

UNITED NATIONS TRUSTEESHIP COUNCIL



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Sixth Session

Item 5 of the Agenda

EXAMINATION OF PETITIONS

First Report of the Ad Hoc Committee on Petitions

Chairman: Mr. R. A. Peachey (Australia)

1. At the fourteenth meeting of its sixth session, the Trusteeship Council, acting in accordance with Rule 90 of the Rules of Procedure, established an Ad Hoc Committee on Petitions composed of the Representatives of Australia, China, the Dominican Republic, New Zealand, the Philippines and the United States of America with the task of undertaking a preliminary examination of written petitions and of any observations which the Administering Authority concerned might have circulated in accordance with Rule 86 (2). The Committee was also instructed to submit a report to the Trusteeship Council on each petition considered by it together with its recommendations as to the action to be taken by the Council in each case.

2. At its first meeting, the Committee unanimously elected Mr. R. A. Peachey as its Chairman and Rapporteur.

3. The Committee was instructed by the Council to examine first the petitions concerning Tanganyika other than those relating to the Bugufi area. These petitions were as follows:

- I. Petition from the Chagga Council (T/PET.2/59).
- II. Petition from Mr. G. H. Wakefield (T/PET.2/74;
T/PET.2/74/Add.1; T/PET.2/74/Add.2).
- III. Petition from Mr. Josef Gazenhuber (T/PET.2/83;
T/PET.2/83/Add.1).
- IV. Petition from Mr. D. M. Anjaria (T/PET.2/92).

4. The Committee examined these petitions during its first six meetings held on 8, 9, 10, 15, 16 and 17 February 1950. Mr. J. E. S. Lamb participated in the examination as the Special Representative of the Administèring Authority.
5. The Committee submits herewith to the Council its report on these petitions.

I. PETITION FROM THE CHAGGA COUNCIL (T/PET.2/59)

A. Summary of the Petition

6. This petition was transmitted to the Secretary-General by the Visiting Mission to East Africa and received by him on 28 September 1948. The Trusteeship Council examined it at its fourth and fifth sessions and postponed consideration of that part of it which relates to the land question and which is summarized below.
7. The petitioners stated that, under the German Government, the indigenous population had no say when land was alienated and that at the present time the Chagga tribe whose population had greatly increased faced an acute land shortage due to the fact that native expansion was limited by reason of the alienation of land, that in the lower plains below the mountain slopes settlement was impossible owing to a great shortage of water supply, and that these plains were infested with tsetse flies. In order to meet this land shortage, they requested that all alienated lands should be returned to them; that no further alienation should be made; and that new lands should be reclaimed and developed by irrigation.
8. The petitioners claimed further that though the reversion of the alienated lands would provide "vihamba" (homesteads) for 11,000 Chagga males aged between 16 and 25 years who were desperately in need of "vihamba", the Chagga tribe would still be faced with the problem of finding "vihamba" for not less than 81,400 males in the next ten years.

B. Summary of the Observations by the Visiting Mission (T/218/Add.1, pp. 40-43)

9. In the addendum to the report it submitted to the Trusteeship Council at the fourth session, the Visiting Mission commented on this petition. It suggested that a policy somewhat similar to the one advocated by the Chagga

petition be envisaged by the Administering Authority to alleviate the problem of land shortage; and that, as regards the irrigation of lower Chaggaland, the Administering Authority should be requested to transmit relevant information on this problem which the Mission believed was under examination.

C. Summary of the Observations by the Administering Authority (T/352)

10. The Administering Authority submitted its observations on this petition at the fifth session.

The Administering Authority stated that the Tanganyika Government was discussing with the Chagga tribe the following proposals:

(a) 21,868 acres of alienated land in the fertile area would be made available for African occupation, as follows: of the total acreage of ex-German estates amounting to 54,077 acres, 13,359 acres of fertile lands would be reverted to African occupation, 6,540 acres of fertile lands and 31,800 acres in the semi-arid area would be realienated, and 2,378 acres of fertile lands would be retained by the Tanganyika Government to meet requirements of the agricultural, veterinary and forest departments; of the total acreage of other estates amounting to 132,742 acres, 7,591 acres would be made available for Africans; of the total acreage of mission land, 1,918 acres would be made available for Africans.

