



LIMITED

T/C.2/L.8
26 March 1952

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ORIGINAL: ENGLISH

STANDING COMMITTEE ON PETITIONS

Draft Second Report of the Standing Committee on Petitions

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

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting of its tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 3rd, 4th and 6th meetings on 24 and 28 March 1952, the following petitions concerning Tanganyika which were received by the second United Nations Visiting Mission to Trust Territories in East Africa:

- I. Petition from Mr. S.A. Athman (T/PET.2/100)
- II. Petition from Mr. Paul Wamba Kudililwa (T/PET.2/109)
- III. Petition from the Waluguru of Kibungo-Matombo (T/PET.2/117)
- IV. Petition from Mr. Hajivyanis Galinos (T/PET.2/126)
- V. Petition from Mr. J.A. Valiani (T/PET.2/129)
- VI. Petition from Mr. Philip Mosesi (T/PET.2/133)
- VII. Petition from Messrs. Samvua Kamwe and Salim Losndilo (T/PET.2/136)
- VIII. Petition from the Shariff Is-Hak Arab Community (T/PET.2/139)
- IX. Petition from Mr. and Mrs. Sem Nicodemus (T/PET.2/141)
- X. Petition from Mr. Petro Ndarboi (T/PET.2/145)

2. Mr. W.A. Mathieson participated in the examination as the representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends that the Council decide that no special information is required concerning the action taken on resolutions nos.

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I. PETITION FROM MR. S.A. ATMAN (T/PET.2/100), UNDATED

A. Summary of the petition

1. The petitioner, who had been in the Government service for ten years, states that he received notification that his employment was terminated while serving a prison sentence for the second of two court convictions. Pointing out that his severance from the Service was classified as a termination and not as a dismissal, he complains to the Visiting Mission of the Government's refusal to pay him arrears of salary and asks that his case be investigated.

B. Written observations of the Administering Authority (T/953/Add.2)

2. The Administering Authority reports that the petitioner was dismissed from the public service in October 1947 following his conviction on charges of publicly conducting himself in a manner likely to cause a breach of the peace and assaulting a police officer in the execution of his duty. He received the salary due to him up to the date of his dismissal. His claim for arrears of salary stems from the introduction in 1948 of new salary scale and conditions of service effective retroactively from 1 January 1946. However, the provisions of the new employment code specify as ineligible persons dismissed from the service as a result of disciplinary proceedings. The case of the petitioner has received full and sympathetic consideration but quite apart from the circumstances immediately connected with his dismissal, his general record in the service does not fit him for re-employment in the public service.

C. Action taken by the Standing Committee

3. This petition was examined and discussed at the third and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.3 and SR.6.

4. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution I.

II. PETITION FROM MR. PAUL WAMBA KUDILILWA (T/PET.2/109) DATED 14 AND 21 AUGUST 1951

1. Summary of the petition

2. In the first of two communications the petitioner suggests that the Visiting Mission investigate the matters raised in two previous petitions^{1/} addressed by him to the Trusteeship Council.

In the second communication, the petitioner regrets that the Visiting Mission has not followed his suggestions. He further requests (a) that the present Provincial Commissioner be instructed to investigate his previous petitions, especially those parts relating to his properties and his pension, and (b) that the Trusteeship Council should re-examine his removal from the chieftainship.

3. Written observations of the Administering Authority (T/953/Add.2)

4. The Administering Authority notes that the matter raised in the present petition formed the subject of two earlier petitions^{1/} which were discussed and disposed of by the Trusteeship Council.^{2/} The present petition raises no new issues and contains no additional information. Moreover, the circumstances attending the removal from office of the petitioner have been fully explained to the Council (T/187). It is therefore suggested that the Council should decide that no further action by it is called for.

5. Action taken by the Standing Committee

6. This petition was examined and discussed at the third and ninth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in document T/C.2/SR.3 and SR.6.

7. At its ninth meeting the Committee adopted by the draft resolution which is reproduced below as resolution III.

^{1/} T/PET.2/43 and Add.1 and T/PET.2/62.

^{2/} Resolutions 41 (III) and 78 (IV).

