft resolution XII was approved by 4 votes to none, with 2 abstentions.

XIII. Petition from Mr. Nasora Mussa (T/PET.2/186)

The CHAIRMAN suggested that, in line with similar draft resolutions, the words "if he sees fit" should be included after the words "open to him" in the last paragraph of the draft resolution.

It was so agreed.

Mr. DOISE (France) proposed the addition of the words "if procedure so allows" at the end of the same paragraph.

It was so agreed.

Draft resolution XIII, thus amended, was approved unanimously.

The CHAIRMAN noted, in connexion with paragraph 3 of the introduction to the draft report, that no special information would be requested on any of the draft resolutions approved.

The draft report was adopted unanimously.

The meeting rose at 12.30 p.m.