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President: Mr. Awni KHALIDY (Iraq).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, China, Dominican Republic, El Salvador, France, Iraq, New Zealand, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representative of the following State non-member of the Trusteeship Council: Italy.

The representatives of the following specialized agencies: Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization.

Examination of the annual report on the Trust Territory of the Cameroons under French administration for the year 1951 (T/995, T/1012) (*continued*)

[Agenda item 4 (g)]

At the invitation of the President, Mr. Watier, special representative of the Administering Authority for the Trust Territory of the Cameroons under French administration, took a place at the Council table.

1. Mr. PIGNON (France): During the discussion, a number of judicious and pertinent observations were made. My delegation has taken note of these observations. The special representative will attempt, in the limited time at his disposal, to give members of the Trusteeship Council the explanations and details they desire. For my part, I shall not fail to transmit to my Government, with appropriate comments, the suggestions that have been made. In the brief statement I shall now make, I shall confine myself to a few points which particularly concern my Government's policy.

2. Several members of the Council have expressed a desire to see an increase in the powers granted by the legislation in force to the territorial assemblies operating in the Territories under French administration. I have said that the reforms concerning these

assemblies are at present being carefully and thoroughly studied. I should like to take this opportunity to remind the Council of what I said at the ninth session on this same problem.

3. The decrees of 1946 setting up the representative assemblies constituted a very bold experiment since, for the first time, the indigenous inhabitants were given genuine powers of decision in very important fields. From the outset, powers much greater than those of the general councils of the metropolitan country were granted to the assemblies of the Trust Territories. The texts, as I could easily show, have always been interpreted in the most liberal spirit by the Administering Authority.

4. The scope of those powers is not generally realized, both because of the abstract and somewhat abstruse wording of the decrees and because of the terminology to which I have already drawn attention. In French legal terminology, "legislative" refers to parliamentary matters only: it is only an Act of Parliament, whatever its subject or significance, that can be described as a law. Under a legal system different from ours, an entire group of measures, including those within the province of the representative assemblies, could, by their nature, be described as legislative measures.

5. On several occasions, in our discussion, the Council has seen specific instances which prove that the assemblies have real powers. It was quite natural, therefore, for the French Government to make a careful review of the results of an experiment which had been under way for the past five years (that is, throughout a full term of office, for the elections of 30 March last were general elections, involving the entire membership of the assemblies) and to decide, in the light of the facts, the particular matters in respect of which reforms should be made for the benefit of the population and their political education.

6. As the Council will have noted, the Administration has not been inactive. Important measures, taking into account the wishes of the population, have been adopted. There has been a substantial increase in the number of members elected by the second college—

from twenty-four to thirty-two—thus strengthening the majority already enjoyed by the indigenous population in the assembly. Similarly, the right to vote has been considerably extended. All those who may be regarded as responsible persons in the Cameroons are now able to make known their wishes and to express their interest in public affairs.

7. The representative of the Soviet Union has once again alleged that the French Union is contrary to the aims of the Trusteeship System. I shall not repeat what I said recently with regard to Togoland [441st meeting, para. 8]. I reserve my right to state the position of my Government when the Council takes up the report of the Standing Committee on Administrative Unions. But I do wish to appeal, not to juridical principles, but to plain common sense.

8. The French Constitution defines the organization of powers and the relations between the powers. The Administering Authority for Togoland and the Cameroons can be no other than the one described in the Constitution. There is a president of the Republic, a government, a parliament. I do not see how it would be possible to invent a special authority for the exclusive needs of Togoland and the Cameroons, in view of the fact that every care is taken to preserve the international status of these Trust Territories. It is precisely because of this organization of powers in the Administering Authority that the Cameroons have been given wide representation in the legislative organ. The Cameroons has four deputies in the National Assembly, three senators in the Council of the Republic, five delegates to the Assembly of the French Union, and two delegates to the Economic Council. In all fairness, it must be admitted that this representation does permit the Cameroons effectively to defend its own interests. It can hardly be considered unimportant that a deputy of the Cameroons' second college—an indigenous inhabitant—is a member of the French Government and has held that position for several years.

9. I think that the representative of the Soviet Union cannot but admit that we have given to our Trust Territories more than a reasonable chance of making their voice heard, of having their views presented in the decisions concerning them.

10. There is still much to be done in the Cameroons; we are fully aware of that. Many imperfections still exist; we know that; we have never attempted to conceal it. We have made it a matter of honour to furnish all possible information to the Trusteeship Council and have tried, from year to year, to make our reports as complete and as attractive as possible, taking account of the suggestions made by the Council and of the particular requests of its members. We have worked hard, and we are glad to note that the majority of the representatives on the Council consider, as we do, that the results are encouraging.

11. I, personally, should attach symbolic value to the fact, indicated by Mr. Watier, that two young Cameroonians from the *lycée* of Yaoundé, have this year acquitted themselves brilliantly in the very difficult examinations of the *lycées* and *collèges* of France, these examinations being a venerable institution dating from 1747. They have shown by their example that the Cameroonians, through an *élite*—which is still too

small but is growing fast—are beginning to attain to cultural heights, and we derive not only pride but confidence in the Territory's future from that accomplishment.

12. Encouragement, advice and constructive criticism are valuable to the Administering Authority not only at the governmental level but, even more so, for public officials of all kinds who are working in the Trust Territory and who are imbued with a sincere desire to promote the purposes of the Trusteeship System. They will be grateful to the Council for having rejected so clearly an attitude of systematic belittling which, if it became general, could not but result in the negation of all efforts towards progress.

13. Mr. WATIER (Special representative for the Cameroons under French administration): The report for 1951 has been examined by the members of the Trusteeship Council with the same care, the same attention and the same conscientiousness as earlier reports. It is gratifying to us to note that the efforts of the Administering Authority and the progress made in the year under review have been appreciated by most members of the Council. The recommendations, advice and suggestions offered to us constitute valuable indications to guide us in our future actions and an encouragement to us to persevere in the course we have chosen.

14. In the political field, it is generally recognized that the increase in the number of deputies, the increase in the number of members of the Territorial Assembly and the considerable growth of the electorate constitute undeniable progress.

15. The representatives of El Salvador, China, New Zealand and the United States have expressed the desire that the French Government should consider the progress made only as a step forward towards a still more democratic organization. This is also the view of the Administering Authority, and I remember saying myself in 1949¹ that the constitution of a responsible electorate was only a first step towards the universal suffrage which was the aim of the Administering Authority. Universal suffrage will, *ipso facto*, bring with it the abolition of discrimination between the two electoral colleges which, hitherto, has seemed a useful factor in the political progress of the Territory.

16. The representative of El Salvador hopes [450th meeting] that all adult Cameroonians will learn to read and write and that they will be placed, without distinction as to sex, upon the electoral rolls. I am happy to be able to remind him that provision has existed for this ever since the creation of the "corps des capacités" in 1946.

17. I have had occasion to say, during the discussion of the report [446th meeting], that the present figure of 530,000 electors seems, for the time being, to represent the maximum political capacity of the Territory. That does not mean at all that the Administering Authority intends to retain the present system indefinitely, but it is clear that several years of effort will be needed, together with political education of the citizens, before any useful purpose can be served by introducing a new extension of the electoral body.

¹ See *Official Records of the Trusteeship Council, Fourth Session*, 3rd meeting, p. 19, and 20th meeting, pp. 181 and 182.

18. The representative of China expressed a desire [450th meeting] that the number of European and African members of the Representative Assembly should be more closely in proportion to the respective populations. It may be noted in this connexion that the new distribution in the Territorial Assembly represents considerable progress over the situation in the past. Here, too, we have taken a further step towards the equal representation of all citizens.

19. At the local government level, progress has been made by the growing number of municipalities and village centres, the nuclei of rural municipalities. I very much hope that 1952 will see the reform of the regional councils and the establishment of elected rural councils that has been under study for several years.

20. The progress achieved in the economic sphere, which has been greatly stimulated by the ten-year plan and accelerated by the influx of private and public capital and by internal improvements in ports and the road system, has been generally applauded by the members of the Council. Some concern has been expressed at the disequilibrium of commercial markets, but I have already explained that this need not concern us seriously. In any case, the Government of the Territory is making every effort to promote production for export, both in quantity and in value.

21. The representative of the United Kingdom rightly emphasized [450th meeting] that the improvement in the means of transport was the primary condition of all economic and, consequently, social progress in the Territory.

