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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 FOURTEENTH MEETING

Held at Headquarters, New York,
on Thursday, 15 March 1962, at 11.25 a.m.

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PRESENT:Chairman:

Mr. JHA (India)

Members:

Mr. PLIMSOLL Australia

Mr. KOUN WICK Cambodia

Mr. WODAJO Ethiopia

Mr. BASGOTRA India

Mr. THEODOLI }
Mr. ZITO } Italy

Mr. ANDRIAMAHARO Madagascar

Mr. TRAORE Mali

Mr. LEWANDOWSKI Poland

Mr. RIFAI Syria

Mr. NGAIZA Tanganyika

Mr. Taleb 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. PAVICEVIC Yugoslavia

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

Mr. CRACKO Secretary of the Committee

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

The CHAIRMAN welcomed Mr. Rifai, of Syria, the Rapporteur of the Committee, who had been unable to attend the Committee's previous meetings.

Mr. RIFAI (Syria), Rapporteur, thanked the Chairman for his words of welcome. He also wished to express his gratitude to his colleagues for electing him Rapporteur.

He understood that distinction to be a recognition of the unwavering and unremitting interest which his country had always shown in the fate of colonial peoples everywhere. As a country which had struggled hard to recapture its freedom and which had always adhered to the principle that freedom was the inalienable right of nations and individuals alike and that without freedom there could be neither progress nor internal peace, Syria took pride in being associated with the historic mission which the General Assembly had assigned to the Special Committee. Both as Rapporteur and as representative of Syria he would spare no effort to justify the Committee's confidence in him and the high hopes which freedom-loving peoples everywhere attached to its work.

Mr. PLIMSOLL (Australia) said that one of the principal questions over which the discussion on Southern Rhodesia had ranged concerned the powers of the United Kingdom Government in respect of Southern Rhodesia, which was the question specifically referred to the Special Committee by the General Assembly. The discussion of that question had inevitably entailed some consideration of related matters, particularly of the nature and degree of democratic government in Southern Rhodesia.

He thought all members of the Committee agreed that Southern Rhodesia had a peculiar constitutional status, although they had not been able to agree on how that status should be defined. The Territory was neither completely independent nor completely subject to the United Kingdom. The United Kingdom representative, both in the Fourth Committee and in the Special Committee, had described it in various ways. He had said that the Territory had attained a considerable degree of self-government, that it had "responsible" government, that it was entirely responsible for its internal affairs and that, though not independent, it had been self-governing in internal affairs and completely responsible for its own economic, social and educational policies. What he had said had given the Committee a

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general picture of the constitutional and political arrangements and status of the Territory, but it was still not easy to give a generally acceptable juridical term for that status.

The United Kingdom representative had stated that his Government had transferred certain powers irrevocably to the Rhodesian authorities; nevertheless some representatives had questioned whether in law the United Kingdom had irrevocably surrendered the powers in question. Whatever the juridical position might be, however, in fact the United Kingdom could not take back those powers unless the local authorities agreed; there was even a question of how far it could exert some of the powers it had retained if the local authorities resisted. The United Kingdom, and therefore the members of the Committee, were faced not merely with the legal situation but with the practical question whether and to what extent the Administering Power could assert itself against the wishes of the local authorities. That was admittedly an odd state of affairs, but it was not unique in that: there were political entities in several continents which had many of the attributes of an independent State but nevertheless were closely linked to some other State in certain respects, and in some respects dependent on or even subject to another State. That was particularly true of very small political entities. Possibly as the process of decolonization continued more and more such anomalous States would appear. In the case of Southern Rhodesia, however, he did not think that the anomaly would continue to exist. A time would come when the Territory, either alone or in association with some other entity, would be completely independent. Its present anomalous status was partly due to the fact that it had achieved self-government so long ago, before the establishment of the United Nations and before some of the current doctrines had taken full effect. Others had also been conscious of the borderline status of the Rhodesias; for example, when the Bandung Conference had been convened the Prime Ministers of Burma, Ceylon, India, Indonesia and Pakistan had invited the Central African Federation to take part. That did not mean that they had recognized the Central African Federation as an independent State, but it did indicate an awareness of the fact that the Rhodesias were moving towards independence though not yet independent.

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Turning to other aspects of the situation in the Rhodesias, he emphasized that the idea of a multiracial Federation was a worthy one. However it was going to be achieved, the United Nations objective must be to have States with a general multiracial society and form of government in various parts of Africa where there were large communities of different races. Whether or not the Federation survived and prospered, it should be recognized that those who had conceived it, in many cases at least, had had good and worthy motives.