(b) 155,000 acres lying below the present area of Chagga occupation on the lower slopes of Mount Kilimanjaro would be provided with water and developed for the tribe's expansion. The cost of developing new land for native occupation would be borne by the Tanganyika Government.

D. Summary of the previous action taken by the Trusteeship Council

11. At the twenty-eighth meeting of its Fifth Session, the Council decided* to postpone consideration of that part of the petition which related to the land question until it received further information from the Administering Authority as to the reaction of the petitioners to the action taken by the Administering Authority in this matter subsequent to the date of the petition.

* Resolution 101 (V).

E. Summary of the Examination of the Petition made by the Ad Hoc Committee on Petitions

12. The Special Representative of the Administering Authority stated that since the date of the petition, the proposals of the Administering Authority had been explained to the Chagga people by the Provincial Commissioner, and had everywhere been well received. With regard to the former German estates, particular appreciation had been expressed at the Government's generosity in making estates of high market value available for tribal occupation free of charge, and asking only for payment for certain unexhausted improvements, such as buildings, machinery and other fixtures. The Kilimanjaro Native Co-operative Union Limited had spontaneously suggested raising funds for the purchase of such improvements from a cess on coffee sales, thus enabling the tribe to share in their cost. The Co-operative Union's initiative had been encouraged, and assurances had been given that the lands would be made available for settlement in accordance with customary tribal tenure.

13. However, even if all alienated lands reverted to native occupation there would still be a land shortage. The solution to the problem was the opening up of the unoccupied land below Kilimanjaro; that land was already being surveyed for clearance and irrigation by a land settlement team. Once the surveys of existing estates and of new land had been completed, the allocation of individual holdings would be made by land boards composed entirely of Chagga people.

14. Replying to questions by the representative of the Philippines, the Special Representative said that 13,359 acres of former German estates, about 7,600 acres of other estates, and some 2,000 acres of mission land would revert to native occupation. Of the total, some 16,000 acres would be made available to the Chagga people at once, and the balance in about 20 years' time when the existing sisal plants became exhausted. Where sisal plantations were just reaching maturity, it would be uneconomic to break them up into small native homesteads, a fact fully understood by the indigenous population.

15. As far as the policy of the Administering Authority in relation to land tenure and the re-alienation of the former German estates since the Report of the Visiting Mission are concerned, he explained that the law which allowed leases to be granted up to a maximum of 99 years remained unchanged. The matter had been discussed in the Legislative Council, in which all the African members had agreed to the policy that alienations should normally be made for a period of 99 years unless there was some reason to the contrary. That was subject to the following conditions: first, that existing legislative provision must be retained, by which the Government might acquire any land under the terms of the Land Acquisition Ordinance, if at any time required for African occupation; secondly, that the Native Authorities must be consulted before any land was leased, and that the Government must be satisfied that the lease was in the general interests of the Territory; and thirdly, that, as at present, settlement must be carefully controlled, there was to be no departure from the existing policy under which alienation to non-Africans was on a limited scale only in relation to Tanganyika as a whole, and that the needs of the African inhabitants must still have priority and that land should therefore not be leased for non-native settlement unless it could be shown that the land in question was not required for native occupation and was not likely to be required in the foreseeable future.

16. Replying to questions by the representative of the United States of America, the Special Representative of the Administering Authority stated that each Chagga householder had two pieces of land, the vihamba, or homestead, and the shamba where he grew beans, maize and other annual crops. Whereas the kihamba was held on a tenure closely corresponding to freehold, the occupant having the right to sell, divide or bequeath it, his tenure of the shamba gave him only an occupational right, so that, if he left it, the tribal authorities could transfer it to another occupier. There was not sufficient land on Kilimanjaro for every householder to have both a homestead and a shamba, but, if the mountain were reserved for vihamba holdings and the land below it cleared for shamba holdings, the land situation would be alleviated.

17. The representative of the Dominican Republic stated that, relating to the irrigation of new land, since the situation had been clearly explained by the Special Representative, it should be sufficient for the Council to take note of that statement, and of the fact that the Visiting Mission had requested the Administering Authority to take appropriate measures for the extension of irrigation plans and projects, and to express the hope that those plans and projects would be implemented as soon as economic factors permitted. With regard to the return of land to the Chagga people, it should likewise be sufficient for the Council to take note of the explanations given by the Special Representative, and to express the hope that the part of the programme still outstanding would be completed as soon as was economically possible.