22. The representative of El Salvador also emphasized [450th meeting] the effect upon the Cameroonian economy of the development of transport and the increase in industrial production which must result from the local production of electric power.

23. We have taken note of the comments of the representative of the Dominican Republic [450th meeting] on the relations between the Cameroonians and the inhabitants of the neighbouring countries. Our next report will contain more complete information on this subject.

24. In the social field, the increased activity of the health service and the extension of health equipment have been approved by several members of the Council. Gratification has also been expressed that the Administering Authority is concerning itself with the living conditions of the working classes and is taking stock of the Territory's resources in order to improve them more effectively. We listened with much attention to the advice given by the representative of the Dominican Republic [450th meeting], who emphasized the danger of allowing a proletariat to develop in a position of inferiority *vis-à-vis* a highly-developed *élite*. The effort made by the Administration to extend public education, without distinction as to class or means, should constitute an automatic antidote to the dangers pointed out by Mr. Salazar, which ought to be taken into account.

25. The progress made in the field of education and the satisfactory results already attained have been recognized by most members of the Council. The problem of higher education has been mentioned by several representatives, and in particular by those of the

United States, New Zealand and El Salvador, who recommended that the possibility of organizing higher education in the Territory should now be considered, particularly with regard to the teaching of medicine and of veterinary medicine. We take note of these recommendations and the question will be studied in relation to the needs and financial capacity of the Territory.

26. Several representatives, including those of China, El Salvador and the United States, have mentioned the importance of the question of indigenous housing. This is a matter which occupies the attention of the Administration. Mention is made in the 1950 report [page 222] of the competition organized among builders and architects for the designing of types of housing suitable for the different climates [see also the report for 1951, page 247]. I would remind the Council that, during 1951, 102,000 tons of cement and 7,000 tons of corrugated iron were imported into the Territory, representing nearly a third of its total imports. The building capacity of the Cameroons under French administration was thus doubled as compared with that of 1950.

27. In contrast to the fair appreciation and useful advice to which I have referred, we have also heard criticisms whose severity and exaggeration betray a desire to belittle which deprives them of much of their value. We have been tempted to disregard these criticisms, particularly because it seemed to us that they were intended for propaganda purposes rather than as an objective evaluation of the position.

28. The representative of the Soviet Union is not aware of the gloomy maxim of Mirabeau: "Slander as much as you can, for something is sure to stick." Only a few days ago [449th meeting], he quoted it himself. I find it hard to believe, however, that a member of the Trusteeship Council can resort to systematic calumny of a kind for which it is difficult to find an epithet. For the honour of the Council and of the great country which Mr. Soldatov represents, it must be supposed that he has made a mistake. It therefore becomes my duty to save Mr. Soldatov from his errors.

29. I shall not dwell on the methods followed by the USSR representative who, by quoting specific documents [450th meeting], made a show of giving his statements an objective and impersonal character. It will be enough to note that most of the petitions cited by the representative of the Soviet Union emanate from a communist group representing an infinitesimal minority of the population of the Cameroons. I do not claim that the opinion of the minority should systematically be disregarded, but the petitions mentioned have nearly all been examined by the Trusteeship Council and largely refuted by the explanations given by the Administering Authority. It would have been proper for Mr. Soldatov to have taken account of these points instead of accepting and presenting as facts assertions which were for the most part unjustified.

30. I shall not revert to the question of political representation, to which the representative of France has already replied. I shall confine myself to pointing out that, contrary to the affirmations of Mr. Soldatov, the Administering Authority does not seek to assure the supremacy of the French citizens in the representative elected organs since, on the contrary, the indigenous

representatives are always assured of a very great majority in those bodies.

31. We are accused of favouring the tribal system and of depriving the indigenous population of their goods for the benefit of the chiefs. But the examination of the petitions in which such complaints were made has proved that in claims of this kind the Administering Authority tried to be fair to all individuals concerned, even where the authority of the chiefs had to suffer as a result. I would also remind the Council that, at its sixth session,² it paid a tribute to the Administering Authority by declaring that, while giving the traditional authorities the attention they deserved, the Administering Authority was seeking to prevent them from hampering the democratic development of the Territory.

32. We are accused of exploiting the Territory as an annex to the metropolitan economy and of deliberately maintaining it as a producer of cheap raw materials. It is true that the Administering Authority does try to promote the wealth of the Territory by encouraging its exports, but this stimulation of indigenous agriculture does not prevent the development of a balanced economy through the creation of local industry.

33. The representative of the Soviet Union must be aware of the results obtained in this field, on which he will find information in the various annual reports. Mr. Soldatov mentions figures in the report [*page 78*] to indicate that the area devoted to industrial crops has increased considerably, at the expense of the area devoted to food crops. In effect, the figure increased from 163,000 hectares in 1948 to 402,000 in 1951. The great difference in these figures should have given Mr. Soldatov pause. Had he examined the position more closely, he would have seen that in 1948 there was no mention of natural and artificial palm-oil, whereas it is mentioned in the following years, with 206,000 hectares under cultivation. When account is taken of this, it will be seen that the increase of the area devoted to export crops does not exceed 32,000 hectares, or 9 per cent.

34. The diminution in the area devoted to food crops is not serious, since it is compensated for to a great extent by the progressively heavier imports of food-stuffs. The Administering Authority is giving attention to this matter, as is shown by the comment in the report [*page 79*] upon the figures mentioned by Mr. Soldatov.

35. The charge that we are alienating indigenous lands for the benefit of Europeans is simply absurd. The report points out [*page 87*] that the total area of land ceded by the Administration comes to about 103,000 hectares, which is 0.8 per cent of the total area of the Territory. Mr. Soldatov pretends to believe that the forest concessions constitute alienated lands, although they are nothing more than licences for the cutting of trees, which can be done under strictly controlled conditions and for certain designated species only. These forests concessions, far from reducing the wealth of the country, help to renew one of the main resources of the Territory, which would otherwise remain sterile.

² See *Official Records of the General Assembly, Fifth Session, Supplement No. 4*, p. 52.

36. We are also reproached with practising racial discrimination. This is particularly incongruous, when you consider that the second highest personage of the French Republic, the President of the Council of the Republic, is a coloured man. The details given in the petitions referred to by Mr. Soldatov were refuted by the special representative in the course of their examination in the Standing Committee on Petitions. It is a pity that Mr. Soldatov did not remember that he was present in that committee.

37. We are also accused of disregarding public health. The figure of fifty-six doctors in 1933 is cited as against fifty-three in 1951. On this basis, we are told that there is not progress but retrogression. It is forgotten that the figure of fifty-six doctors in 1933 represents all doctors practising in the Territory at that time, whereas the figure of fifty-three doctors in 1951 includes only the doctors employed by the Administration. In all fairness, to this number must be added sixteen private doctors and fifty-eight Africans doctors, making a total of 127 doctors in the Cameroons. That is more than twice as many as in 1933.

38. Let me express my astonishment at seeing the Administering Authority accused of favouring the destruction of indigenous tribes. The report points out that the Foulbé race is disappearing by assimilation and inter-marriage. There is a great difference between that type of disappearance of a race and the genocide of which Mr. Soldatov accuses us. You have only to watch the steady increase in the population of the Territory, as shown by successive reports, to realize how little consistency there is in this charge.

39. I am glad to have had the opportunity of correcting some of the errors of the representative of the Soviet Union. I am convinced that he himself will be glad to correct his judgments, for their inaccuracy has now been shown.

40. I wish to thank the President and the members of this Council who have been kind enough to express their appreciation of my personal co-operation in the work of the Council. I am pleased to think that the Visiting Mission will, in a few weeks, confirm the good impression left upon the Council by the examination of the report of 1951.

41. Mr. SOLDATOV (Union of Soviet Socialist Republics): In connexion with the brief remarks made by the representative of France in reply to the statement I made in the Council on the Cameroons under French administration, and in connexion also with the more specific statements made by the special representative in reply to the comments of the USSR representative on the French administration of the Cameroons, I simply wish to state that neither the representative of France nor the special representative has adduced a single fact which could show to any extent that the observations of the Soviet Union delegation are not based on fact.

