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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 NINETEENTH MEETING

Held at Headquarters, New York,
on Thursday, 22 March 1962, at 3.30 p.m.

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Chairman:

Mr. SHA (India)

Members:

Mr. HOOD Australia

Mr. KOUN WICK Cambodia

Mr. WODAJO Ethiopia

Mr. RASGOTRA India

Mr. THEODOLI Italy

Mr. ANDRIAMAHARO Madagascar

Mr. TRAORE Mali

Mr. SOLTYSIAK Poland

Mr. RIFAI Syria

Mr. NGAIZA Tanganyika

Mr. Taieb SLIM Tunisia

Mr. OBEREMKO Union of Soviet Socialist Republics

Mr. CRCWE United Kingdom of Great Britain and
Northern Ireland

Mr. BINGHAM United States of America

Mr. VELAZQUEZ Uruguay

Mr. SILVA SUCRE Venezuela

Mr. KREACIC 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. Paul Mushonga, Deputy National President of the Zimbabwe National Party of Southern Rhodesia, took a place at the Committee table.

The CHAIRMAN invited the members of the Committee to put questions to Mr. Mushonga.

Mr. RASOCTRA (India) said that Mr. Mushonga's statement had been so comprehensive that it was hardly necessary to question him. He would, however, like to know what was the relationship between the Zimbabwe National Party and the Zimbabwe African Peoples' Union and other liberal groups such as those represented by Mr. Garfield Todd.

Mr. MUSHONGA (Zimbabwe National Party) replied that the principles for which his party stood were, generally speaking, no different from those supported by the Zimbabwe African Peoples' Union. The only difference was one of approach to the problems facing the Territory.

With regard to other liberal opinion in Southern Rhodesia, Mr. Garfield Todd had formerly been the President of the Central African Party; he had been advised to resign because in 1960 he had signed, jointly with Mr. Joshua Nkomo, a memorandum to the Secretary of State for Commonwealth Relations asking that the Constitution of Southern Rhodesia be set aside and a democratic order substituted for it. The Central African Party had strongly objected to that memorandum, which it had regarded as too pro-African. There were a number of people in Southern Rhodesia who shared Mr. Garfield Todd's opinions and who were undergoing great hardships. The white settler regime, though not oppressing Europeans of liberal views to the same extent as Africans, nevertheless subjected them to rigorous intimidation, social ostracism, economic sanctions and even deportation. Those facts naturally discouraged many people of liberal opinion from expressing their views openly. There were very few Europeans in the Territory who were either sufficiently independent economically or sufficiently courageous to follow Mr. Garfield Todd's example.

Mr. TRAORE (Mali) asked Mr. Mushonga what was his party's programme with regard to the achievement of independence by Southern Rhodesia and what date it envisaged for that achievement.

Mr. MUSENGA (Zimbabwe National Party) said that his party's programme was for immediate independence. Some of the questions he had been asked had appeared to imply that it was doubtful whether the people were ready for independence. In his view, however, since the United Kingdom had failed to prepare the people for self-government during its seventy years' rule there was no reason to suppose that it would do so in the immediate future. The only way in which the people of Southern Rhodesia could progress was by becoming masters in their own house. How independence would be achieved would depend entirely on the attitude of the United Kingdom Government. That Government was intensifying the machinery of oppression and sooner or later a clash was inevitable. Indeed there had already been clashes; during the past two years nearly 130 people had been killed by the police in the course of demonstrations against the Administering Power. If the United Kingdom Government refused to heed the appeals of the Special Committee, the Africans in the Territory would be obliged to take action. They would do everything in their power to fight for independence.

After the publication of the Constitution the Zimbabwe National Party had submitted a memorandum to the United Kingdom Government calling upon it to ignore the proposals and to convene another conference with a view to formulating a democratic constitution. The reply had been a categorical negative. The United Kingdom Government was refusing to shoulder its constitutional responsibilities. It had not only legal but moral obligations to the Territory. The people of Southern Rhodesia refused to be intimidated and would do all in their power to achieve independence without further delay.

Mr. Mushonga withdrew.

Mr. KOUN WICK (Cambodia) said that since other representatives had already described the situation in Southern Rhodesia, he would confine himself to expressing his delegation's views regarding the question put to the Committee in General Assembly resolution 1745 (XVI).