18. The representative of China stated that his delegation attached great importance to the question of land, especially to the problem of land alienation. He emphasized that the wishes of the petitioners should be met as far as possible. He considered that since the measures already taken were inadequate, the Council should recommend that further effective measures be taken covering the interests of all indigenous inhabitants.

19. The representative of the Philippines suggested that the Administering Authority should be urged to carry out a continuing programme of land reclamation and irrigation, and that, while the measures taken for placing a portion of the former German estates at the disposal of the tribal authorities should be noted with satisfaction, measures should be recommended which would enable members of the tribe to claim former German estates under progressively more favourable terms.

20. The representative of the United States proposed that the Council should note with satisfaction the assurance of the Special Representative that the Chagga people had expressed their complete satisfaction with the proposals made and the manner in which they were being carried out, and that it should note that although the measures proposed regarding the return of the alienated land did not entirely alleviate the land shortage, the Administering Authority was aware of this problem and had prepared a detailed plan for the development of 155,000 acres of new land

for the Chagga. The Council should express the hope that these plans will be carried out as soon as possible; the Council should finally inform the petitioners that in view of the satisfaction which they had expressed regarding the plans of the Administering Authority no further action was necessary.

21. The Philippines representative proposed as an amendment to the United States proposal that the Trusteeship Council should note the plans of the Administering Authority relating to new lands to be developed by irrigation. The Council should recommend to the Administering Authority the adoption of further measures to alleviate the problem of land shortage and the reversion in principle of all ex-German lands to the Chagga peoples under increasingly favourable conditions. Considering that the plans adopted by the Administering Authority present a long-term development project, the Trusteeship Council should invite the Administering Authority to keep the Council continuously informed about the implementation of the programme and its effects upon the development of the Chagga peoples.

22. The representative of the Dominican Republic submitted a proposal based on the United States and Philippines texts, which was unanimously adopted by the Committee with a few verbal amendments. The text of the draft resolution adopted by the Committee is reproduced below as Resolution I.

23. During the fifth meeting of the ad hoc Committee the Special Representative assured the Committee that in accordance with the third paragraph of the operative part of the draft resolution as approved by the Committee, special information would be furnished in each annual report on the administration of Tanganyika "on the progress of programmes for the speediest possible solution of the problem of land and of its effects on the development of the Chagga people."

II. PETITION FROM MR. G. H. WAKEFIELD
(T/PET.2/74, T/PET.2/74/Add.1
T/PET.2/74/Add.2)

A. Summary of the petition

24. This petition and its addenda were received by the Secretary-General on 14 June 1949, 19 July 1949 and 15 August 1949 respectively.

25. The petitioner stated that in 1948 he had been recruited by the Government of Mauritius to work as a carpenter for the Overseas Food Corporation in Tanganyika. After three months in this position, during which time certain discussions were held with the Area Labour Officer in an attempt to ameliorate allegedly deplorable and discriminatory living and working conditions, he had been dismissed. He had then been employed because of satisfactory past service by Messrs. Pauling & Co. Ltd., but had subsequently tendered his resignation. He complained of ill-treatment and injustice at the hands of Messrs. Pauling & Co. mentioning in particular the rough climate, inadequacy of rations, high cost of living, poor accommodation and diet, lack of payment of salary and ill-treatment at the hospital and charged that discrimination existed between Mauritians and Europeans. He enclosed copies of letters addressed to various company and Government officials asking for his repatriation, which had lead first to a denial of his right to resign prior to the time stated in his service agreement and later to his summary dismissal. Copies of the correspondence concerning his dismissal and repatriation are contained in the two addenda to the petition (T/PET.2/74/Add.1 and Add.2). In substantiation of his charges, he also enclosed copies of letters addressed to company and Government officials from four Mauritian labourers, who complained of poor working and living conditions in the Mauritian camp at Kongwa and in all but one case asked for repatriation.

B. Summary of the observations of the Administering Authority (T/459)

26. After having explained that the petitioner had been dismissed by his employers for misconduct in accordance with the terms of his contract of employment, the Administering Authority commented at length on the specific complaints made by the petitioner, in particular the allegedly poor working and living conditions in the Mauritian camp at Kongwa.

