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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 FORTY-NINTH MEETING

Held at Headquarters, New York,  
on Friday, 11 May 1962, at 11.15 a.m.

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PRESENT:

<u>Chairman:</u>	Mr. JHA	(India)
later,	Mr. COULIBALY	Mali
<u>Rapporteur:</u>	Mr. RIFAI	Syria
<u>Members:</u>	Mr. PLIMSOLL	Australia
	Mr. NONG KIMNY )	
	Mr. CAIMEROM MEASKETH )	Cambodia
	Mr. GEBRE-EGZY	Ethiopia
	Mr. NATWAR SINGH	India
	Mr. IVELLA )	
	Mr. ZITO )	Italy
	Mr. COULIBALY	Mali
	Mr. SOLTYSIAK	Poland
	Mr. NGAIZA	Tanganyika
	Mr. Taleb SLIM	Tunisia
	Mr. OBEREMKO	Union of Soviet Socialist Republics
	Mr. CROWE )	
	Mr. SANKEY )	United Kingdom of Great Britain and Northern Ireland
	Mr. BINGHAM	United States of America
	Mr. SOSA-RODRIGUEZ )	
	Mr. SILVA SUCRE )	Venezuela
	Mr. PAVICEVIC	Yugoslavia
<u>Secretariat:</u>	Mr. PROTITCH	Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories
	Mr. CHACKO	Secretary of the Committee

SOUTHERN RHODESIA (A/AC.109/L.4/Rev.3, L.9, L.12) (continued)

The CHAIRMAN invited further comment on the text of the draft decision on the question of Southern Rhodesia which he had suggested to the Committee at the previous meeting.

Mr. GEBRE-EGZY (Ethiopia) proposed that the text should be amended to indicate that the report of the Sub-Committee (A/AC.109/L.9) and the two draft resolutions (A/AC.109/L.4/Rev.3 and A/AC.109/L.12) would be appended as annexes I, II and III respectively, since once the Committee had endorsed those texts, they would stand in the name of the Committee as a whole and not of the Sub-Committee or the sponsors of the draft resolutions.

Mr. PAVICEVIC (Yugoslavia) supported the Ethiopian representative's proposal.

Mr. COULIBALY (Mali), speaking as one of the sponsors of draft resolution A/AC.109/L.4/Rev.3, said that it was clear from the statements made that the majority of the Committee approved the report of the Sub-Committee and the two draft resolutions. He would not press for them to be put to the vote provided it was understood that approval by the Committee of the text suggested by the Chairman would imply endorsement of the report of the Sub-Committee and of the two draft resolutions, which would thus stand in the name of the Committee as a whole.

Mr. Taieb SLIM (Tunisia) agreed with the Malian representative.

Mr. OBEREMKO (Union of Soviet Socialist Republics) said that it was clear from the statements on the subject that whereas the majority of the Committee supported the two draft resolutions, the colonialist Powers, a minority group in the Committee, were opposed to them. He failed to see how those two diametrically opposed views could be reconciled. In the circumstances the normal thing would have been to put the texts to the vote. In the Trusteeship Council, where the colonial Powers enjoyed an absolute majority, they insisted that draft resolutions should be put to the vote and even tried to exercise a right of veto over the views of the minority by refusing to allow the proposals of certain delegations to be put to the vote. In the Trusteeship Council the colonialists did not speak of the need for a consensus of opinion. In the Special Committee, on the

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other hand, they resorted to procedural manoeuvres in their efforts to impose the will of the minority upon the majority. Although the Committee was holding its forty-ninth meeting it had not yet taken a single decision, the reason being that it had always tried to reach general agreement where there could be none. There could be no compromise between the views of those who supported the liberation of peoples and those who were opposed to it. Co-operation in the Committee was possible only on the basis of the implementation of the Declaration on the granting of independence to colonial countries and peoples.

His delegation wished to reserve its position with regard to the present procedure, since the desire to achieve agreement where there could be none constituted one of the main impediments in the way of the expeditious discharge of the tasks entrusted to the Committee.