(Mr. Koun Wick, Cambodia)

He regretted to have to disagree with the United Kingdom representative, who had endeavoured to prove that Southern Rhodesia was a self-governing Territory and that the United Kingdom and the Government of the Territory were therefore under no obligation to transmit information in accordance with Article 73 e of the Charter. Under the electoral law in force in the Territory, the voting qualifications were designed to favour the white settlers to the detriment of the African population. The latter for all practical purposes played no part in the Legislative Assembly, which could not be regarded as a self-governing Assembly or as the outcome of a free and democratic vote. In any event, the present electoral system was disliked by the African population of the Territory and was clearly of a discriminatory nature. The Declaration of Rights included in the 1961 Constitution, which was ostensibly designed to ensure the enjoyment of fundamental rights and individual freedom by the inhabitants of the Territory, in reality guaranteed the exercise of those rights and freedoms only to the white settlers. The participation of Africans in the Constitutional Council was more theoretical than real. Needless to say, the executive power was in the hands of a small minority of white settlers, to the detriment of the interests of the vast majority of the population. Apart from the fact that indigenous participation in the Government of the Territory was ineffective, the choice of members of the Government was not subject to the approval of the population as a whole.

Similarly, in the political, educational, social and agricultural spheres the small European population was in a far more favourable position than the African population. For example, the Land Apportionment Act enabled the European settlers to seize the most fertile land in Southern Rhodesia and to relegate the Africans to infertile and uncultivated areas.

In view of all those facts his delegation was obliged to state that Southern Rhodesia had not attained a full measure of self-government and that its present status was not in accordance with the criteria laid down in Principle VI annexed to General Assembly resolution 1541 (XV). Nor could he agree that the Territory had achieved a form of separate self-government, since the factors defined in the annex to General Assembly resolution 742 (VIII) were not present.

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(Mr. Koun Wick, Cambodia)

His delegation was unable to understand the principle of multiracial sovereignty. A country which belonged to Africans should be governed and led by Africans. The system of co-sovereignty set up in Southern Rhodesia operated entirely to the benefit of the European settlers.

Since it was the Special Committee's duty to examine the application of the Declaration on the granting of independence to colonial countries and peoples and to make suggestions and recommendations on the progress and extent of its implementation, his delegation would vote in favour of any proposal or recommendation designed to replace the present discriminatory laws and regulations in Southern Rhodesia by new laws allowing for the participation of the African population in the government of the Territory and preparing them for complete independence.

In conclusion, he appealed to the United Kingdom and to the present leaders of Southern Rhodesia to take steps without delay to improve the situation of the indigenous population. If the present state of affairs were not remedied, it would inevitably lead to a situation similar to that in another State bordering on Southern Rhodesia, where white supremacy had been imposed in defiance of humanitarian principles, or even to another Algeria.

Mr. ANDRIAMAHARO (Madagascar) said that in the light of the debate he felt that there was virtually complete agreement among the members of the Committee on a number of points. Firstly, Southern Rhodesia could not be regarded as a self-governing Territory. Secondly, the 1961 Constitution was inadequate, since it did not enable the indigenous population to participate in the government of the Territory. In his delegation's view it should be immediately abrogated. Thirdly, as the United States representative had rightly pointed out, the United Kingdom continued to be responsible for Southern Rhodesia and for its progress towards a form of government which would give equal rights, opportunities and responsibilities to all sections of the population. Fourthly, it could be anticipated that the United Kingdom would continue to carry out its task with success. The Committee could not, however, accept Sir Roy Welensky's assertion that two hundred years would be needed for Africans to become the equal of whites. The rate of political progress in Southern Rhodesia was inadequate and should be expedited.

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(Mr. Andriamaharo, Madagascar)

His delegation requested the Committee to draw the appropriate conclusions from those considerations and to transmit them to the General Assembly.

THIRD REPORT OF THE SUB-COMMITTEE ON PETITIONS (A/AC.109/L.3)

The CHAIRMAN drew attention to the third report of the Sub-Committee on Petitions (A/AC.109/L.3). The Sub-Committee had decided that a communication from Mr. Agrippa Mukahlera, Deputy National Secretary of the Zimbabwe African Peoples' Union, should be circulated to the members of the Special Committee. If there were no objections that would be done.

It was so decided.

ORGANIZATION OF WORK (continued)

Mr. RASGOTRA (India) said that in his delegation's view the time had come when the Committee should consider its programme in some detail and reach decisions which would enable it to proceed with its work more methodically and more speedily. On several occasions the USSR representative had emphasized the importance of the Committee's work and the need for greater speed. The Indian delegation shared the concern and anxiety of the USSR delegation that the Committee should work more expeditiously than had been possible up to the present. Nearly a month had elapsed since the Committee's first meeting and it was still deliberating on the affairs of one Territory. The Committee had been given an extensive assignment and the time at its disposal was not very long. Between the present time and the opening of the seventeenth session of the General Assembly there would be meetings of other and equally important bodies in which some of the members of the Committee of Seventeen were also represented.

