



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/AC.109/SR.13
5 April 1962

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

SUMMARY RECORD OF THE THIRTEENTH MEETING

Held at Headquarters, New York,
On Wednesday, 14 March 1962, at 11.40 a.m.

CONTENTS

- Southern Rhodesia: General Assembly resolution 1745 (XVI) (continued)
Organization of work (continued)

PRESENT:Chairman:

Mr. JHA (India)

Members:

Mr. PLIMSOLL Australia

Mr. KOUN WICK Cambodia

Mr. WODAJO Ethiopia

Mr. RAGGOTRA India

Mr. ZITO Italy

Mr. ANDRIAMAHARO Madagascar

Mr. TRAORE Mali

Mr. SOLTYSIAK Poland

Mr. CHEHLACUI	}	Syria
Mr. MANSURI		

Mr. NGAIZA Tanganyika

Mr. Taieb SLIM Tunisia

Mr. OBEREMKO Union of Soviet Socialist
RepublicsMr. CROWE United Kingdom of Great Britain
and Northern Ireland

Mr. BINGHAM United States of America

Mr. VELAZQUEZ Uruguay

Mr. SOSA-RODRIGUEZ Venezuela

Mr. KRLACIC Yugoslavia

Secretariat:Mr. PROTITCH Under-Secretary for Trusteeship
and Information from Non-Self-
Governing Territories

Mr. CHACKO Secretary of the Committee

SOUTHERN RHODESIA: GENERAL ASSEMBLY RESOLUTION 1745 (XVI) (continued)

Mr. WODAJO (Ethiopia) said that in deciding to take up the question of Southern Rhodesia at the very outset of its work, the Committee had naturally been prompted by the urgency and complexity of the problems now prevailing in that part of Africa. General Assembly resolution 1745 (XVI) asked the Committee a specific question to which the Committee was bound to submit as specific an answer as possible. The question was whether the Territory of Southern Rhodesia had attained a full measure of self-government. To answer it, the Committee should consider the views of all the parties concerned: the United Kingdom, which was responsible for the Territory, and the indigenous inhabitants, who constituted over 92 per cent of the population. Furthermore, it was essential to go into the present constitutional position and the trend of the situation in Southern Rhodesia.

The United Kingdom representative, speaking at the 1303rd meeting of the Fourth Committee, had made two statements of principle: firstly, that Southern Rhodesia had attained a full measure of self-government as envisaged in Chapter XI of the Charter; secondly, that in consequence the United Kingdom Government was not responsible for essentially domestic matters in Southern Rhodesia. The corollary of that declaration was that the United Kingdom could not, and would not, give information concerning Southern Rhodesia under the terms of Article 73 e of the Charter. That conclusion was seemingly based on the premise that Southern Rhodesia was self-governing. In the view of the delegation of Ethiopia that premise was far from being proved. A simple declaration by any Government could not make a colony or other dependent Territory either self-governing or independent; otherwise the United Nations would have accepted the Portuguese claim that its colonies were overseas provinces.

In 1922 the so-called electors, who constituted the entire white population of the Territory, had numbered 13,000, either employees of the British South Africa Company, which had then had extensive concession rights for the exploitation of minerals in the Territory, or farmers attracted by the fertility of the soil and the relatively healthy climate of the highlands. The indigenous African people of the Territory, numbering over 2 million, had not been consulted and had had no part in the actual process of "self-determination" which had created the self-governing status of Southern Rhodesia. As a result, a

(Mr. Wodajo, Ethiopia)

legislature of thirty elected members had been established with power to enact laws in domestic affairs, except in such areas as vitally touched the interests of the African population. That restrictive qualification, although undoubtedly a benefit for the African population, had detracted from the logic of the so-called self-government.

As might have been expected, no African had ever been elected to the Parliament or to any Civil Service post in Southern Rhodesia. The successive Parliaments had been elected by a white electorate - or a virtually white electorate, if the 2,000 Africans who had voted in the last so-called election were taken into account. The African majority had been totally excluded from higher and responsible posts in the administration and the judiciary. Needless to say, such a system perpetuated the interests of the ruling minority. There were in Rhodesia such laws as the Land Apportionment Act of 1930, under which over 53 per cent of the best land had been sold to white settlers, and the Law and Order Maintenance Act, under which, according to the estimates of Mr. Joshua Nkomo and his party, over 10,000 Africans, including 2,000 women, had been arrested in 1961 alone for protesting against the system. In the intervening years up to the promulgation of the new Constitution in December 1961 some constitutional changes, which had not affected the basic and essential character of the Constitution of 1922, had taken place. In 1953, against the wishes and in some cases against the active peaceful opposition of the African population, federation had been foisted upon the African population in an attempt to extend the rule of the white minority to the other two Territories, in which there were far fewer Europeans in proportion to the Africans than in Southern Rhodesia. Federation had not essentially affected the characteristics of the Southern Rhodesia Constitution.