III. PETITION FROM THE WALUGURU OF KIBUNGO-MATOMBO (T/PET.2/117), UNDATED

.. Summary of the petition

9. The petitioners, who claim to represent the 4,000 Catholics living in the area, state that they wish to build a church at Kibungo on land donated by themselves since they have at present a five-hour walk to the nearest church. The Administration, however, has not complied with this proposal and has suggested that the church be built on mission land some distance away and separated from Kibungo by a river. The petitioners add that when the District Officer visited Kibungo to ascertain the views of the inhabitants only a few persons were in attendance to present their plea owing to the suddenness of that visit. The petitioners say that nevertheless they express the views of the community and they protest that the Administration is interfering in their affairs by denying them permission to utilize their own land as they see fit. They, therefore, appeal to the Visiting Mission to examine their case.

E. Written observations of the Administering Authority (T/953/Add.2)

10. The Administering Authority states that in 1947 the Holy Ghost Fathers Mission at Morogoro applied to establish two permanent mission stations in the Matombo area, one of them at Kibungo, each involving alienation of 15 acres. Both requests were rejected; in the case of Kibungo the reason being the acute land shortage and the fact that the area was scheduled for survey preparatory to carrying out a land rehabilitation scheme. The Mission was informed that no alienation of land at Kibungo would be considered until after completion of the survey but that, as an alternative, a station might be established at a short distance from Kibungo on land already owned by the Mission.

11. In July 1951, a further request was made by a group of Africans and the missionary in charge of the Matombo Mission for permission to build a church at Kibungo. Investigation disclosed that the plot desired was good agricultural land, that although the local headman agreed to its alienation, the chief and sub-chief were both opposed to it and that the intention was, in fact, to establish a full mission station. The request was therefore refused.

12. As regards the present petition, the Administering Authority states that the population of Kibungo is considerably less than 4,000 persons, that the
/Mission-owned

Mission-owned land upon which a church could be built is only half an hour's walk from Kibungo, that investigation has shown the land shortage at Kibungo to be more acute than anticipated and that the land rehabilitation scheme will shortly be implemented in the area.

3. The local administration has therefore suggested that a church be built on the Mission-owned land and a bridge be constructed over the intervening river. The need for a church at Kibungo itself could then be re-examined at a later date in consultation with the local population. The Administering Authority approves this proposal and suggests that the Trusteeship Council decide that no action by it is called for on the present petition.

4. Action taken by the Standing Committee

14. This petition was examined and discussed at the third and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.3 and SR.6.

15. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution III.

IV. PETITION FROM MR. HAJIVYANIS GALINOS (T/PET.2/126), DATED 2 SEPTEMBER 1951

A. Summary of the petition

5. The petitioner, a Greek resident in the Territory for twenty-two years, states that he has been unemployed for 16 months and is unable to obtain work although people coming from outside the area are able to find employment immediately. He states that he has six children to support, that he and his family are now completely destitute and that consequently his children have been turned away from their school because he is unable to pay their school fees. He appeals to the Visiting Mission to intervene with the Administering Authority in order that he may obtain employment.

17. Enclosed with the petition are a number of letters from various departments of the Administration explaining that there are no vacancies which he could fill.

B. Written observations of the Administering Authority (T/953/Add.2)

18. The Administering Authority reports that prior to 1946 the petitioner was engaged in various occupations on his own account, first as a farmer and for approximately twelve years as a butcher. From May 1946 until February 1951 he was temporarily employed in several posts, the last being that of Junior Road Foreman. His employment in this last post was terminated because he failed to give satisfaction and was frequently absent from duty. He possesses practically no knowledge of English and is therefore unqualified for posts where this is required.

19. The Administering Authority will bear in mind the possibility of finding employment for the petitioner in some capacity not requiring a knowledge of English but states that there is little prospect of the Government being able to provide him with other than temporary work. It is suggested that he should be advised to seek employment elsewhere than with the Government.

20. The Administering Authority suggests that no action by the Trusteeship Council is called for.

C. Action taken by the Standing Committee

21. This petition was examined and discussed at the third and sixth meetings of

/the Standing

the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.3 and SR.6.