In his delegation's opinion the chief reason for the slowness of the Committee's work was the absence of adequate documentation. At the beginning of the debate on Southern Rhodesia the Committee had had before it one paper hastily prepared by the Secretariat; the fact that it had been able to proceed at all with its discussion of the affairs of that Territory was largely due to research carried out by delegations and to material provided in the course

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(Mr. Rasgotra, India)

of hearings. Yet out of the nineteen meetings the Committee had held, hearings had occupied less than three. Of the seventeen delegations on the Committee only fourteen had so far been able to speak. In normal circumstances, if sufficient material had been available the debate should not have occupied more than three or four meetings.

Another factor had been the absence of procedure, although some progress had been made in that direction. The Committee had also suffered from want of organization of its meetings in advance; the result was to be seen in the haphazard manner in which requests for hearings had been received. When the debate on Southern Rhodesia had begun the parties concerned had not known what the Committee was going to do. He suggested that those concerned should have been notified, by the issue either of a press communiqué, a statement by the Chairman or a bulletin from the Secretariat, that the Committee was about to consider the affairs of that Territory, so that they would have had time to prepare written evidence or submit requests for hearings. Moreover, the Secretariat had not been given time to prepare the necessary material, with the result that the document concerning Southern Rhodesia was inadequate. The Committee could not continue to work with that kind of material. Better documentation must be made available, the Committee's programme should be known in advance, and the questionnaire should be completed and circulated and the Administering Powers given time to reply to it.

In view of those considerations he suggested that the Committee should now take some basic decisions. His first suggestion was that it should agree to go into recess for a certain period, for unless there were to be a recess at the present stage, allowing the Secretariat time to prepare the requisite documentation and giving delegations time to study the material thoroughly, the Committee would not be able to proceed rapidly and effectively with its work.

During the debate his delegation had been greatly impressed by the gravity of the situation in Southern Rhodesia. The debate should now be concluded as rapidly as possible and a drafting committee appointed to draw up the relevant part of the Committee's report.

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(Mr. Rasgotra, India)

He would like to suggest the following tentative time-table for the Committee's consideration. Upon the conclusion of the consideration of Southern Rhodesia, which he hoped would be completed by 27 or 28 March, the Committee should recess until 16 April. That would allow the Secretariat time to prepare documentation on the other Territories to be considered and would give the members of the Committee time to make a proper study of the material available.

Between 16 and 29 April the Committee could examine the Territories of Northern Rhodesia and Nyasaland. That was in line with the list of Territories submitted by Ethiopia which the Committee had accepted; moreover, events in Southern Rhodesia obviously had repercussions on the other two Territories. It was to be hoped that, by the date suggested, adequate material would be available on those Territories both from the Secretariat and from the Administering Power.

Between 30 April and 14 May the Committee could take up the three High Commission Territories on the list: Bechuanaland, Basutoland and Swaziland. They could be dealt with as a group, since conditions in each area were similar and each was passing through the same phase of constitutional development.

Between 15 and 28 May the Committee might consider the Portuguese Territories in Africa other than Angola - excluding São João which was no longer a Portuguese possession. In that group special attention should be paid to Mozambique, where, according to reports to which his country had access, the situation appeared to be most disturbing. The remaining Territories could be dealt with together, since their constitutional conditions were similar. He had suggested leaving those Territories until May because a Special Committee had been established by the General Assembly to consider the Territories under Portuguese administration, so that by the time it reached that item the Committee would no doubt have the benefit of the material considered by the other Committee and possibly its recommendations and conclusions.

Between 29 May and 5 June the Committee could consider Angola, as far as that question fell within its competence. It was not known, of course, whether the Sub-Committee on Angola would have finished its work by then. If, however, the Committee was obliged to interrupt its work owing to the resumed session

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of the General Assembly, it would have to deal with Angola after the resumed session. He had taken into account the fact that the Trusteeship Council was to meet from 30 May but it was not scheduled to meet for longer than a week or ten days. Another factor to be borne in mind was that the Committee on Information from Non-Self-Governing Territories was to meet from 19 or 20 May. The Committee should not, however, suspend its work on that account. It would be desirable for the meetings of the two Committees to alternate and not to coincide; the Secretariat might be asked to arrange that, if the Committee on Information met twice a day, at least one of its meetings should not coincide with a meeting of the Special Committee.