Nothing less than the Ethiopian amendments could be acceptable. If they were not adopted the Committee would not have taken any decision and differences in interpretation would immediately arise. In view of the urgency of the question, that must be avoided at all costs. It should be remembered that the point at issue was not one of procedure but the fate of the people of Southern Rhodesia.

Mr. BINGHAM (United States of America) said that his delegation was content to accept the wording suggested by the Chairman. As the Malian representative had rightly pointed out, the decision was not unanimous: it was the decision of the majority, in which his own delegation could not concur. His delegation was opposed to the discussion of the question of Southern Rhodesia at the resumed sixteenth session or at a special session of the General Assembly, for reasons which it had fully explained, and it had grave reservations regarding the wording of the draft resolutions and the procedure followed in connexion with them.

Mr. IVELLA (Italy) reiterated the reservations of his delegation concerning the report of the Sub-Committee on Southern Rhodesia and the two draft resolutions.

Mr. CROWE (United Kingdom) said that he wished to make it clear that his delegation did not agree with the decision of the Committee and found the two draft resolutions unacceptable. It disagreed with the procedure that had been followed and regarded a discussion of the question of Southern Rhodesia at the resumed session of the General Assembly or at a special session as unnecessary and undesirable.

Mr. PLIMSOLL (Australia) recalled that he had repeatedly indicated his dissent from the two draft resolutions, for reasons he had already given.

The CHAIRMAN said that the various reservations would be reflected in the records, which would be forwarded to the General Assembly together with the Committee's report.

Mr. GEBRE-EGZY (Ethiopia), Mr. RIFAI (Syria) and Mr. Taieb SLIM (Tunisia) suggested a number of drafting amendments to the text suggested by the Chairman.

Mr. OBEREMKO (Union of Soviet Socialist Republics) said that his delegation did not wish to treat the views of the minority in the Committee in the manner in which the representatives of the colonial Powers treated the views of the minority in the Trusteeship Council. It was only right that the reservations voiced by certain delegations should be reflected in the report itself.

Mr. BINGHAM (United States of America) said while he did not propose that, to enter into any controversy, he did not wish his silence to be taken as assent to what the USSR representative had said about the procedure in the Trusteeship Council.

The CHAIRMAN said that if there were no objections he would take it that the Committee agreed to record its decision on the question of Southern Rhodesia in the form he had suggested at the previous meeting, as amended in the course of the subsequent discussion.

It was so decided.

#### BASUTOLAND, BECHUANALAND AND SWAZILAND

At the invitation of the Chairman, Mr. Ntsu Mokhehle, National President, Basutoland Congress Party, and Mr. Gerard P. Ramoreboli, Basutoland Congress Party, took places at the Committee table.

Mr. MOKHEHLE (Basutoland Congress Party) said that his appearance before the Committee was prompted by the desire of the people of Basutoland to gain immediate and complete independence. It was a desire shared not only by the 43,000 adult members of his party but also by thousands of villagers who supported it, commoners and chiefs alike. In recent years it had been voiced also by the leaders of the Basutoland Freedom Party and the Marematlou Party and by the Paramount Chief himself, who, while on a visit to the United States early in 1962, had called for independence early in 1963. As the Committee could see from the letter dated 13 April 1962 from Mr. G.C. Manyeli and Mr. E.T. Tan, writing on behalf of the Basutoland National Party (A/AC.109/PET.7), that Party also expressed the wish to see Basutoland free of United Kingdom rule, although the solution it advocated was the establishment of a trusteeship.

The United Kingdom's indifference towards the United Nations Charter and the resolutions of the General Assembly, in particular resolutions 1514 (XV) and 1654 (XVI), seriously threatened Basutoland's aspirations. That was why his Party was requesting the General Assembly to promote the early attainment of independence by Basutoland pursuant to resolution 1514 (XV).

Until 1960 Basutoland had been ruled by the United Kingdom Resident Commissioners and by feudal chiefs. The Basutoland National Council, an advisory body established in 1905, consisted of 100 members, all of whom had been chiefs or sub-chiefs nominated by the Paramount Chief without reference to the people. The Resident Commissioner had been the Chairman of that Council. All legislative and executive powers had been wielded by the United Kingdom High Commissioner, who had resided in South Africa. The indigenous inhabitants had had no say in the proclamations and administrative policies that affected them.