The second point he wished to make in that connexion was that none of the responsible leaders of any of the races in the Rhodesias asserted a doctrine of permanent or inherent racial superiority. Even if there were doubts of the sincerity of some of those who said they envisaged racial equality, the fact that they should say publicly that they were not supporters of a doctrine of racial superiority represented an advance. If the leaders of any major responsible group in Southern Rhodesia were advocates of such a doctrine, the scope for achieving a peaceful evolution of the Rhodesias would be immensely reduced.

With regard to the constitutional arrangements in Southern Rhodesia, consideration should be given not only to the relationships established on paper but to the motives behind the legislation and the way in which it was being applied. To begin with he would say that it was unwise to be too dogmatic about specific machinery. There was a tendency in discussing such matters to go beyond the question of decolonization itself and impinge upon wider questions of human rights.

In connexion with colonial problems it was not simply a matter of the relationship between one State and another or between one people and another but of problems that concerned the world as a whole in the field of human rights. For example, the representative of India had quoted article 21 of the Declaration of Human Rights. India was entitled to do so because that country applied universal adult suffrage, as did Australia. In respect to the Rhodesias, however, the question was how to apply it and the extent to which an outside body was wise at the present stage in trying to be too specific in that field. Many Members of the United Nations did not apply universal adult suffrage; indeed, during the debate on Cuba in the First Committee at the sixteenth session of the General

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Assembly it had been argued by at least one important Asian country that there was nothing in the Charter that required free elections in any Member State. He was not suggesting that universal adult suffrage was not desirable; he was simply pointing out that the form of suffrage in a country could not be prescribed in a simple, clear-cut manner and that not only the mechanics but also the motives behind some forms of suffrage should be taken into consideration.

As he understood it, there were those who maintained that the form of suffrage that was being applied in the Rhodesias was designed to limit the role of the African population, while those who advocated the present form of suffrage did so on the grounds that it would smooth the transition to universal suffrage. There was, however, nothing inherently wrong in weighted voting. For example, in the United States and in Australia each State had an equal number of representatives in the Senate, regardless of the size of its population, and the rural districts had a greater proportion of seats in the Legislature than their population would entitle them to compared with the urban districts. In a number of States Members of the United Nations minorities were given assured seats in the Legislature to guard against the possibility of their having no seats at all. Australia believed in universal adult suffrage and considered it to be desirable in all countries, but he would not be prepared automatically to rule out all weighted voting or voting by groups, particularly in transitional stages.

Another important fact that must be faced was that in Southern Rhodesia there were real fears in all elements of the population - among the indigenous inhabitants, among the Europeans and among the Asians. The Europeans feared that the African majority would strip them of all they had and deprive them of effective rights. The Africans, on the other hand, felt that they had already been deprived too long of the opportunities for advancement and expression which were basic human rights; they feared that the present dominant European elements intended to keep them in a subordinate position both politically and socially and that the provisions in the Constitution which gave a parliamentary majority to Europeans would be used to block future amendments to the Constitution increasing the voice of the Africans. All those fears and emotions,

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rational or irrational, justified or unjustified, must be taken into account. If there was to be peaceful evolution it must be recognized that there were a number of races in Southern Rhodesia, that they varied in size, in skill and in capital, and that if they could all work together they could do more for the common good than if they split apart. Peaceful evolution on a just basis would be in the interest of all, just as violence and destruction and permanent bitterness would be against that interest. If it were held that Article 73 of the Charter applied to Southern Rhodesia, it must be recognized that it spoke of the inhabitants of the Territory, i.e. all who were permanent residents, irrespective of race.

The constitutional amendments and developments being proposed or put into effect were transitional. The general admission that there was no such thing as inherent racial superiority meant that a Constitution giving a special position to any one race could not be regarded as permanent. The object was presumably to gain time. If time were gained all those concerned should use it to think of the next step. They should use it so that the new constitutional and other processes became known and accepted throughout the Territory.

Much had been said about the need to educate the people of the Territory in self-government and in new constitutional forms. In that connexion he observed that it was not merely a question of educating the African people in Southern Rhodesia but equally, and perhaps even more, of getting the European community accustomed to the workings of new constitutional forms. If the Africans, the Europeans and the Asians in the Rhodesias could come to know one another, not only politically but socially and through economic and other co-operation, some of the fears to which he had referred might be set at rest.