The constitutional proposals of 1961 were yet another attempt to construct a legal fiction of self-government. There was to be a Parliament of sixty-five members elected through a dual roll system. Fifty of the sixty-five seats were to be filled by the electorate registered on the "A" roll, which was based on a number of highly selective qualifications, and it could not even be assumed that Africans would fill the fifteen remaining seats. In the first place, the franchise qualification for the "B" roll was above the economic and educational level of the average African; the Africans themselves estimated that not more

(Mr. Wodajo, Ethiopia)

then 13,000 of them would qualify. Moreover, since it was estimated that only 80,000 of the 240,000 white settlers were registered on the "A" roll, the remaining 160,000 would presumably be registered on the "B" roll. The outcome was not difficult to forecast; possibly no Africans might be elected to the legislature or, for the sake of appearances, the white settlers might perhaps tolerate the election of one or two willing African accomplices. There was one point that must be emphasized: the Africans had never been consulted in the determination of their political status. In fact, the history of the African nationalist parties showed that there had been active opposition to the false status of "self-government" and particularly to the imposition of the federal system. Those parties demanded a true system of government based on universal adult suffrage and independence through self-determination; they, and in particular the Zimbabwe African People's Union, were urging the Africans not to participate in the coming elections.

The constitutional situation in Southern Rhodesia should be judged in the light of the provisions of Chapter XI of the Charter and the progressive interpretation of that Chapter, and particularly the principles enunciated in General Assembly resolution 742 (VIII) and 1514 (XV). The obligations assumed by all Member States who were responsible for Non-Self-Governing Territories would end only when the peoples of those Territories had attained a full measure of self-government. Those obligations had been accepted by the United Kingdom Government in respect of the indigenous inhabitants of Southern Rhodesia. The United Kingdom Government was under an obligation to promote the economic and social interests of the indigenous inhabitants of the Territory and to advance them to a full measure of self-government, which was independence.

The United Nations in the process of its evolution had given a dynamic and progressive interpretation of Chapter XI of the Charter. The list of factors annexed to General Assembly resolution 742 (VIII) referred to the "effective participation of the population in the government of the Territory". Such questions as "Is there an adequate and appropriate electoral and representative system?" and "Is this electoral system conducted without direct or indirect

(Mr. Wodajo, Ethiopia)

interference from a foreign Government?" must be answered before a dependent Territory could be said to have attained a full measure of self-government. The criterion established in the same resolution as indicative of self-government in respect of economic, social and cultural jurisdiction was also very specific. He asked the members of the Committee to consider whether the requirements of that resolution had been fulfilled in the case of Southern Rhodesia.

Lastly, there was the Declaration on the granting of independence to colonial countries and peoples, which marked a further step in the dynamic evolution of the principles of Chapter XI of the Charter.

A further problem arose from the refusal of the United Kingdom Government to transmit information on Southern Rhodesia on the grounds that it was a self-governing Territory. The refusal of an Administering Power to provide information did not constitute prima facie evidence that the Territory in question was self-governing. Moreover, the practice of the United Kingdom Government in that respect had been inconsistent; it had continued to provide information on the Gold Coast and Nigeria after they had attained internal self-government through a representative Legislature and Government.

The conclusion was clear: Southern Rhodesia had not attained a full measure of self-government but was still a dependent Territory in regard to which the United Kingdom had obligations under Chapter XI of the Charter. Every Member of the United Nations similarly had obligations and responsibilities under that Chapter.

ORGANIZATION OF WORK (continued)

The CHAIRMAN requested the members of the Committee to consider the question of its programme of work, with a view to discussing the matter at the next meeting.

Mr. OBEREMKO (Union of Soviet Socialist Republics) agreed that the Committee should decide on its programme. He suggested that the Secretariat might draw up a tentative time-table.

He noted that according to the Journal the Sub-Committee on Petitions would be holding closed meetings. As far as he was aware, the Special Committee had reached no decision to that effect and in the view of the USSR delegation the meetings of the Sub-Committee, like those of the Committee itself, should be public.

/...

The CHAIRMAN said that it would be for the Sub-Committee itself to decide whether its meetings should be open or closed. He understood that the first meeting would be closed because it would deal entirely with matters of organization, but that naturally did not bind the Sub-Committee as far as its future meetings were concerned.

The meeting rose at 12.15 p.m.