C. Summary of the Examination of the Petition by the Committee

27. The special representative of the Administering Authority stated that it had occurred to his Government that the petition dealt merely with a disagreement between an employer and a non-indigenous employee who could seek redress through the Tanganyika courts, and that to that extent the petition was therefore not really a matter for consideration by the Trusteeship Council. The Administering Authority was concerned only with the general supervision of labour conditions.
28. On the proposal of the representatives of Australia, the Philippines and the Dominican Republic the ad hoc Committee decided to examine only that part of the petition which relates to general matters.
29. The special representative of the Administering Authority, replying to the United States representative, stated that no special procedure for dealing with the labour dispute in question had been laid down, although an attempt had been made to set up a Staff Council of Mauritians. That attempt had failed, since the Mauritians had refused to co-operate.
30. Replying to a further question by the representative of the United States of America, he stated that the only reason for the refusal of the Mauritians to participate in the Council seemed to lie in the truculent attitude generally adopted by that group of employees.
31. Replying to the Australian representative, he stated that the contracts of employment were individual, not collective contracts; that wage rates were specified in the individual contracts; and that while there had been a display of truculence on the part of some of the Mauritian employees he had no knowledge of any general atmosphere of unrest. Existing contracts were to be replaced by new forms of agreement.
32. The representative of China believed that it would be advisable to examine the terms of contract under which the Overseas Food Corporation had employed 184 Mauritian workers and still kept 133 workers in employment. He asked the Special Representative for clarification as to the clauses of that contract governing the dismissal, termination, repatriation, allowances pending

the repatriation; he further asked whether the Area Labour Officer approved the wages; what were the wages paid; what was the relation between those wages and the wages of skilled European or native labour. In the case of termination of contract, he asked whether there were provisions for a mixed tribunal, arbitration or mediation, or whether the dismissal depended exclusively on the employer. He wished to know whether the Medical Officer was an employee of the Company or a Governmental Officer, what action the Area Labour Officer had taken to protect the Mauritian workers, and whether his suggestions had been applied by the Company.

33. The Special Representative, replying to these questions, stated that the contract under which Mauritian workers were employed by the Overseas Food Corporation was similar to the overseas contract of service under which European workers were employed. If the employee terminated his contract within a stipulated period (in the case of the Mauritian eighteen months, instead of the twenty-four months usual in contracts for European workers), he might be called upon to refund a corresponding proportion of his passage money. The contract also provided for summary dismissal in the case of serious mis-conduct. Dismissal remained at the discretion of the employer, but employees aggrieved by such treatment had the right to initiate a suit for breach of contract in the Courts. The Area Labour Officer referred to in the petition was an officer of the Overseas Food Corporation, the Government Labour Department exercised only general supervision. The average basic wage of Mauritian skilled workers was £25 per month, and average overtime pay amounted to 18 per cent. of the basic wages. That rate was much higher than the average paid to African workers, and was comparable with the minimum rate paid to certain European workers.

34. In replying to a question from the United States representative, he stated that the housing situation was improving. The accommodation in sectional huts, which the Mauritians had refused to accept, had subsequently been used by Europeans.

35. The Philippines representative considered that in the resolution to be adopted, the Committee should ask the Administering Authority to keep the Council informed about the situation of Mauritians employed by the Overseas Food

Corporation and other firms.

36. He also asked the Special Representative for further information on the reasons for the alleged rounding up by the Police Force of all the Mauritians employed in the Overseas Food Corporation and on the statement of the Police Officer to the effect that he acted also as an immigration officer and that nobody was allowed to move from where he was, since he (the Police Officer) was responsible for them.