22. At its ninth meeting the Committee adopted by the draft resolution which is reproduced as resolution IV below.

V. PETITION FROM MR. J.A. VALIANI (T/PET.2/129) DATED 30 AUGUST 1951

A. Summary of the petition

23. The petition is in the form of a copy of a letter addressed to the Principal Immigration Officer at Dar-es-Salaam. In it the petitioner states that he came to the Territory in 1949 to take a post as a teacher in an Agakhan school for a term of four years. Subsequently his aunt died in Pakistan leaving his uncle, an elderly man of sixty who is also the petitioner's father-in-law, alone and without any near relatives to look after him. The petitioner therefore applied for a dependant's pass to enable his uncle to come to Tanganyika and to stay with him for the remainder of his term when, he states, the whole family will return to Pakistan. Both this request and a later application for a visitor's pass on behalf of his uncle were denied by the immigration authorities and he now requests that a temporary pass be issued to his uncle for about two years.

B. Written observations of the Administering Authority (T/953/Add.2)

24. The Administering Authority is of the opinion that, since the petitioner did no more than furnish the Visiting Mission with a copy of his letter to the Principal Immigration Officer this should be dealt with as a communication and not as a petition. Subject to this reservation the following information is provided.

25. The Administering Authority states that the application for a dependant's pass was refused because of insufficient evidence of dependency; the father-in-law's (uncle's) age was given as 57, there was no evidence of infirmity and no question of his being financially dependent on the applicant; on the contrary, it was stated that he was an expert watch repairer whose services would be very useful in the Territory.

26. Issuance of a visitor's pass also seems inappropriate under the circumstances. If, as is thought, the father-in-law (uncle) wishes to take up employment in the Territory, the proper course would be for him to apply for a Temporary Employment Pass, and the petitioner has been so informed.

/C. Action taken

C. Action taken by the Standing Committee

27. This petition was examined and discussed at the third and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.3 and SR.6.

28. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution V.

VI. PETITION FROM MR. PHILIP MOSESI (T/PET.2/133) DATED 6 SEPTEMBER 1951

A. Summary of the petition

29. The petitioner states that as the result of an accident in which he was run over by a police lorry, one of his legs is partially disabled and he walks with a limp. He was granted 2000/- shillings compensation for life, but claims that this does not even suffice to provide him with rations. He has a wife and three school-age children to support and his previous salary was 110/- shillings plus 55/- shillings for rations per month. He states that he will be unable to work for a considerable time and therefore seeks to obtain a larger pension.

30. Enclosed with the petition is a copy of a certificate from the medical specialist at the Sewa Haji Hospital stating that the petitioner is likely to suffer a permanent disability of fifteen per cent.

B. Written observations of the Administering Authority (T/953/Add.2)

31. The Administering Authority states that the main facts adduced by the petitioner are substantially correct with the exceptions that at the time of the enquiry it was stated that his wages were 110/- shillings per month, less 15/- deducted as rent of quarters, and that his only direct dependents were his wife and one child of seven months.

32. The petitioner has received the full compensation to which he is entitled under the Workmen's Compensation Ordinance. His partial disability is not such as to interfere seriously with the pursuit of his occupation, which is that of a cook, and there is no evidence to support his assertion that he is unable to find work. On the contrary, it is known that he is now again in domestic service. In the circumstances the Administering Authority suggests that the Trusteeship Council should decide that no action is called for on this petition.

C. Action taken by the Standing Committee

33. This petition was examined and discussed at the fourth and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.4 and SR.6.

34. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution VI.

VII. PETITION FROM MESSRS. SAMVUA KAMWE AND SALIM LOSNDILO (T/PET.2/136) DATED
11 SEPTEMBER 1951

A. Summary of the petition

35. The petitioners refute at length the observations of the Administering Authority on a previous petition^{1/} in which they had contended that the selection and appointment of their new chief was not properly conducted in accordance with traditional tribal custom and that he does not have the support of the majority of the people. They insist that the new chief, who is the son of the former chief, was selected by a panel of elders on which his father's relatives and supporters had a dominant voice, and that the appointment perpetuates an injustice because both father and son belong to a clan which is alien to the village and is not traditionally entitled to the chieftainship.

B. Written observations of the Administering Authority (T/953/Add.2)

36. The Administering Authority draws attention to the previous decision of the Trusteeship Council^{2/} concerning this question and, since the petitioners raise no new issues in the present communication, suggests that the Council should again decide that no action by it is called for.

C. Action taken by the Standing Committee

37. This petition was examined and discussed at the fourth and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.4 and SR.6.

38. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution VII.

1/ T/PET.2/96.