In 1944, after years of agitation by the oppressed and exploited common people, administrative arrangements had been made for the establishment of district councils consisting of chiefs and their supporters, elected at village meetings by popular acclamation under the supervision of the chief himself. The District Commissioners were Chairmen of the District Councils. Each District Council presented one of its members for nomination to the Basutoland National Council by

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the Paramount Chief. The Basutoland National Council tendered advice to the Resident Commissioner only on matters which did not affect Europeans and Indians. The members of the Council, many of whose relatives had been sentenced to death by the British courts, had been subservient to United Kingdom officials, with the result that oppression, exploitation and discrimination based on colour had been the rule.

His party had been formed in 1952. Its manifesto outlawed discrimination based on colour and demanded immediate self-government and a guarantee that the 1910 promise by the United Kingdom to incorporate Basutoland into the Union of South Africa would be abandoned.

In 1954, following the general mobilization of the people by the Basutoland Congress Party in a campaign for democratic rule, a United Kingdom Commission had made recommendations for administrative reforms which had transferred all administrative powers directly to the United Kingdom officials and which had been rejected by the people. Two years later the Basutoland National Council had been permitted to establish two Committees to consider constitutional changes that would meet the people's demands. Those Committees had consisted of the nominated members of the National Council and had included no popular leaders. The constitutional recommendations they had put forward had been approved by the Council and in 1958 a delegation of the Council, consisting of five Chiefs, had been chosen to attend a meeting in London with five United Kingdom representatives. The common people, who had been excluded from representation on the delegation, had collected £400 in two weeks in order to send the President of the Basutoland Congress Party to London for purposes of lobbying.

As a result of the 1958 constitutional talks, Basutoland had been granted a constitution full of contradictions. Where the people had demanded a national council with a majority of elected members, they had been given one consisting of forty nominated members and forty elected members. The recommendations of the London talks had been accepted by the old National Council. The Basutoland Congress Party, though disapproving of the new Constitution, had decided to give it a trial.

When the new Legislative Council had been opened in 1960, the Resident-Commissioner had been President and the nominated members had consisted of twenty-two

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ex-officio Chiefs, four ex-officio British officials and fourteen joint nominees of the Paramount Chief and the Resident-Commissioner, who had taken care not to nominate members of the Basutoland Congress Party; the elected members had comprised thirty-two members of the Basutoland Congress Party, five members of the Maramattou Party, two Independents and one member of the Basutoland National Party. Of the eight non-Congress elected members, seven had been Chiefs or Sub-Chiefs. As had been reflected in a letter from the Government Secretary to the High Commissioner, the first objective of the United Kingdom and of the Chiefs had been to gather together the forty nominated members and the eight non-Congress elected members into an anti-Congress bloc. It was that unstable alliance of minorities which occupied the Government benches in the legislature at the present time.

The Executive Council was composed of four United Kingdom officials, two of the Paramount Chief's nominees in the Legislative Council and two elected members of the Council.

The result was that the United Kingdom officials and the Chiefs, besides being the administrators both nationally and locally, made the laws and decided the policies of the Government. Those circumstances, together with the non-responsible nature of the Executive to the Legislative, were a source of great irritation to the Basotho. They also contravened the provision in article 21 of the Universal Declaration of Human Rights that the basis of the authority of government should be the will of the people.

The present electoral law of Basutoland was generally acceptable: it did not discriminate on the grounds of race, religion, sex or colour. The provision that anyone who did not pay taxes could not vote, however, excluded most women as well as old men. The law also permitted any British subject to vote, thus giving the franchise to South Africans in Basutoland who also voted in South Africa; on the other hand, Basotho living in South Africa could never qualify as voters because their skins were black.