42. First of all, we proposed³ that there should be established in the Trust Territory administrative, legislative and judicial organs in which indigenous inhabitants would participate. We asked that the indigenous inhabitants should be given more responsible posts in

³ The proposals of the Soviet Union are reproduced in full in the record of the 450th meeting.

these various organs, which should not be subordinate to any bodies established on the basis of the inclusion of the Cameroons in the French Union. Our recommendations are based on the *de facto* situation as it exists in the Trust Territory. We consider that the Administering Authority, in order to fulfil its obligations under the Charter within the International Trusteeship System—which calls upon it to promote the progressive development of the Territory towards self-government and independence—should establish such organs in which the indigenous inhabitants would participate. That was one of our proposals. Neither the representative of France nor the special representative has adduced—nor could they do so—a single fact to show that our recommendation is based on an incorrect interpretation of the facts communicated to the Council by the Administering Authority. I do not want to abuse the time of the Council, and I shall not repeat that part of my original statement which concerned this particular recommendation; nevertheless, I maintain that position.

43. Our second recommendation requested the Administering Authority to take the necessary steps to ensure the transition from the tribal system to a system of autonomy based on democratic principles. We see nothing unjustified in that recommendation. Moreover, neither the representative of France nor the special representative has denied that the tribal system exists in the Trust Territory. Neither did they affirm it, for reasons which are quite obvious. We do have information, however, which shows that the Administering Authority encourages this tribal system. The petitions received by the Council confirm that fact. We are recommending that the Administering Authority should take the necessary steps to see that a transition is made from the tribal system to a system of self-government based on democratic principles. We see nothing bad in this. I do not understand why the special representative has spoken with such heat against the statement made by the representative of the Soviet Union. There is an old saying, "Jupiter, you are angry, therefore you are wrong." Perhaps the representative of France is playing the part of Jupiter in this Council.

44. Our third recommendation, to the effect that the Administering Authority should cease its anti-democratic policy against the indigenous inhabitants and should cease violating the rights and interests of those inhabitants, results from an over-all analysis of the situation as it emerges from the policies of the Administering Authority. It is not based on single facts or single petitions, as the special representative said. However, petitions have some grounds; neither the Council nor the special representative of the Administering Authority can deny their importance. As far as the USSR delegation is concerned, members of the Council know that we consider petitions as very significant documents. We feel that each document should be studied carefully and that the Council should approach each petition in a spirit of open inquiry. That should hold true for the Administering Authority as well.

45. As regards the land question, no fact has been brought forward to show that the USSR is wrong to ask that the indigenous inhabitants should be given back those lands which were alienated from them for

any reason whatever. The special representative himself has confirmed that lands have been alienated. When I asked how much land had been alienated [448th meeting], he gave some figures regarding concessions granted to Europeans. He probably recalls his reply to my question; it merely confirmed the fact that land alienation is continuing. I cited facts; I stated how much land had been alienated. In my statement [450th meeting], I said that despite the protests of the indigenous inhabitants, the Administering Authority was continuing to alienate land on various pretexts. One of those pretexts—the classification of forests—according to the data submitted by the Administering Authority, affects no more than 2.5 per cent of the Territory's area. The concessions, according to the Visiting Mission, cover an area of 2,300,000 hectares. Moreover, I quoted passages from many petitions showing that the Administering Authority was continuing to follow this policy of land alienation. This policy is thus a fact, and the USSR delegation considers that the Administering Authority should put an end to it. Those lands which have been alienated for any reason whatsoever should be returned to their indigenous owners. I do not want to go into the details of this question; I have already dealt with the classification of forest lands in commenting on the Administering Authority's land policies in Togoland under French administration [440th meeting]. We had instances of indigenous inhabitants being forced to abandon areas classified as forest reserves. Mr. Watier was present incidentally, at the fourth session of the Trusteeship Council,⁴ when the special representative for Togoland under French administration described the method of classification. In the circumstances, the USSR's fourth proposal is fully justified and to the point.

46. Our fifth proposal, dealing with taxation, was not mentioned by the special representative in his final statement. However, he admitted that it was well founded, because the Administering Authority itself concedes [448th meeting] that the head tax should be replaced by a progressive income tax or, at least, by an income tax based on the actual conditions, that is, the property status and ability to pay of the indigenous inhabitants.

47. Our sixth and seventh recommendations simply asked the Administering Authority to increase its budgetary expenditures on health, education and other cultural activities. I did not quite understand, from the special representative's statements, whether he found those proposals valid. I do not think he touched on that. He could not possibly deny their validity, because the situation in the Trust Territory requires the Administering Authority to spend considerably more money on education and health services. The special representative said that there were more doctors in the Territory than I had maintained. That may be so. I cited the figures appearing on page 434 of the 1951 report; fifty-six doctors was the figure given. Now there is said to be a total of about 100 doctors. But how can it be argued that even 100 doctors for a population of over 3 million is adequate? That number cannot be considered satisfactory. Accordingly, the

⁴ See *Official Records of the Trusteeship Council, Fourth Session*, 21st meeting, p. 482.

USSR recommendation remains applicable even in the light of the special representative's rectification of the figure. I do not wish to cast doubt on the data he has given; I accept it without question. Nevertheless, I have already given a few examples taken from official texts containing contradictory data. That is why I feel warranted in being somewhat circumspect regarding official figures.

48. Let us take education. We say that funds should be increased for educational purposes. Why? Because in the Trust Territory, even according to official statistics, only a very insignificant number of children of school age attend schools. If we take the data of the special representative, we see that 18 per cent of children of school age attend school, and we see that the majority of these pupils spend two or three years in rural schools. Needless to say, those who complete such a course of study can hardly be said to have received a proper education.

49. In the circumstances, it is curious that the statements and recommendations of the USSR delegation should be considered tendentious and without foundation. The special representative has said that they were made for propaganda purposes. I should like to clear that point up. What is understood by "propaganda"? I do not consider those statements to be propaganda of any kind. They seem to me to be serious and practical proposals aimed at improving the conditions of the indigenous inhabitants of the Trust Territory through more enlightened official action. Would you say that any proposal to improve the conditions of the indigenous population was propaganda? If that were so, it would be excellent propaganda, and I, for one, am in favour of it if you choose to call it that. I shall never be in favour of any propaganda aimed at preventing an improvement in the living conditions of the indigenous inhabitants.

50. The special representative, in dealing with petitions, went so far as to reproach the Soviet Union delegation for saying that it believed what was in the petitions. I see no reason why we should not believe what the petitions say, particularly as the facts are confirmed in the Visiting Mission's report and, upon close analysis, in the report of the Administering Authority. We cannot deny that the petitions state facts which are not always favourable to the Administering Authority. Indeed, they are very often unfavourable to the Administering Authority. But that does not justify the adoption of an attitude towards the petitions and the petitioners which systematically refuses to credit those facts.

51. I do not intend to analyse each petition. The report of the Standing Committee on Petitions will be discussed at the appropriate time and I have already commented on the individual petitions. I merely wish to say that my delegation has studied the petitions and the position of the petitioners with an open mind, guided by the principle that, whenever we feel that the petitioners' claims are legitimate and justified, we should support them. I see nothing reprehensible in that attitude.

52. The Administering Authority, on the other hand, consistently challenges what the petitioners have to say. In fact, I do not remember a single instance where it adopted a favourable position respecting a petitioner

or his complaint. To me that is evidence of the fact that the Administering Authority is prejudiced in its attitude towards petitions. You accuse us of prejudice, as I understand it. I agree, we are prejudiced in favour of the petitioners; but we are prejudiced because we want to see the claims of the indigenous inhabitants granted. They ask that they should be protected from arbitrary arrest. We say, "protect them"; they ask that their lands should not be alienated, and we say, "return their lands and do not alienate them".

53. Not long ago there were shootings in Togoland under French administration. According to official figures, seven persons were killed, while unofficial figures placed the death total at ten. What was our position then? We called for a strict investigation and the punishment of the guilty parties. What was wrong with that position? You say that we are not impartial, that we favour the petitioners. Well, that is true. But do you claim to be impartial? You are no more impartial than we are, except that you are prejudiced in the other direction, that is, against the petitioners. So there is no reason for anger, Mr. Watier.

54. The special representative commented at length on the position of the USSR delegation. He tried to deny the facts we adduced. But facts are stubborn things. It is very difficult to repudiate or refute them. Any one who has ever argued with the facts has found his arguments shattered. I would not advise you to engage in this thankless task. Facts have weight. By persistently ignoring them, one runs the risk of being crushed by that weight, and placing oneself in a most unpleasant position.