He did not feel called upon at present to take a position regarding any of the constitutional or other arrangements in Southern Rhodesia or any of the moves being made by the political leaders. Australia shared with the other members of the Committee the objective of complete independence for all countries, with full equality of opportunity for everyone in all fields regardless of race. As far as Southern Rhodesia was concerned a basic problem was that there were at least three authorities involved: the United Kingdom, the Federation and Southern Rhodesia. He agreed with the Monckton Commission that the Federation could continue

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only if it could enlist the willing support of its inhabitants. He did not think that the Special Committee was called upon to express an opinion on the future of the Federation, which would be decided by events in the Rhodesias and Nyasaland.

As far as Southern Rhodesia was concerned, if there was to be peaceful evolution there must be a steady movement towards a form of government and a form of society which would enable all, regardless of race, to play a full and equal part. There was some evidence of progress in that direction but he felt sure all members of the Committee were aware of the need for speed. In the world of today social processes had been accelerated to a degree that would have been inconceivable two generations earlier, so that the time available in Africa today was much less than might have been envisaged at the beginning of the century. It was to be hoped that all parties in Southern Rhodesia were conscious of the need for rapid evolution and the impossibility of standing still or of opposing the general trend throughout the world towards self-government for all, regardless of race.

The United Kingdom had delegated considerable autonomy to the Southern Rhodesian authorities and regarded that transfer as being irrevocable, in many respects at least. In any event there were clear limits to the extent to which the United Kingdom Government could impose any course on Southern Rhodesia. The United Kingdom Government had been making efforts to bring together various parties in the Federation and in Southern Rhodesia in order to quicken the rate of change, to influence the nature of the change and in various ways to smooth the development. Thus it had been and was trying to influence development and it deserved recognition of that fact and encouragement and support.

FIRST REPORT OF THE SUB-COMMITTEE ON PETITIONS (A/AC.109/L.1)

The CHAIRMAN asked whether the Committee was prepared to adopt the Sub-Committee's recommendations that hearings should be granted to all the petitioners mentioned in the report.

Mr. CROWE (United Kingdom), Mr. BINGHAM (United States of America) and Mr. PLIMSOLL (Australia) asked that, if the Sub-Committee's recommendations were adopted by the Committee, that decision should be subject to the reservations their delegations had already made.

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The CHAIRMAN said that if there were no further observations he would take it that the Committee decided to adopt the recommendations of the Sub-Committee on Petitions, subject to the reservations entered by three members.

It was so decided.

The CHAIRMAN suggested that Mr. Nkomo and Mr. Malianga, of the Zimbabwe African People's Union, should be heard at the following meeting of the Committee.

It was so decided.

The CHAIRMAN suggested that Mr. Paul Mushonga, who was in London should be invited to make a statement before the Committee on the morning of Wednesday, 21 March.

It was so decided.

ORGANIZATION OF WORK (continued)

The CHAIRMAN recalled that at the previous meeting he had asked members to give some consideration to the question of the work programme.

Mr. PLIMSOLL (Australia) suggested that if the list of speakers was nearly exhausted, it might be an advantage for the Committee to hold no meetings at all during the ensuing week, in order to give members time to assimilate what had been said and to consider what would be the best course in the matter of Southern Rhodesia.

Mr. LEWANDOWSKI (Poland) agreed with the Chairman that the Committee should have a time-table of its work as soon as possible. Nevertheless, in view of the fact that the list of speakers had not yet been closed and that the Committee would be hearing petitioners at its next meeting, he suggested that any decision on the subject should be postponed to the end of that meeting.

Mr. PROTITCH (Under-Secretary for Trusteeship and Information for Non-Self-Governing Territories) recalled that at the previous meeting the USSR representative had requested the Secretariat to prepare a tentative calendar. In his view it would be premature at the present time to prepare such a calendar. The time taken by the Committee to discuss Southern Rhodesia would provide guidance for the Secretariat in drawing up a tentative plan which would include the time necessary for examining the other Territories listed in the proposal made by the representative of Ethiopia and adopted by the Committee.

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Mr. OBEREMKO (Union of Soviet Socialist Republics) did not consider that the task of preparing a calendar would become any easier if it were deferred until the conclusion of the debate on Southern Rhodesia. If the debate on each Territory on the list that had been adopted took as long as that on Southern Rhodesia the Committee would certainly not have time to consider them all. He felt that the adoption of a time-table might help the Committee to speed up its work. The time-table need be only approximate and should not go beyond the end of May, since the resumed sixteenth session of the General Assembly would begin during the first week of June.

Mr. WODAJO (Ethiopia) supported the Polish representative's suggestion that the Committee's work programme for the immediate future should be discussed at the next meeting.

The CHAIRMAN said that the Committee would resume consideration of its future programme of work at the following meeting.

The meeting rose at 12.40 p.m.