37. The Special Representative pointed out that the petitioner's observations were those of a man with a grievance. With regard to the complaints of a general nature, little could be done about the "rough climate"; the petitioner had not been engaged under false pretences in that respect. The petitioner could not substantiate the allegations of inadequate rations for as regards rationed foodstuffs he received the same treatment as Europeans and had enjoyed other facilities, such as the use of canteens. There had certainly been a shortage of rice, from which all Europeans and Asians had suffered, particularly as the Authorities had decided that Africans should have first claim on supplies; the fact that the cost of living was not unduly high in relation to wages was confirmed by the evidence that many Mauritians had substantial savings bank balances. All Mauritians had suffered from indifferent accommodation in the early stages. The allegation of "lack of payment of salary" amounted to only one instance, in which there had been a delay of a single day. It was inconceivable that doctors in hospitals would ill-treat their patients, and the petitioner had been at fault in not seeking medical treatment at once, and obtaining a doctor's certificate. Shopping facilities, canteens and recreational transport were provided for all races on equal terms, so that there was no discrimination between Europeans and Asians. Medical services were provided free for everyone, and in hospitals European and Asiatic in-patients had the same food. Cinemas were free, and performances frequent. As stated in the observations of the Administering Authority, the police played no part in the matter referred to by the petitioner.

38. The Chairman presented a proposal summarizing the views expressed in the Committee. This proposal was supported in principle by the Philippines and

Dominican Republic representatives.

39. The Special Representative suggested that the last paragraph which requested the Administering Authority to keep the Trusteeship Council fully informed of the future conditions of employment of Mauritian workers seemed to imply that his explanations had been inadequate and had not carried conviction. That did not seem to him to correspond to the conclusion which the Committee had reached.

40. The United States representative doubted the advisability of including this last paragraph, and thought it would be sufficient to preface the resolution with a statement to the effect that the Council had noted the assurances given by the Special Representative.

41. The Philippines representative stated that the Council, while impressed by the action that had been taken, might nevertheless desire to have information regarding any further action taken. Moreover, the wording was the customary one, which had been employed in previous similar resolutions. It implied no lack of confidence in the Administering Authority. If the Committee considered that the Administering Authority's explanation in this particular case should prevail over the purely personal allegations of the petitioner, the last paragraph would not be necessary. However, it would be better to adopt the standard form of wording.

42. The Special Representative agreed that the wording had been used in previous resolutions and might well be considered as standard but only in those cases in which the Council had not been satisfied with the information provided.

43. The New Zealand representative stated that he was in full agreement with the views of the Philippine representative on the question of competence. He had also experienced some difficulty in establishing the full facts on the basis of the scattered comments of the Administering Authority given in Document T/459 and had originally thought that it would be desirable to have further information. However, the statements made by the Special Representative had satisfactorily filled in the gaps so far as he was concerned. If, however, there was still uncertainty in the minds of the members of the Committee, it

would be as well to establish immediately what further information was required so that suitable questions could be put to the Special Representative there and then.

44. The Special Representative stated that there were few Mauritians in the Territory, and in view of what had happened, he doubted whether the employers would be anxious to renew their contracts. He wondered what was meant by further developments? It might be that the adoption of that language would involve the Administering Authority in providing detailed information about all other non-indigenous labour conditions, contracts, etc. That, to his mind, would create an impossible situation.

45. After a suggestion of the United States representative to the effect that the matter might be taken up in the Tanganyika Drafting Committee, the Philippines representative declared himself satisfied with leaving out the last paragraph of the Chairman's proposal, if an appropriate comment were made in the Council's report on Tanganyika.

46. With this change, the Chairman's proposal was unanimously adopted. The text, as adopted, is reproduced as Resolution II below.

III. PETITION FROM MR. JOSEF GANZENHUBER,
(T/PET.2/83, T/PET.2/83/Add.1)

A. Summary of the Petition

47. The petition and its addendum were received by the Secretary-General on 16 September 1949 and 8 November 1949 respectively. The petitioner stated that he had worked as a mason from 1934 to 1940 in the employ first of the Benedictine Mission in Peramiho and then of the English Government in Tanganyika. Although an Austrian citizen he had been interned in 1940 and had been forced to leave various items of personal property and two houses at Songea, district Peramiho. When he had tried to obtain the return of his property through the Tanganyika Government he had been told that he was bankrupt, although he knew through one of the fathers of the mission that the houses were still occupied by a certain negro chieftain. In a further communication (T/PET.2/83/Add.1) he included copies of various letters and documents substantiating his claims.