VIII. PETITION FROM THE SHARIEF IS-HAK ARAB COMMUNITY (T/PET.2/139) DATED
5 SEPTEMBER 1951

A. Summary of the petition

39. The petitioners state that there are three different races in the Territory, African, Asian and European, each being subject in certain cases to differing laws, for instance in matters of land and the consumption of liquor. They feel that with the passage of time these differences may become more marked in certain respects. This being the case, they wish to protect their rights and to be fully recognized as Asians of Arabic descent, a claim which they state they can prove. The Administration classified them in the Census Ordinance as Africans or Somalis and refuses to comply with their request that they be recognized as Asians. They therefore appeal to the Visiting Mission to obtain their full recognition and treatment as Asians.

B. Written observations of the Administering Authority (T/953/Add.2)

40. The Administering Authority points out that the matter raised by the present petitioners was previously the subject of a petition (T/PET.2/58) to the Trusteeship Council and of a resolution 65 (V) adopted by the Council. As stated in the Administering Authority's observations on the earlier petition (T/342), the population of Tanganyika is classified for certain purposes into two categories, "native" and "non-native". Since those observations were made, the bill, referred to in paragraph 9 thereof, was passed by the Legislative Council (Ordinance No. 39 of July 1949) and the entire Ishakia community was consequently classified in the category of "non-Natives".

41. The Administering Authority adds that the Government of Tanganyika does not normally classify any section of the population according to race in the literal sense of that term. Moreover, since the great majority of the Ishakia community, to which the petitioners belong, has been resident in Africa for many generations, the question of the racial grouping is of merely academic interest. In the circumstances the Administration is not prepared to classify them specifically as Asians.

/C. Action taken

C. Action taken by the Standing Committee

42. This petition was examined and discussed at the fourth and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.4 and SR.6.

43. [The representative of the Union of Soviet Socialist Republics proposed that the Committee adopt a resolution to the effect that "The Trusteeship Council recommends to the Administering Authority that it stop and not permit in the future the occurrence of racial discrimination in the Trust Territory." As a result of the rejection of this proposal by the Committee, by he was not in a position to support the draft resolution.]

44. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution VIII.

IX. PETITION FROM MR. AND MRS. SIM NICODEMUS (T/PET.2/141) DATED
11 SEPTEMBER 1951

A. Summary of the petition

45. After praising the agricultural development work being done by the Administration, the petitioners request the Visiting Mission to intervene on their behalf with the Government with a view to procuring for them a bull from an imported breed of cattle so that they may improve their herd, and demonstrate the value of good husbandry.

B. Written observations of the Administering Authority (T/953/Add.2)

46. The Administering Authority expresses its gratification at the petitioners' understanding and appreciation of the rural development work undertaken by the Administration, but regrets that it is not possible at present to satisfy the request since such costly animals are few and far between in the Territory. However, a scheme for developing artificial insemination from the Northern Province breeding station is under consideration and if this proves successful it may provide the means of assisting the petitioners and other interested cattle owners in the improvement of their stock.

C. Action taken by the Standing Committee

47. This petition was examined at the fourth and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.4 and SR.6.

48. At its ninth meeting the Committee adopted by the draft resolution which is reproduced below as resolution IX.

X. PETITION FROM MR. PETRO NDARBOI (T/PET.2/145) DATED 13 SEPTEMBER 1951

A. Summary of the petition

49. The petitioner, an ex-serviceman, claims that while he was away on military service the Administration appropriated his property. He asks for a just decision on his case.

50. Enclosed with the petition are copies of a letter sent by him to the Governor and two letters from the Provincial Commissioner and the District Commissioner concerning the matter. The letter to the Governor states that during the expropriation of land for the Arusha Township, the Administration destroyed a plantation of banana trees, consisting of 21,437 square yards, upon which the petitioner and his large family were dependent for their livelihood. The compensation approved by the District Commissioner was 142/93 shillings. The petitioner, however, protested that this was insufficient and claimed 6,000/- shillings or a house in the African zone. He adds that he had appealed previously to the Governor for the higher amount of compensation but had been informed that the District Commissioner's decision would not be altered.

51. The letter from the Provincial Commissioner informed the petitioner that his case was closed and the letter from the District Commissioner stated that the compensation had been deposited and that the case could not be re-opened or reconsidered.