55. I could give further explanations of the position of the Soviet Union and I am prepared to continue the debate on the matter. I wanted to be sure that our position and our proposals were quite clear; if any point remains unclear, I am prepared to offer a further clarification. But I am quite sure that all the members of the Council who are really concerned with the effective operation of the Trusteeship Council have long understood the purpose of our proposals. If their hands were not tied, they would long ago have supported them. But I am perfectly aware of the real situation and I do not expect many delegations to support the USSR proposals. There was a time, however, not so long ago, when the Soviet Union proposals were supported by five members of the Council; then, it became four, and finally three. Indeed, it has happened that proposals submitted by the USSR were even adopted by the Council. Now the situation has changed. But I am still an optimist; I have not given up the hope that one day the USSR proposals will be supported, if not unanimously, at least, by an overwhelming majority of the Council's members.

56. Mr. PIGNON (France): Notwithstanding the interest I should personally take in continuing the debate with the representative of the Soviet Union, I do not think the Council's schedule will permit it. Accordingly, I shall merely leave it to my colleagues to make an impartial evaluation and interpretation of the facts which have been brought to their attention. I have full confidence in their judgment.

57. The PRESIDENT: Are there further remarks on the report before we conclude our consideration of this item of the agenda? Mr. Watier, I understand

you have a film; you mentioned it before we convened. Did you want to mention it to the Council?

58. Mr. WATIER (Special representative for the Cameroons under French administration): I just want to say that I have brought with me a film showing the construction of the road from Douala to Edéa, which reveals clearly the gigantic effort made by the company responsible for building the road. The road had to be cut through miles and miles of absolutely virgin forest. The film is very instructive and shows in a vivid and entertaining way the great efforts being made to develop the Territory. I shall be glad to arrange for a showing of the film if the members of the Council would like to see it.

59. The PRESIDENT: I am making arrangements to see when we can obtain a room to show this film, and I shall announce the arrangements to the Council later on.

60. If there are no further remarks on this subject, I take it that that terminates our consideration of the report of the Cameroons under French administration.

61. I now turn to Mr. Watier to thank him very warmly for the help and co-operation he has given the Council. In previous years, Mr. Watier has demonstrated his good sense and ready aid to this institution, and this year once again we have had reason to admire his conduct and appreciate his help. I should like to thank him once more for his kind help and for the co-operation he has so generously accorded this Council.

Mr. Watier, special representative of the Administering Authority for the Trust Territory of the Cameroons under French administration, withdrew.

Examination of petitions (continued)

[Agenda item 5]

HEARING OF THE REPRESENTATIVES OF THE WA-MERU TRIBE (continued)

63. The PRESIDENT: I should like to welcome it has accorded permission to the representative of the Wa-Meru tribe in Tanganyika to make an oral presentation in support of its petition [T/Pet.2/99 and Add.1 to 7].

At the invitation of the President, Mr. Kirilo Japhet and Mr. Seaton, representatives of the Wa-Meru tribe, took places at the Council table.

63. The PRESIDENT: I should like to welcome Mr. Kirilo Japhet to this Council, and we are looking forward to hearing his petition. I would say to the representatives on the Council that the only arrangement for translation of Mr. Japhet's statement now is that Mr. Seaton will undertake the interpretation from Swahili. Before Mr. Japhet makes his statement, may I ask Mr. Seaton what type of procedure would he wish to follow? Would he like to interpret the entire statement into English when Mr. Japhet has finished, or would he like to interpret it paragraph by paragraph? What procedure does he intend to follow?

64. Mr. SEATON (Representative of the Wa-Meru tribe): I should prefer to interpret it after every few sentences.

65. The PRESIDENT: We shall adopt that procedure.

66. Mr. JAPHET (Representative of the Wa-Meru tribe): First, I thank God for having protected me and brought me safely from East Africa to the Trusteeship Council in New York. Secondly, I am very grateful to the members of the Trusteeship Council for giving me this opportunity to appear before it. I bring greetings from the Wa-Meru tribe and the people of Tanganyika. They are very grateful to the Trusteeship Council for having given their letters attention and for having considered their difficulties. They hope that you will give sympathetic consideration to what their delegates have to say.

67. I should like to explain a little why I was so late in coming before the Council. I had some difficulty in getting my passport and visa because the Government of Tanganyika was not anxious that I should come here. On 27 June I already had my yellow-fever vaccination and other health certificates and was given a letter from the District Commissioner of Arusha to take to Dar-es-Salaam to get my passport, but on arriving at Dar-es-Salaam I was forced to return to Arusha because my letter from the District Commissioner was not in order. I then went back to Arusha to get a proper letter in order to get my passport. The District Commissioner then took from me my health certificates and made inquiries from the doctor who had given me the health certificates. They also sent a plain-clothes detective to follow me.

68. After conducting their investigation, they gave me permission to get my health certificates back from the doctor and to proceed with the getting of my passport. The doctor further delayed them by telling me to come back the next day. Then I was called back to the District Commissioner on the same day, who said he wanted to give me some more assistance. When I went to see the District Commissioner, he asked me where I expected to get the money to go to New York, because the sixteen hundred which had already been collected had been taken by Mr. Seaton, the first delegate. I informed him that we would get the money from the Wa-Meru tribe. The District Commissioner replied there was no further need for me to go to New York as the Trusteeship Council had already completed its meetings and its consideration of the Wa-Meru petition. Then he telephoned to the Member for Local Government in Dar-es-Salaam and informed him that he would prefer to prevent these people from collecting money and sending another delegate to New York. The Member for Lands and Mines, however, replied to the District Commissioner that he should not prevent the Wa-Merues from collecting money to send a representative here. He told me to wait until the following Monday, that would be the 30th, when the Provincial Commissioner would arrive and would have some more news for me. On 29 June I returned to the doctor and I was given back the same health certificates which I had on the first day.

69. On 30 June, the Provincial Commissioner informed me that there was no need for me to go as the Trusteeship Council meetings on the Wa-Meru petition had been completed. By this time they had taken back from us our permits to collect money and our books in which we had the names of those who

had contributed money. We asked him to return these to us. He told us that in his opinion it would be better for us to await the return of Mr. Seaton and Sir John Lamb, the special representative who was already in New York, as he considered these were quite sufficient to deal with the Wa-Meru petition. We told him that they were not sufficient and we wished ourselves to send a member of our own tribe. He said he did not wish us to send another representative as we would waste a lot of money. We told him that if one has a child who dies, one can have another child. He said he was sorry that much money would be wasted. We asked him how was it he felt sorry we would be wasting money whereas he felt no pity for the people of Ngare Nanyuki who would be forced to undergo such hardship.

70. Then he suggested that I make a formal application and state what I wished. He suggested that before sending me, the Wa-Merus should send a letter to the Trusteeship Council to confirm whether or not the Trusteeship Council's consideration of their petition had been completed. We told him that I should go to New York in any case. Even if the Trusteeship Council had completed its consideration of our petition, I could meet members of the Council and of the Secretariat and give them a statement concerning our difficulties.

71. I then went to Dar-es-Salaam to obtain my passport. After obtaining my passport, I was forced to wait for a visa. Before I obtained my visa, I received another telegram from the Chief Secretary in Dar-es-Salaam, stating that it would be much better for me to wait in Tanganyika, since the Trusteeship Council had finished its consideration of the Wa-Meru petition.

72. I should now like to read out the telegrams I received from the Chief Secretary. The first, dated 10 July, reads as follows:

"Urgent Kurilo Japhet

"Your telegram of 8 July stop Authority for dollars will be forwarded on receipt of reply to Exchange Controller's telegram of ninth stop Meanwhile please telegraph urgently whether you wish to be met at London Airport and have accommodation arranged for you while at United Kingdom stop If so please advise flight number and date of departure from Nairobi so that Colonial Office can be asked to make necessary arrangements stop Chief Secretary"

73. The second telegram, dated 11 July, reads as follows:

"Urgent Kurilo Japhet

"Information received that UNO petitions Committee of Trusteeship has already heard Meru petition and adopted a resolution on it on ninth July which concludes the matter stop In the circumstances am suggesting to petitioners through Province Arusha that your journey to New York which can result only in unnecessary expense be cancelled stop Chief Secretary"

74. After receiving these telegrams, we found it impossible to wait any longer. I decided to come at once, and arrived here on 17 July. We are very grateful to the Trusteeship Council for waiting all this time to give me a hearing today.