48. He requested that he be allowed to return to the Territory, or that his property be returned to him.

B. Summary of the observations by the Administering Authority (T/446)

49. Observations by the Administering Authority are contained in Document T/446. The Administering Authority pointed out that the petitioner, although claiming to be an Austrian national, gave the place of his birth as Inzell in Bavaria. During the months preceding the outbreak of war the petitioner exhibited strong pro-Nazi sympathies and was suspected of endeavouring to spread subversive propaganda. He was taken into custody on 3 September 1939, escaped, but was later caught. A letter found in his possession disclosed his intention to blow up a certain number of bridges in the Territory as well as a list of African Chiefs of pro-German and anti-German sympathies. The petitioner, while denying that he was a member of the Nazi party, admitted that he was in complete sympathy with the German Government, and, if necessary, would fight for it. He was repatriated to Germany in March, 1940.

50. As regards his claims for the return of his "legal property", the Administering Authority observed that the petitioner had no legal title to any immovable property or land in Tanganyika and that his assets were insufficient to meet all outstanding claims against him.

51. The Administering Authority recalled the decision of the Trusteeship Council endorsing the policy adopted by the government of the United Kingdom regarding enemy aliens [Document T/23 and T/23/Add.1; Trusteeship Council resolution 6(1)] and stated that it did not consider the petitioner a suitable person to be allowed to return to Tanganyika.

C. Summary of the examination of the petition made by the Committee

52. The special representative of the Administering Authority stated that he had himself seen the documents found on the petitioner at the time of his arrest, and proving his Nazi sympathies. The observations of the Administering Authority (Document T/446), moreover, gave a detailed statement of the petitioner's assets at the time of repatriation, which had not been sufficient to meet outstanding claims against him. The petitioner had no legal title to any immovable property, since his house, which was only a structure of native type, had been built on a plot of land owned by an African.

53. On the proposal of the Philippines representative it was agreed that no action should be taken on the petition.

54. The Chairman, summing up the discussions in the Committee, submitted certain proposals which were unanimously adopted in a modified form by the Committee and are reproduced below as Resolution III.

IV. PETITION FROM Mr. D. M. ANJUMIA (T/PET.2/92)

A. Summary of the petition

55. The petition was received by the Secretary-General on 23 November 1949.

56. The petitioner protested that an observation regarding his previous petition (T/PET.2/57), and resolution No. 98 (V) made to the Trusteeship Council by the special representative contained an incorrect statement.* This misstatement, he alleged, carried with it the inference that by referring the matter to the Trusteeship Council the petitioner had taken action which might well border on contempt of court. He added that he had drawn the attention of the Tanganyika Government to the matter and claimed that they had intimated that they would call the attention of the Council to the matter at its January session.

57. He requested that the offending lines in the Council's records be deleted or that the statement of the Tanganyika Government to be made at the January session of the Council be fully incorporated in the records.

B. Summary of the observations by the Administering Authority

58. No written observations were submitted by the Administering Authority.

C. Summary of the examination of the Petition made by the Committee

59. The special representative of the Administering Authority stated that the petitioner's complaint was well-founded, and the Summary Records should be corrected. It had been erroneously assumed by the Authorities that the petitioner had been acting as the legal representative in the courts of the persons on whose behalf he had made a communication, in the form of a petition, to the Visiting Mission, thus, as he (the petitioner) now pointed out, laying himself upon to a charge or bringing before the Council a matter still sub judice. He would be very glad to see the mistake, which was the Administering Authority's, rectified.

* Note This statement reads as follows: "The Petitioner's application for freehold tenure for his clients had been the subject of an appeal to the High Court." (T/SR.187, p.10; T/PV.187, p.52)

60. At the request of the Chairman the Special Representative has submitted a suitable statement for incorporation in the Committee's report to the Council.
61. The Committee adopted unanimously a draft resolution incorporating this statement. The text is reproduced below as Resolution IV.
62. The Committee accordingly recommends to the Trusteeship Council the adoption of the following draft resolutions:

I. PETITION FROM THE CHAGGA COUNCIL (T/PET.2/59)

Acting under Article 37 (b) of the Charter and in conformity with its rules of procedure,

Having postponed at its fifth session the consideration of that part of the petition from the Chagga Council dated 8 September 1948 (T/PET.2/59) relating to the problem of land shortage [Resolution 101 (V)]