B. Written observations of the Administering Authority (T/953/Add.2)

52. The Administering Authority states that the petitioner's complaint dates back to 1945, when certain Africans occupying land on tribal tenure within the boundaries of the Arusha township were required to move to make room for essential urban development. Those affected received compensation and no objections were raised by any except the petitioner.

53. Investigations made at the time of the petitioner's original complaint revealed that he did not own the land in question but was a tenant of Waarusha landlords. It was found that he had planted bananas on parts of three plots. The owners of these plots received appropriate compensation of which Shs. 253/- was paid in respect of 4,220 square yards planted with bananas. Out of this sum they offered Shs. 67/- to the petitioner as his share.

/54. Since the

54. Since the petitioner was not himself a land owner, any claim he had was against his landlords and he was not entitled to compensation from the Government. However, when he refused to accept the offer of Shs. 67/-, the area planted by him was measured in the presence of his landlords and the amount of his claim against them was fixed by the District Commissioner at Shs. 142/93.

55. The petitioner refused to accept this second figure and appealed to the Governor. His representations received full consideration but, as the above facts show, it was found that he had not described the situation correctly. As explained above, he was not the owner of the three plots referred to but was the tenant of only a small part of them. This he admitted in an interview with the Governor and it was made clear to him that his claim for Shs. 6,000/- could not be accepted.

56. The Administering Authority is fully satisfied that the petitioner's case has received full consideration and that he has not been treated ungenerously. In the circumstances it suggests that the Trusteeship Council should decide that no action is called for on the petition.

C. Action taken by the Standing Committee

57. This petition was examined at the fourth and sixth meetings of the Standing Committee on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.4 and SR.6.

58. [The representative of the Union of Soviet Socialist Republics proposed that the Committee adopt a resolution to the effect that "The Trusteeship Council recommends to the Administering Authority that it restore the lands alienated from the indigenous inhabitants and that it not permit in the future any alienation of lands from the indigenous inhabitants". As a result of the rejection of this proposal by the Committee by _____, he was not in a position to support the draft resolution.]

59. At its sixth meeting the Committee adopted by the draft resolution which is reproduced below as resolution X.

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RESOLUTION I

PETITION FROM MR. S.A. ATHMAN (T/PET.2/100) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. S.A. Athman (T/PET.2/100) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) to the effect that:

- (a) the petitioner was dismissed following his conviction on charges of publicly conducting himself in a manner likely to cause a breach of the peace and publicly assaulting a police officer;
- (b) he has received the full salary due to him, and
- (c) his general record in the Government service does not fit him for re-employment by the Government,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that in the circumstances no further action by the Council is called for;
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.

RESOLUTION II

PETITION FROM MR. PAUL WAMBA KUDILILWA (T/PET.2/109) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Paul Wamba Kudililwa (T/PET.2/109) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2),

Considering that the matter raised in the petition formed the subject of two previous communications from the petitioner (documents T/PET.2/43 and Add.1 and T/PET.2/62) which were examined and disposed of by the Trusteeship Council at its third and fourth regular sessions respectively [resolutions 41 (III) and 8 (IV)]7,

The Trusteeship Council

1. Decides that no further action by the Council is called for; and
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 for the Trusteeship Council.

RESOLUTION III

PETITION FROM THE WALUGURU OF KIBUNGO-MATOMBO (T/PET.2/117) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from the Waluguru of Kibungo-Matombo (T/PET.2/117) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) as well as of the oral statement of the representative of the Administering Authority to the effect that:

- (a) permission to build a church at Kibungo was refused because the plot desired was good agricultural land and there exists an acute land shortage in the area where a land rehabilitation scheme will shortly be implemented;
- (b) the local administration has proposed that a church be built on mission-owned land near Kibungo pending re-examination at a later date in consultation with the local population of the need for a church at Kibungo itself;

The Trusteeship Council

1. Draws the attention of the petitioners to the observations of the Administering Authority;
2. Takes note of the action proposed by the local administration;
3. Requests the Administering Authority to inform the Council at its 11th session whether the proposal meets the wishes of the petitioners, and
4. Invites the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION IV

PETITION FROM MR. HAJIVYANIS GALINOS (T/PET.2/126) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Hajivyanis Galinos (T/PET.2/126) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) as well as of the oral statement of the representative of the Administering Authority to the effect that the petitioner's employment as a Junior Road Foreman was terminated because he failed to give satisfaction, that the Government will bear in mind the possibility of finding him employment in a capacity where his lack of knowledge of English will not be a handicap, but that there is little prospect of its being able to provide him with other than temporary work and therefore, that he should be advised to seek employment elsewhere than with the Government,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no action by the Council is called for, and
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.