75. I should like to begin by explaining the history of the Meru country and describing it somewhat. The Wa-Merus are members of a tribe living on the slopes of the Meru Mountain, from which the tribe derives its name. Before the Europeans came to Tanganyika, the Wa-Merus lived on the slopes of this mountain. Ngare-Nanyuki is a part of the Meru country. It is the place which God gave us so that we could get our salt. The Wa-Merus had many struggles in the area of Ngare-Nanyuki with the Wa-Masais, who tried to take the country away from the Wa-Merus and thus obtain the salt. The greatest struggle took place in 1880. After that, there were no more struggles between the Wa-Merus and the Wa-Masais. The Wa-Masais were prevented from using the salt.

76. In 1895, the first Europeans — Germans — began to arrive in the Meru country. We struggled against the Germans for about five years. In 1896, there was a great struggle, during which we killed two German missionaries. They were killed because the Wa-Merus thought they had come to take away land belonging to the tribe. From that time, the Germans ruled our country, until the war of 1914-1918. During the period in which they ruled over us, they took away much of our land in Meru country, dividing it up among German settlers. Among the land they took was Ngare-Nanyuki. They gave *shambas* to some Europeans. Some of these settlers were persons of Afrikander, or South African-Dutch, descent.

77. After the 1914-1918 war, the British drove the Germans out of the country. During all this time, the Wa-Merus were using the salt deposits in Ngare-Nanyuki. Wa-Merus occupied this area, using it for cattle-grazing.

78. About 1923 the British informed us that we would be able to purchase farm No. 31, which had been alienated to a German named Mr. Schwartz. He had left the *shamba* in 1918. They said we would be able to purchase also farm No. 328, which the German settlers had left at about the same time. The Germans had used these two farms for grazing their cattle and, to a small extent, for agriculture.

79. In 1923 we began to make payments by instalments for the purchase of farm No. 31. Payments were made according to the capacity of the people of the Wa-Meru tribe to pay, that is, according to each individual's capacity. In 1925 we began to make payments of four shillings each towards the purchase of this *shamba*. We did this up until 1926. Then people began to contribute cows and sheep towards the purchase of these two *shambas*. From 1930 to 1939 we contributed two shillings per person for the purchase of farm No. 328, and we were very much surprised that we were compelled to pay in order to get back these two *shambas* because they had been taken from us without any payment at all.

80. We occupied and lived on these lands until 1949, when we began to be told about moving from them. I have here a book — which I am now holding up — which contains receipts for payments made by the people of the Wa-Meru tribe during the year 1939 for the purchase of these *shambas*. Just before this time the Wa-Meru people had made many representations to the Government to the effect that the Government might try to get more land for the Wa-Meru because

their populations were much too large for the land they occupied. The Government had agreed to give back to us some lands which had been taken from us by the Germans.

81. On 7 June 1949 we had a meeting with the District Commissioner of Arusha, Mr. Troup, in the Ngare-Nanyuki area. He informed us that we had to move from Ngare-Nanyuki and to go to live in Kingori and Ongatongishu. We asked him why we should leave our territory and go to live in these other two areas, where we knew there were tsetse flies and other kinds of disease potentialities, and there was not much water and the sun was very hot. He said we had to move in accordance with Judge Wilson's report.⁵ We asked him how it was that we had not had an opportunity to see Judge Wilson and to speak to him. We told him that we should like to inform him, in that case, that we would never move from Ngare-Nanyuki.

82. We had another meeting in Nanga-Kutuk on 17 June 1950. By this time Mr. Troup, the District Commissioner, had gone on leave and had been replaced by Mr. W. A. Forbes. Mr. Forbes said that he had investigated our complaints and had gone into the matter thoroughly both in the Arusha records and in those at Dar-es-Salaam, the capital, and that he was convinced that Ngare-Nanyuki was really our country. He said: "We cannot take from you this country which really belongs to you."

83. The chief of the country and his elders had sent a letter to the Government about Ngare-Nanyuki, and I should like this letter to be read out because it is very short. It is in Kiswahili and is signed by Chief Sante, son of Sambege. It is addressed to the Provincial Commissioner, through the District Commissioner of Arusha, is dated 12 August 1950, and reads:

"Sir, after sending you my greetings I have to inform you that grievances of my elders of the Uruka Society, have been forwarded to me for onward transmission to you. I am their *Mangi*"—which means "Chief"—"and for this reason they said I should pass this on to you for your consideration and, better still, for you to forward it even further should you deem it fit.

"Their grievances concern the Wilson report on the land of Ngare-Nanyuki. One major point for consideration is that it concerns lands they bought owing to the difficulty they had of obtaining land. Secondly, they had been residents of the place for many years and the population has increased ever since they bought their *shambas*"—that is to say, their agricultural lands—"more than twenty years ago, and it was even informed to those who bought these *shambas* at that time by the Government that their *shambas* would remain their property, and they had in their possession receipts for the amounts they paid for these *shambas* and other documents. I myself possess notice of my father's *shamba* to which I have succeeded.

"The population of Ngare-Nanyuki approaches 3,000 and their live-stock numbers almost 18,000. These people view most sorrowfully the idea of leaving Ngare-Nanyuki. At Ngare-Nanyuki these

people who have lived for many years have occupied the whole upper and lower Ngare-Nanyuki. They have plenty of water for their grazing, and salt and other necessities for their own use.

"It is understood that cattle would die of East Coast fever and trypanosomiasis, and there will be not sufficient water for their cattle and for the *shambas*.

"With these views we request you to accept our letter in the hope that you will consider this case most carefully, for you are the only hope we have and you are the only one who possesses the towel to wipe our tears."

84. When the District Commissioner, Mr. Forbes, told us on 17 June 1950 that we would no longer have to move, all the Wa-Meru tribe were very happy that we would no longer have to leave our land. In due course, Mr. Forbes left and the same Mr. Troup returned as District Commissioner. On 9 February 1951 Mr. Troup came to Ngare-Nanyuki and held a meeting. He explained to us that we must leave Ngare-Nanyuki. He was accompanied on this occasion by the Provincial Commissioner. We had nothing to tell him except that we saw that we would have great difficulties if we did move and we would not be able to agree to do so.

85. On 6 July 1951 the District Commissioner, Mr. Stubbings, the Provincial Commissioner, Mr. Page-Jones, an officer of the Government named Mr. Hall and other Europeans whose names I do not know came to another part of Meru where they held a *barasa*. On this day there was a very big meeting of all the Wa-Meru tribe. There were more than 6,000 people present.

86. Mr. Hall, the government official, informed us that we must move from Ngare-Nanyuki because this matter had been considered very carefully by the Government for the past four years and there would be placed a boundary between the Wa-Meru and the European *shambas*. The Europeans would stay on their side of the boundary and the Wa-Merus would have to stay on their side. He said that this was the last day that they would discuss this matter of eviction; we had to move and we would be assisted in our removal by being given transport to other areas, and we would be exempted from paying tax for one year and would be assisted in building our houses. He said that we would have to leave whether we wished or not, and that if we did not wish to move, we would be moved by force of the Government.

87. He said that the Government at Dar-es-Salaam had already gotten ready the money to refund to us that which we had paid for farm No. 31, that they had collected £1,000 for this purpose and that, as regards No. 328, the Government had not yet decided how much would be paid for taking that one back. He said that no one should suggest that perhaps it was Chief Sante who had given away our country or perhaps someone else. They should know that it was the Government which was taking this country. He then suggested that if there was anyone who had something to say or who wished to ask a question, he might do so.

88. On that day, I happened to be one of the persons who had been chosen by the tribe to put forward the

⁵ See *Report of the Arusha-Moshi Lands Commission*, Government Printer, Dar-es-Salaam, 1947.

tribe's view before the government officials. I thanked him for the explanations that he had given us. I said: "You have said that we will have to leave Ngare-Nanyuki whether we wished to do so or not, that you will assist us with transport and in building our houses, that we will be exempted from the tax for a whole year and that you will assist in taking all of our belongings to the new areas. We know that the Government has power and it can do as it pleases. But we feel great bitterness because this country of Meru was given us by God. It was not given us by any human being. If it is necessary that we should be removed by force, then we will go, but with tears in our eyes and looking backwards. Compensation or lorries to assist us we do not want, nor do we want to be exempted from paying taxes for a year."