Having resumed at its sixth session the examination of this petition in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned which designated Mr. J. E. S. Lamb as special representative,

Having noted the measures already taken by the Administering Authority to make ex-German estates available to the Chagga people, and the Administering Authority's plans to make more of these estates available in the future,

Having further noted that the Administering Authority has made plans for the reclamation and development of new lands and that these plans will be implemented as rapidly as possible,

Having noted the assurances given by the Administering Authority that the Chagga people had expressed satisfaction with regard to the measures taken and the way in which they have been implemented,

The Trusteeship Council,

1. Recommends that the Administering Authority make available additional ex-German estates to the Chagga people as early as compatible with the economic conditions of the Territory;

2. Recommends that the Administering Authority press forward with its land reclamation and development programme and any other measures it may deem necessary for the speediest possible solution of the problem of land shortage.

3. Invites the Administering Authority to keep it informed of the progress of the above mentioned programme and of its effects on the development of the Chagga people;

4. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

II. PETITION FROM MR. G. H. WAKEFIELD
(T/PET.2/74, T/PET.2/74/Add.1 and
T/PET.2/74/Add.2)

Acting under Article 87 (b) of the Charter and in conformity with its rules of procedure,

Having examined at its sixth session the petition of Mr. G. H. Wakefield dated 7 June 1949 (T/PET.74, T/PET.2/74/Add.1 and T/PET.2/74/Add.2) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned which designated Mr. J. E. S. Lamb as special representative,

Having considered that, in the light of the statement of the Special Representative of the Administering Authority the petition submitted by the petitioner as far as it contains an individual and personal request, lays before the Trusteeship Council a dispute with which the courts have competence to deal and which would normally be inadmissible in accordance with rule 81,

Noting nevertheless that the petition also contains general grievances allegedly suffered by the community of Mauritian workers,

The Trusteeship Council,

1. Decides to accept that part of the petition relating to these general matters;

2. Takes note of the assurances given by the special representative of the Administering Authority, namely that individual contracts of Mauritian workers were unobjectionable and their treatment appropriate and comparable to that given to European employees, that some of the difficulties referred to in the petition resulted from the uncooperative attitude adopted by certain Mauritian workers; that these workers had refused to take part in the formation of a Staff Council even after the visit of the Labour Commissioner of Mauritius and a member of the Legislative Council of Mauritius who was a prominent Mauritian Trade Unionist; and that a new form of contract is to be introduced;

3. Decides that no action by the Trusteeship Council is called for on the petition;

4. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

III. PETITION FROM MR. JOSEF GANZENHUBER
(T/PET.2/83 and T/PET.2/83/Add.1)

Acting under Article 87 (b) of the Charter and in conformity with its rules of procedure,

Having accepted and examined at its sixth session the petition from Mr. Josef Ganzenhuber dated 10 September 1949 (T/PET.2/83 and T/PET.2/83/Add.1) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned which designated Mr. J. E. S. Lamb as special representative,

The Trusteeship Council,

1. Considers that, in the light of the information furnished by the Administering Authority, the question raised in the petition relates to the implementation of the policy followed by the Administering Authority with respect to ex-enemy aliens formerly resident in Tanganyika which received the general approval of the Trusteeship Council in resolutions 5 (I) and 6 (I);

2. Decides that under the circumstances no action by the Trusteeship Council is called for on the petition;

3. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

IV. PETITION FROM MR. D. M. ANJARIA
(T/PET.2/92)

Acting under Article 87 (b) of the Charter and in conformity with its rules of procedure,

Having accepted and examined at its sixth session the petition from Mr. D. M. Anjaria dated 15 November 1949 (T/PET.2/92) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned which designated Mr. J. E. S. Lamb as special representative,

The Trusteeship Council,

1. Notes that the special representative of the Administering Authority expressed his own regret and that of the Administering Authority for the fact that at the fifth session of the Council during the examination of the petition from Mr. D. M. Anjaria dated 30 August 1948 (T/PET.2/57) he had wrongly stated that the petitioner was acting on behalf of clients,

Notes that the special representative of the Administering Authority affirmed that there was no intention of imputing ulterior motives or of suggesting that the petitioner was in any way attempting to circumvent the normal proceedings of the courts;

2. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure of the Trusteeship Council.