RESOLUTION V

PETITION FROM MR. J. A. VALIANI (T/PET.2/129) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87. b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. J.A. Valiani (T/PET.2/129) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) to the effect that:

- (a) the application for a dependant's pass was refused because there was no evidence of infirmity or financial dependance,
- (b) issuance of a visitor's pass seems inappropriate since it is thought that the applicant's father-in-law wishes to take up employment in Tanganyika where his services would be very useful,
- (c) the petitioner has been informed that the proper course would be for his father-in-law to apply for a temporary employment pass,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no action by the Council is called for, and
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.

RESOLUTION VI

PETITION FROM MR. PHILIP MOSESI (T/PET.2/133) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from M. Philip Mosesi (T/PET.2/133) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) as well as of the oral statement of the representative of the Administering Authority to the effect that the petitioner has received the full compensation to which he is entitled under the Workmen's Compensation Ordinance, that his partial disability is not such as to interfere seriously with the pursuit of his occupation and that it is known that he is now re-employed,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no further action by the Council is called for, and
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.

RESOLUTION VII

PETITION FROM MESSRS. SAMVUA KAMWE AND SALIM LOSNDILO (T/PET.2/136)
CONCERNING TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Messrs. Samvua Kamwe and Salim Losndilo (T/PET.2/136) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2),

Considering that the matter raised in the petition formed the subject of a previous communication from the petitioners (document T/PET.2/96) which was examined and disposed of by the Trusteeship Council at its eighth regular session [resolution 329 (VIII)],

The Trusteeship Council

1. Decides that no further action by the Council is called for, and
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 for the Trusteeship Council.

RESOLUTION VIII

PETITION FROM THE SHARIFF IS-HAK ARAB COMMUNITY (T/PET.2/139)
CONCERNING TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from the Shariff Is-Hak Arab Community (T/PET.2/139) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) as well as of the oral statement of the representative of the Administering Authority to the effect that the entire Ishakia community was reclassified as "non-natives" under Ordinance No. 39 of the Legislative Council of Tanganyika passed in July 1949 and that no provision exists for a more specific classification according to race,

The Trusteeship Council

(Variant A, Union of Soviet Socialist Republics)

1. Recommends to the Administering Authority that it stop and not permit in the future the occurrence of racial discrimination in the Trust Territory.

(Variant B, New Zealand and United States of America)

1. Draws the attention of the petitioners to the observations of the Administering Authority and, in particular, to the change of status accorded them by the aforementioned ordinance;
2. Decides that no further action by the Council is called for; and
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.

RESOLUTION IX

PETITION FROM MR. AND MRS. SEM NICODEMUS (T/PET.2/141) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. and Mrs. Sem Nicodemus (T/PET.2/141) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) to the effect that it is not possible to satisfy the petitioners' request at the present time but that a scheme for artificial insemination of cattle is under consideration.

The Trusteeship Council

1. Draws the attention of the petitioners to the observations of the Administering Authority;
2. Decides that no action by the Council is called for, and
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.

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RESOLUTION. X

PETITION FROM MR. PETRO NDARBOI (T/PET.2/145) CONCERNING
TANGANYIKA UNDER UNITED KINGDOM ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Petro Ndarboi (T/PET.2/145) in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned,

Having taken note of the written observations of the Administering Authority (T/953/Add.2) as well as of the oral statement of the representative of the Administering Authority to the effect that:

- (a) The petitioner was a tenant of the land in question and therefore he is entitled to compensation only from his landlords and not from the Government,
- (b) His tenancy covered only a small part of the land referred to in the petition,
- (c) The amount of compensation was reviewed and adjusted by the District Commissioner, and
- (d) The petitioner is entitled to refer his claim for increased compensation to the appropriate court,

The Trusteeship Council

(Variant A.. Union of Soviet Socialist Republics)

1. Recommends to the Administering Authority that it return the lands alienated from the indigenous inhabitants and that it not permit in the future any alienation of land from the indigenous inhabitants,

(Variant B. United States of America)

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no action by the Council is called for, and
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.