89. The government officials thanked us and the meeting then ended. We remained there considering this matter and wondering what had we done that the Government of Tanganyika should decide to do such things to us. We then sent a letter to the Secretary of State for the Colonies, Mr. James Griffiths, which is very short and which I should like to read out. It is dated 23 August 1951 and it is signed by Munya Lengroi, Maasa Makyia and M. S. Isak. Copies were also sent to the Chief Secretary, Dar-es-Salaam, and to the African members of the Legislative Council. The letter reads as follows:

"Dear Sir,

"According to Wilson land distribution report and Tanganyika Government report dated 21 February 1949 on European settlement at Moshi, we, the Wa-Meru tribe, are given to understand that the Tanganyika Government and the Secretary of State for the Colonies have agreed that same will apply to Arusha, and that Ngare-Nanyuki and Leguruki, originally Wa-Meru land linking two European settlements (Oldonyo Sambu and Ngare-Nairobi) will be left for Europeans thus making Oldonyo Sambu, Ngare-Nanyuki, Leguruki, Ngare-Nairobi one land for Europeans by evicting about 3,000 Wa-Meru families to another place which is hereby strongly opposed by the Wa-Meru tribe.

"The Wa-Meru tribe as a whole rejects and condemns any government action of evicting Wa-Merus from their rightful land to another place, and hereby requests your kind personal and official sympathetic help to ask the Tanganyika Government to abstain from implementing the report or eviction order without our consent."

90. There was another meeting at Ngare-Nanyuki on 11 July 1951. On this occasion, the District Commissioner, Mr. Stubbins, was present. He repeated the Government's decision that we must leave Ngare-Nanyuki. He said that a district officer would be left in that area to write down a list of our houses, our cattle and other property and that in August 1951 the Government would send lorries to assist in removing us. We told him that we felt very badly about this business of moving and that before we moved it would be better if we died.

91. There were three Europeans in this area who were always meeting together. We suspected that this move of 3,000 Wa-Merus was designed to increase the

lands of these three Europeans. We thought that they were the ones who wanted our lands. Each of these three Europeans already possessed land which would take perhaps two hours to walk around. We told Mr. Stubbings, "Now you want to take our land to give them more". One of these Europeans is named Mr. M. S. Detroit, another is named Mr. W. T. Malan and another is named Mr. W. R. Jacobs.

92. The district officer came and stayed there for the purpose of writing down the names of the people and their possessions, but he was unable to get any names because the people refused to give them to him. Perhaps he got a few names.

93. While we were in this state of great despair we received a visit from the United Nations Visiting Mission that came to Arusha, and the whole of the Wa-Meru tribe was very happy. We had been saying that if we were forced to move we would go, but we would be looking back and we would be praying to God; and here God had sent us some help.

94. On 14 September 1951 the United Nations Visiting Mission came to Arusha. We prepared our petitions and gave them to the Mission. We wished very much that they would come to our country to see our land, but they did not have the opportunity.

95. On 29 October 1951 we sent a letter to the Legislative Council of Tanganyika. I should like to read out in English a part of this letter, which is written in Swahili. It is addressed to the Legislative Council, Tanganyika:

"We do not see the justice of exchanging land for other land. If the Government did not consider our difficulties and decide we should have more land, it is better for us to remain with what we have, because we are certain that to move from here will result in great hardship in the lives of thousands of people and their livestock. It is undoubtedly better to leave us with whatever difficulties we may have here where we are congested than to remove us as proposed, because this proposed action shows racial discrimination in that Europeans are to live in their area and Africans in their area, a condition which does not exist anywhere else in this whole territory, and as this is proposed in respect of land which we bought from government, we cannot be satisfied with this Wilson report. For this reason we beg our Government to consider this matter thoroughly and remove the great dismay among the indigenous inhabitants of this area."

96. A reply to this was received, dated 13 November 1951, signed by the clerk of the Legislative Council, which reads as follows:

"Gentlemen:

"I am directed to refer to your letter of 29 October 1951 addressed to the Legislative Council regarding the implementation of the Wilson report and to inform you that in accordance with the rules and orders of the Tanganyika Legislative Council, section 9, all applications to the Council must be in the form of a petition and every petition must be presented by a member of the Legislative Council."

97. We received no other reply from the Legislative Council.

98. In October 1951 — I do not remember the exact date — as we continued to feel very badly about this matter, we went to see the District Commissioner of Arusha, Mr. Stubbings. We asked him what was the real reason for the Government's wishing to remove us from Ngare-Nanyuki, or what debt was it that we owed to the Tanganyika Government that they should wish us to leave our country. We asked him whether he himself would agree to leave his own land on which he had built his house. He said, "Even I agree that it is a very difficult thing to leave one's own home, and no human being would like to do so." We then asked him, "Why are we being made to leave our lands?" He said, "These are the orders of the Government, and the European settlers of that area have stated that they do not wish to live beside the Wa-Merus". He said that the European settlers had said that the Wa-Merus did not like their cattle to be dipped when they got sick, and from time to time the Wa-Merus stole the goats and sheep of the European settlers, and therefore they did not like to live with them. We told him that there was no basis for these statements, they were not true and were just figments of the imagination.

99. He told us that the decision and the considerations governing the decision to remove us had not been made in England, but they had been made in consultation with the Europeans of Arusha. He said that on 12 October 1951, all the European settlers of the area had held a meeting and had decided what regulations they would like to be laid down in this area and that these regulations had already been sent to Dar-es-Salaam to get the Governor's signature to become law. He said that the district commissioner of the area and his assistants would be sent to remove us and that people who obstructed the officers in carrying out the removals would be imprisoned for one month or made to pay a fine. If any one returned, he would be imprisoned again.

100. During this time they prepared many plans and laws for removing us. After the Visiting Mission of the United Nations had left, we sent a letter to the District Commissioner of Arusha requesting that no eviction proceedings should be carried out until we received a reply from the United Nations to our petition. We received a reply which I should like to be read out in part. This reply is dated 31 October, and is addressed to the tribespeople of Ngare-Nanyuki, Leguruki and Ngabobo. It is signed by Mr. Stubbings, District Commissioner of Arusha. The letter is in Swahali, but a translation of the first three paragraphs is as follows:

"Regarding the request which you made to me two days ago that the eviction proceedings should not begin until you have received a reply from the United Nations, I forwarded these requests to the Governor in Dar-es-Salaam.

"I have received a reply that the Government cannot wait for the decision of the United Nations and the eviction proceedings will proceed as I explained to you, that is to say, it is expected that they will commence on 15 November 1951.

"I send you herewith three copies of the law relating to the eviction which is expected to be passed by the Legislative Council at Dar-es-Salaam on 31 October 1951."

101. I should like to read another letter which is addressed to Munya Lengoroi, Maasa Makyia and M. S. Isak. It is signed by the Chief Secretary to the Government and is dated 23 October 1951. It reads as follows:

"Gentlemen:

"I am directed to refer to your letter of 23 August 1951 addressed to the Secretary of State for the Colonies, with copy to me, on the subject of the movement of the Wa-Merus from the Ngare-Nanyuki and Leguruki areas.

"The Secretary of State has instructed me to inform you that he has received and considered your representations but that the arrangement by which about 350 Wa-Meru taxpayers were to be settled at government expense on suitable land to the south, adjoining the lands occupied by the rest of the tribe, is part of a general land settlement which was based on the recommendation of Judge Wilson, was approved by the Secretary of State himself and was announced in detail by this Government in June 1949. Other parts of the scheme by which certain areas or formerly alienated land were to be released for occupation by the Wa-Meru tribe and large areas further down the slopes of Meru Mountain were to be provided by the Government for the expansion of the tribe have been or are in the process of being implemented, and the Secretary of State is not prepared to agree that that part of the general scheme which forms the subject of your representations should not also be carried out."

102. On 6 November 1951, Mr. Stubbings, District Commissioner of Arusha, held another meeting in Meru. On this occasion we told the District Commissioner that we had received a reply from the United Nations saying that they were ready to consider our petition, and we therefore requested again that the Government should not proceed with the eviction proceedings until the United Nations had considered our petition. The District Commissioner informed us that all of these were useless matters, as we would be removed and these proceedings would begin on 15 November when officers of the Government would come with police to remove us. On 16 November 1951, a final meeting was held in Ngare-Nanyuki, and the Wa-Merus were informed that the next day the eviction proceedings would begin. We held our own meeting on 17 November and decided that we would bear anything that was done to us by the Tanganyika Government. We said that we Wa-Merus were a small tribe; we had no rifles; we had no bombs; we just had to wait and see what would be done to us. No one should take a stick or a rifle or attempt to resist in any way whatsoever.