The remaining Territories on the Ethiopian list were Kenya, Zanzibar, Ruanda-Urundi and South-West Africa. Kenya and Zanzibar were at present passing through an important phase of constitutional evolution. Since further information concerning them would doubtless be available by June, it would be best to discuss them after the resumed session, in whatever order proved to be appropriate. Another Committee was dealing with South-West Africa and care should be taken not to duplicate its work. With regard to Ruanda-Urundi, it would seem preferable to participate in the debate on that Territory at the resumed session rather than to initiate another debate in the Committee.

Mr. HOOD (Australia) thought that the representative of India had passed rather lightly over the possibility of the Committee's work overlapping that of the Committee on Information, particularly as both were concerned with the collection of information. He asked what kind of co-ordination was envisaged between the two Committees.

Mr. RASGOTRA (India) pointed out that the Committee on Information would be dealing primarily with social conditions in the Non-Self-Governing Territories. The Special Committee's mandate was quite different: it was considering political and constitutional developments with a view to recommending steps to promote the achievement of independence. Hence he did not think that there was any danger of duplication of work.

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Mr. WODAJO (Ethiopia) felt that the suggestions made by the representative of India could form a useful basis for exchange of views on the subject.

Mr. TRAORE (Mali) said that he would like time to consider the proposed time-table. The Indian suggestions appeared to be very useful, but, it would be preferable for the Committee to discuss Northern Rhodesia and Nyasaland immediately after its debate on Southern Rhodesia, before it recessed. The three Territories constituted an inter-related group, although the situation in the two northern Territories was less complex than that of Southern Rhodesia, where the question of whether it was self-governing was under consideration as well as the question of promoting independence. When discussion of the whole Rhodesian group had been completed, the Committee could consider the Indian suggestions further. He saw no reason why the Special Committee should not briefly consider the report of the Commission for Ruanda-Urundi before the resumed session of the General Assembly.

Mr. Taieb SLIM (Tunisia) thought that it should be made clear that the Secretariat was being asked to provide information with regard to political and constitutional progress only, and not on social questions. He would also suggest that, when the questionnaire which was now being drawn up was sent out, the Administering Members should be asked to bear in mind, in their replies, the order of priority in the Committee's work. Thus, if Northern Rhodesia was to be considered next, the Administering Power should be asked first to answer the questionnaire with regard to that Territory. He agreed with the representative of Mali that, as the three Territories of the Central African Federation were so closely connected, it might be advisable to deal with Northern Rhodesia and Nyasaland before recessing. Furthermore, he did not think that the recess should be for longer than eight or nine days.

Mr. OBEREMKO (Union of Soviet Socialist Republics) agreed with the Tunisian representative that the Committee was too pressed for time to be able to afford the long recess suggested by the Indian representative. He also agreed with the useful suggestion by the Malian representative that, upon the

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completion of its consideration of Southern Rhodesia, the Committee should immediately take up Northern Rhodesia and Nyasaland. Since those three Territories were members of the same Federation, the consideration of their affairs should not be interrupted by a recess.

The Committee should step up the pace of its work before the resumed sixteenth session of the General Assembly, so as to be able to consider not only the Territories mentioned by the Indian representative but also the other Territories listed in the Ethiopian proposal (A/AC.109/2), i.e. Kenya, Zanzibar, Ruanda-Urundi and South West Africa, before June 1962. It should also make plans for the resumption and duration of the second stage of its work, between the closure of the sixteenth session and the opening of the seventeenth session of the General Assembly, when it would have a vast amount of work to perform in order to complete its consideration of all the Territories and prepare recommendations for submission to the General Assembly at the seventeenth session.

The Tunisian representative's suggestion that, in preparing their replies to the questionnaire, Administering Members should bear in mind the order of priority in the Committee's work was very useful.

He reserved the right to comment further on the Indian representative's suggestions when he had had time to consider them.

Mr. ELFAI (Syria) agreed that the Committee should not recess for so long a period as that suggested by the Indian representative. On the other hand, it would be an even more time-consuming procedure were the Committee to hold meetings without having sufficient information to enable it to do constructive work. For that reason he supported the suggestion by the Tunisian representative that Administering Members should send in their replies to the questionnaire bearing in mind the Committee's schedule of work.

He suggested that the Secretariat might prepare a working paper outlining the time-table put forward by the Indian representative, so that the members of the Committee could give it further consideration.