103. On 17 November there came about 120 police. There were many, and we could not count them. They were accompanied by seven European officers and 100 people of the Kikuyu tribe. They came and found us at our meeting. Some of them had binoculars. They went about looking to see whether perhaps people had weapons. The District Commissioner stood and pointed out certain people whom he wished to be arrested. On this day about six people were arrested and taken to the gaol. Then they said that we must leave, and we told them that we could not. We told them that if they

wanted the Wa-Meru country, it was better for them to finish off the Wa-Merus and then to stand upon their blood. Then they began to enter into our houses, to remove food, and to put the food into lorries and to take it away. Some things they left inside the houses, and then they set fire to the houses. They went on like this for about three days.

104. When they saw that the people were not going to assist them at all in removing their things, they began to burn their houses without removing anything from them. They removed all of the cows, sheep and goats and took them to a place where there was a dip, in the Ngare-Nanyuki area. Then they began to chase people about. They continued this until 24 November. Then they took all of the cattle over to the Kingori area. In some houses there were goats, sheep, cats and chickens inside, and they did not bother to remove them, but they burnt the houses with these inside. During this time our people were prevented from taking water from the Ngare-Nanyuki river, even if they wished to drink it. The road leading from Meru into the Ngare-Nanyuki area was closed. There was a barrier there. There was no permission for anyone to come from the main Meru area to see what was going on in the Ngare-Nanyuki area.

105. It was necessary for some people to come from the main Meru area at night and to pass into the wild bushes in order to bring food to relatives in Ngare-Nanyuki. During this period of eviction one woman was giving birth to a child. The District Commissioner arrived and saw her about to give birth. But he was unable to give her the necessary opportunity to deliver. Her house was burned and her husband was arrested and put in gaol. The mother was living in the wild bushes and, after four days, her child died. Seven other women who were being chased about this way suffered abortions. One man, Mr. Ndesaulo Sembo, was ill, and he was taken by force and carried away to be placed in the lorries to take him to Kingori; but on the way he died. We do not know where he died. This man was a Christian of Ngare-Nanyuki. We do not know where his body was thrown. On 30 November they finished burning all of the houses of Ngare-Nanyuki and Kingori. On 24 November they had slaughtered two cattle, so that their police and labourers could eat. During all this time, they were using the milk from the cows. People were being chased about and arrested in the day-time, as well as in the night. Some people tried to cook their food and eat it at night, but if they were found the food pots were kicked about and the people chased away.

106. Then on 30 November they moved on to a village known as Ngabobo to burn the houses there. When they reached Ngabobo they found that the people of this village, having seen what had happened in Ngare-Nanyuki, had begun to remove their food. People tried to hide their foodstuffs in the land, but the foodstuffs were dug up and burnt. They continued burning things until 12 November 1951, and they burnt houses in Ngabobo, Singisi and Leguruki.

107. On 2 December, as we saw how badly things were going, we chose three delegates and sent them to the Governor of Tanganyika at Dar-es-Salaam. Before this time, we had sent letters and cablegrams to the United Nations requesting it if possible to help us

by preventing these proceedings from taking place. As we saw how things were going, we sent these three old men—Jonathan Gideon, Moses Sindili and one Sethe—with a letter to the Governor to ask him why our houses were being burnt. They arrived in Dar-es-Salaam on 5 December, and they met with the Governor at his house on 6 December at 9.30 a.m. The three old men told him that they had been sent by the Wa-Meru tribe because there was a big war going on in Ngare-Nanyuki. People's houses were being burnt and their foodstuffs and other belongings were being taken away. The Governor said that the Wa-Merus had to move from Ngare-Nanyuki because of Judge Wilson's report. They asked him whether it was not possible to make an appeal against this report of Judge Wilson, and the Governor said he did not know. Matters had already gone to Europe and to America, and his superiors had told him that this plan could not be changed.

108. The delegates asked him whether it was right for people to be treated as they had been treated and for their foodstuffs and properties to be destroyed. The Governor said that he had given orders that people should be removed and their belongings placed in lorries and their houses destroyed, but gently and not by force. He had given instructions that their houses and belongings should be burnt. Then the Governor asked whether it was true that our houses and foodstuffs were being burnt. He asked this three times. Sethe told them that this was true and that he himself had had his house and foodstuffs burnt. The Governor asked what kind of food had been burnt, and the Governor was informed that it was millet, maize and beans. The delegates told him that the servants and agents of the Government had not considered at all what was in the houses, but had just thrown petrol on the houses and burned them, and they were prevented even from using water. If there were perhaps goats or other animals in the houses, they were not removed but just burned inside the houses. If they took cows and sheep, sometimes they left the calves and the lambs all by themselves in the wild bush. When the children saw how their foodstuffs were being burnt, they began to dig holes and bury the food, but all the foodstuffs were dug up and petrol poured over them and they were burnt.

109. Then the Governor asked us why we did not want to move. He was informed that we felt badly about it because it was our land and the salt there was ours, and further, the English Government had sold the land and the Wa-Merus had purchased it, and the District Commissioner, Mr. Forbes, had confirmed it was our property.

110. Then the Governor said, "It is true that you are being caused great dismay, and I shall consider these matters." We told him that the Government had taken others areas—for example, Linganga and Duluti—from us. The Governor asked whether this was true. He was informed that it was. He wanted to know the names of the persons to whom these *shambas* had been given. He was told that these lands had been given to European settlers—for example, a Mr. Deardon, who was given the *shamba* of Linganga. The Governor said he would ask the District Commissioner of Arusha if these facts were true. He gave us a letter to take to the District Commissioner, Mr. Troup.

111. We found that matters were continuing to go badly for us. The Minister of State for Colonial Affairs, Sir Alan Lennox-Boyd, came to Arusha. We prepared a letter to give him and went to the Government offices at Arusha. We wrote to the District Commissioner, asking for permission to have an interview with the Minister of State. But the District Commissioner refused to allow us to meet with the Minister.

112. On the 7th, we returned to the office of the District Commissioner. He absolutely refused to allow us to see the Minister of State; he also refused to give the Minister our letter.

113. We then went to Moshi, a neighbouring town. We thought we might be able to see the Minister when he met with the Wa-Chagga. When we arrived, we found that the Minister had finished his meeting with the Wa-Chagga. We sent the letter to Dar-es-Salaam for the Chief Secretary to give to the Minister. On 14 January, we sent another letter to the United Nations, enclosing a copy of the letter which we had written to Sir Alan Lennox-Boyd. Unfortunately, however, we sent the letter in Kiswahili, without an English translation, because we were in such a hurry. The letter was addressed to Sir Alan Lennox-Boyd and signed by Gamaliell Sablak. It read in part as follows:

"The land of Kingori is ours, and the land of Ngare-Nanyuki is ours. There are Wa-Merus occupying the land in Kingori.

"We feel very great sadness at being moved from our land of Ngare-Nanyuki and having the land of Kingori, which is also our own property, exchanged for the land of Ngare-Nanyuki. Furthermore, the Tanganyika Government has announced that the Wa-Merus have agreed to move from Ngare-Nanyuki and to go to the land of Kingori, that they are going voluntarily to government offices to be transported to Kingori. This is completely false. The approximately eighteen people who are at Kingori were taken there by force, without consenting to be moved.

"We shall never let this land of Ngare-Nanyuki go, for it is our chief place for cattle-grazing, salt and cultivation. Those who want this land of Ngare-Nanyuki want to graze cattle there. What about us? Where shall we graze our cattle?"

114. On 22 December, realizing that the Governor had not bothered to help us and that no one else appeared to be helping us, we went to see a lawyer. We engaged Mr. Seaton because, as a lawyer, he would be permitted to enter the area of Ngare-Nanyuki. If any Wa-Merus tried to go there, they were arrested and put into prison. As of that time, twenty Wa-Merus had been imprisoned, through no fault of their own.

115. One of our purposes in going with Mr. Seaton to Ngare-Nanyuki was to get photographs which we could send to the United Nations, so that our statements would be believed. The Tanganyika Government had announced in newspapers that what we had said was false.

116. On 15 January 1952, we sent a letter, together with photographs, to the United Nations.

117. Some of the people who were evicted from Ngare-Nanyuki were compelled to return to their

former lands in Meru country. Others went to relatives. Twenty-two persons were taken by force to the area of Kingori. After a few days, many of the people who had been evicted went to Kingori to get back their cattle and other livestock which had been taken there. Some took their cattle back to the main meadowlands, and others looked for friends in different places with whom to leave their cattle. All of those people who had been taken to Kingori by force remained there for only a few days, and then they all went away except perhaps five people.

118. The Wa-Merus continued to wait in great hardship for the consideration of this matter by the United Nations. From time to time government officers came to ask the Wa-Merus to accept compensation, but they refused.

119. From a comparison with Kingori, Ngare-Nanyuki is a very much better place for cattle. Furthermore, in Ngare-Nanyuki there is enough water for one's use, and there is also ample opportunity for cultivation. There is a fair amount of rainfall. There is no difficulty in getting food to grow, so it cannot be said that these are not arable lands. In the Kingori area there are two *shambas* which are said to be the *shambas* of Mr. Winton and which the Government of Tanganyika said were alienated lands that were being returned to the Wa-Merus. This is land which is suitable for cultivation; but the area of Kingori, which the Government says it has prepared for the people who were evicted, is unsuitable for cultivation or for cattle-grazing. There are many mosquitoes in that area because, in many places, there are patches of swampy ground. There are also tsetse flies, and since we have lived in Meru country we have never tried to graze cattle there.

120. That is the place to which the Government wishes to take us by force. We told the Government that all of the higher lands were fully occupied by people and that Kingori was, so to speak, our reserve, but that if they really wished for land and would speak to us properly, we would agree to give them Kingori for the use of Europeans. But the Government did not wish the Europeans to graze their cattle at Kingori because of the tsetse flies there.

121. The areas in Ngare-Nanyuki from which we were removed are very extensive, amounting to approximately 80,000 acres. In saying this, I am not speaking merely of the two farms, but of the whole area of Ngare-Nanyuki; we were not removed from just these two farms, but from the whole area of Ngare-Nanyuki. The reason for removing us was so that the cattle of the Europeans would be prevented by boundaries from mixing with our cattle. The Government announced in the *Tanganyika Standard* that the areas from which they removed us were dry areas; that there was no rainfall and that the areas were unsuitable for cultivation. In the *Tanganyika Standard* the Government announced that they were removing us from an area known as Sanya. Sanya is an area in Moshi District, and we Wa-Merus do not live in any part of that district, but only in Arusha.

122. After all of these eviction proceedings the Wa-Merus are living in great difficulties. Many of the children have become ill. Many of the older people have died. Much of their cattle has also died. Some of

their property which remained at Ngare-Nanyuki was sold by the Government recently. I should like to state the losses which people have suffered up to today. The Government has at times stated that it is removing only 300 or 512 Wa-Merus, but this is not the correct number. I have a list of the names of all the Wa-Merus who were removed and all of their houses and their properties and the losses which they have suffered from the time they were removed. There are many more whose names I could not get because they had already left and gone far away into the neighbouring Masai district.

123. The total number of names that I have been able to get so far is 2,993, and of these sixty-four have died. And, since the evictions, 2,190 cattle have died; 4,442 sheep have died; 4,542 goats have died; 325 donkeys have died; 333 dogs have died; 479 cats have died; 1,896 chickens have died. There were livestock which were left in the wild bush by themselves, as were the cats and dogs. In addition, 595 storehouses of food were burned; 854 houses were burned; 810 cattle pens were burned.

124. Twenty people were imprisoned, and I can give a list of the sentences which were passed on them. They were: Loiyana Lengina, who was imprisoned for one month; Milia Mushwa, who was imprisoned for fourteen days; Yohane Nekisa, who was imprisoned for one month; Amosi Karoiya, who was imprisoned for one month and fined 200 shillings because, after having been removed, he tried to return and build another house; Karungu Grongai, who was imprisoned for fourteen days; Kitoi Makivavo, who was imprisoned for two months; Ndalul Kulalie, who was imprisoned for five months; Lesigoia Makonunde, who was imprisoned for two months on the day his wife gave birth to a child; Gerson Lakweni, who was imprisoned for forty-eight days and fined thirty shillings; Nekisoi Sambege, who was imprisoned for fourteen days; Aremu Sambege, who was imprisoned for two months; Bombo Mbulu, who was imprisoned for one month; Siyoi Lerumunyi, who was imprisoned for two months; Aremu Kufise, who was imprisoned for three months; Talala Lenguti, who was imprisoned for three months; Kitoi Saiko, who was imprisoned for fourteen days; Loikisa Sirayo, who was imprisoned for twenty days; Saivei Seiyale, who was imprisoned for one month; Danieli Elisa, who was imprisoned for one month; and Lishango Lodumaiye, who was imprisoned for fourteen days and fined ten shillings.

125. We received a reply to our letter which we had sent to Sir Alan Lennox-Boyd. The letter is a very long one and I shall not read it because perhaps the members of the Council have already heard much of this petition. We replied to this letter.

126. I shall now pass on to speak of another area known as Singisi, from which the Wa-Merus have also been evicted. Before I speak of Singisi and other areas as Linganga and Duluti from which the Wa-Merus have been evicted, I should like to ask a few questions. Who is ultimately in control or in charge of Tanganyika?

127. The PRESIDENT: You are asking the Council this question. I am not sure that this is a relevant matter with respect to Mr. Japhet. Why does he want to know?

128. Mr. JAPHET (Representative of the Wa-Meru tribe): Because we have heard that Tanganyika is under the United Nations.

129. The PRESIDENT: I must explain the situation to Mr. Japhet as far as the United Nations Trusteeship Council is concerned. There is a Trusteeship Agreement which has been concluded between the United Nations on the one hand and the United Kingdom Government on the other. The administration of the Trust Territory is entrusted to the United Kingdom Government. The United Nations—that is to say, this Council—is the trustee, but the actual administration is given to the United Kingdom Government, which reports to this Council annually in the form of a report. Therefore, the Government in Tanganyika is evidently the United Kingdom's responsibility.

130. Mr. JAPHET (Representative of the Wa-Meru tribe): I thank you for the information and I am glad that this is so. If this is the case, how is it that the Tanganyika Government refused to wait until they had the decision of the United Nations on this matter before taking these steps?

131. The PRESIDENT: I think I can explain that easily to Mr. Japhet. The United Kingdom Government is responsible for the administration in the Territory. It accounts to this Council for its actions. It comes to this Council and says that it has done this and that, and it is up to this Council to say that this is all right or to ask the United Kingdom Government to account for that or whether it will be possible to do this or that. I am trying to put this in rather simplified terms in order that Mr. Japhet will be able to follow me. But the ultimate responsibility for administration inside the Trust Territory is always the Administering Authority's responsibility, in this case the United Kingdom.

132. Mr. JAPHET (Representative of the Wa-Meru tribe): I understand this. Why is it that, before taking these steps, the Tanganyika Government did not wait until it heard whether the United Nations or the Trusteeship Council would approve these matters?

133. The PRESIDENT: Mr. Seaton, lest we go further into a situation that might be misunderstood, I should like you to explain to Mr. Japhet that I am not explaining something for or in the name of the United Kingdom. I cannot do this. But I have tried to help Mr. Japhet in explaining a few points as far as the Trusteeship Council is concerned.

134. I do not think it will be in order to have Mr. Japhet question representatives of the Council unless they would volunteer to have him do so. Therefore, I should not like you to misconstrue a situation that is specified both by the Charter and the Trusteeship Agreement. My explanations were personal and in my capacity as President of the Trusteeship Council, in order to help Mr. Japhet rectify a certain situation that has arisen in his mind. If it is his intention to question the representative of the United Kingdom, then I am afraid that will not be in order unless the representative of the United Kingdom voluntarily wishes to answer those questions. I hope I am correct but I am liable to be brought to order if I am not.

135. Mr. JAPHET (Representative of the Wa-Meru tribe): I should like to ask the representative of the United Kingdom to answer one question.

136. The PRESIDENT: I am not able to rule that this procedure is in order. I will not call on a representative on the Council or, for that matter, the representative of the United Kingdom, to answer either way. But if a representative on the Council would request permission to speak, I should allow him to do so. I do not think this procedure would be in order.

137. Mr. Seaton, would you explain to Mr. Japhet that a good deal of misunderstanding would be avoided if he continued with his statement immediately. Then, we will see what we can do.

138. Mr. JAPHET (Representative of the Wa-Meru tribe): I wish to thank the President for his explanation.

139. The PRESIDENT: I should like to suggest the following procedure for the meeting tomorrow morning. Following the statement by Mr. Japhet, I shall ask the members of the Council whether they have any questions or points of clarification. When that is finished, Mr. Japhet and Mr. Seaton will leave the table and the Council will then be able to formulate its own decisions. As there is no objection to this procedure, it is so agreed.

The meeting rose at 6 p.m.