Mr. CROWE (United Kingdom) informed the Committee that, although his Government was giving priority to the preparation of information on Northern Rhodesia and Nyasaland, that material would not be available in processed form before the beginning of April. With reference to the proposed schedule, the session of the Committee on Information from Non-Self-Governing Territories was a material factor in so far as his delegation was concerned and he hoped that thought would be given to dovetailing the meetings of the two Committees.

Mr. RASGOTRA (India) said that he found it hard to understand the opposition in principle to his suggestion that the Committee should have a brief recess. It was not his intention that the work of the Committee should come to a standstill during the recess. A recess would, for instance, enable the Sub-Committee on Petitions, which had been unable to meet when the Committee was meeting, to consider its procedure. The representatives of the larger delegations should also bear in mind the difficulties experienced by the smaller delegations, including his own, which could not neglect the work of other United Nations bodies.

While he appreciated the concern of those who thought that Northern Rhodesia and Nyasaland should be considered immediately, he would draw the Committee's attention to the remarks just made by the United Kingdom representative. Moreover, it would be necessary to await the replies of the Administering Members to the questionnaire which was still being drafted. In the circumstances the Committee could not proceed to the consideration of Northern Rhodesia and Nyasaland the following week unless its members were to make statements based on information culled from newspapers. He did not think that that would be the best way of performing the task entrusted to the Committee.

He agreed with the view expressed by the USSR representative that the Committee should conclude the consideration of all the Territories listed in the Ethiopian proposal by June 1962. The tentative time-table he had suggested covered the period to 29 May 1962. Between that date and 6 June, when the General Assembly was scheduled to resume its sixteenth session, the Committee could consider Angola. The consideration of the remaining Territories listed in the Ethiopian proposal could be completed by the end of June or the first week in July. /...

Mr. SOLTYSIAK (Poland) said that he did not think that the absence of information on Northern Rhodesia and Nyasaland from the United Kingdom Government should delay the work of the Committee. The absence of such information on Southern Rhodesia had not prevented the Committee from considering that Territory.

If the information available to the Secretariat on all the Territories which the Committee was about to consider could be circulated without delay, there would be no need for a recess, or at worst the Committee might recess for two or three days. He wished to give further consideration to the Indian suggestion but in the meantime it seemed to him that it would be well to adopt the Malian representative's proposal, supported by the Tunisian representative, that the Committee should proceed with the consideration of the other two Territories in the Central African Federation and that the recess, if any, should come after the Committee had completed that work.

Mr. KORN WICK (Cambodia) supported the Indian suggestions. He recalled that in his letter dated 7 March 1962 addressed to the Chairman of the Committee (A/AC.109/3) the United Kingdom representative had raised objections to the provision of information about dependent Territories by the Secretariat. In the case of Northern Rhodesia and Nyasaland the United Kingdom representative had told the Committee that information would be available early in April 1962. In the circumstances he was in favour of awaiting receipt of that information before embarking on a discussion of the two Territories in question.

Mr. THEODOLI (Italy) supported the suggestions made by the Indian and Cambodian representatives. If the Committee was to consider Territories without waiting for the Administering Members to answer the questionnaire which was being prepared, it might well be asked why it was necessary to draft the questionnaire in the first place. Again, the Committee had decided at the outset that, as far as possible, Territories would be considered with the co-operation of the Administering Members. In the case of Northern Rhodesia and Nyasaland the United Kingdom had promised to furnish information. Southern Rhodesia was a special case because, firstly, the United Kingdom had informed

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(Mr. Theodoli, Italy)

the Committee that it could not transmit any information and, secondly, the Committee had a special task entrusted to it in General Assembly resolution 1745 (XVI). For the other Territories, the Committee should await receipt of information, for otherwise it would be working in a vacuum.

Mr. KREACIC (Yugoslavia) said that it would be preferable if the Committee could do constructive work without recessing; he would agree to a recess only if that were really necessary for a proper consideration of the Territories. It seemed to him, however, that the recess suggested by the Indian representative was too long. He supported the suggestion that an outline of the proposed schedule should be made available to the members of the Committee so that they could give the matter further consideration.

The CHAIRMAN said that the Secretariat would be asked to prepare such an outline.

Although he agreed with those who were in favour of accelerating the pace of work of the Committee, he could not subscribe to the view that the Committee had been dilatory. On the contrary, he felt that very good progress had been made. In only nineteen meetings, the first of which had been purely formal, the Committee had disposed of difficult procedural questions and had almost completed its consideration of Southern Rhodesia. He did not think that there were any differences of principle in the Committee over the proposed schedule. The matter would be considered further when the outline of the Indian suggestion had been circulated to the Committee.

The meeting rose at 5.25 p.m.