Local government in Basutoland consisted of District Councils, whose members were elected by secret ballots from a common roll, as a result of which, the Basutoland Congress Party had obtained a clear majority in seven out of nine districts in the 1960 elections. In respect of local government, therefore, the



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Constitution was democratic and progressive. There were, however, some serious limitations to the powers of the Councils: their financial estimates, the establishment of subordinate councils and the adoption of by-laws were all subject to the approval of the Executive Council. The result was constant friction between the District Councils, which represented the wishes of the people, and the Executive Council, which controlled the armed police. If it were not for the popular movement's commitment to non-violent methods, there would have been more serious upheavals. As a result of the constitutional system, the District Councils' estimates were always reduced as much as possible in order to limit the extent of the public services rendered by the District Councils; applications for the establishment of village councils, designed to enable the villagers to participate in the administration of their own villages, had been rejected without any reason being given; and by-laws which had been referred to and accepted by the electorate had failed to obtain authorization from the Executive Council, again with no reason given. In addition, the executive member for local government and chieftainship affairs had encouraged chiefs to force their subjects to sign petitions against the District Councils, thus giving the Executive Council a pretext for placing restrictions on the latter. In such ways, the British officials and the Chiefs undermined the Constitution which they themselves had created. They did so because they had been taken by surprise by the successes of the Basutoland Congress Party, which challenged their privileged position, and because they were determined to cripple the democratic administration being initiated in the villages by the District Councils and to recapture the limited powers which had been conferred upon those Councils. The United Kingdom hoped thus to create frustration and chaos in order to justify its continued rule over Basutoland; that attitude was incompatible with the provisions of the United Nations Charter and of General Assembly resolution 1514 (XV).

With regard to the economic situation, Basutoland was an under-developed country with a low level of living. Its people's only source of livelihood was agriculture and the Chiefs monopolized the right to allocate the land, of which only 950,000 acres were arable. Much corruption was practised in the allocation of land. If properly cultivated, the land could yield an annual national income of £10 million, yet the economic value of the agricultural potential was reduced to

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about £1 million by such factors as unplanned human habitations scattered about the agricultural land, unscientific methods of cultivation, the continued absence from home of intelligent and able-bodied young men who worked in the mines in South Africa and the lack of trek animals. The use of tractors had only recently been introduced. The white traders paid low prices to the Basotho farmers and made exorbitant profits. The 1960 figures of the Agricultural Department revealed that the average percentage profits made on maize, sorghum, wheat and beans respectively were 20 per cent, 23 per cent, 29 per cent and 100 per cent.

With regard to the question of minerals, a British geologist engaged by the Government had reported in 1940 that Basutoland was without mineral deposits. In 1951 and 1952 a Mosotho had been refused permission to search for diamonds, but the same permission had been given in 1955 to a European, who had discovered valuable deposits and had been granted a mining contract. A considerable amount of illicit diamond traffic was carried on by the South African Europeans in Basutoland and British officials were involved in the traffic. The only hope for the Basotho lay in taking over the government. A thorough geological survey was needed, but the United Kingdom prevented any such step.

Nearly 200,000 Basotho had been forced by hunger to seek work on farms in South Africa or in the manufacturing and mining industries run by the British in the Rhodesias and in South Africa, under contracts which made them slaves in all but name. The mining recruits were housed in closed and guarded compounds; they lived apart from their families; they were not free to travel or to organize trade unions; they worked eight to twelve hours a day for seven days a week and were unable to leave the compound to visit their homes during the six or nine months of their contracts. Many died in the mines or returned home ill or permanently disabled. The compensation they received was meagre and the Government gave them no assistance.

Others were induced by South African white farmers, who promised them attractive pay and conditions, to go and work on South African farms. They were paid one or two shillings a day and if the farmers did not wish to pay them they turned them on to the streets, where they were arrested for not having passes. Many died on the farms as a result of ill-treatment. British officials had taken no steps to remedy the evils.

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In Basutoland itself, workers were paid an average of £2.10s. a month, or an average of £4 for adult men. Trade unions were authorized but there was no labour law establishing proper machinery for settling labour disputes; there were no labour offices or commissioners, and striking workers were arrested as anti-white rioters. The whole economic system in Basutoland was designed to maintain the supply of cheap labour for the farms, mining and manufacturing industries in South Africa and the Rhodesias.

Turning to the educational situation, he said that though literacy was high in Basutoland, the general standard of education was very low. Whereas the population of Basutoland was 800,000, the total number of pupils in secondary schools in 1960/61 had been 1,776 and there was only one university attended by twenty students. Many children left school at standard 3 or 4; from the age of fifteen they loitered on the streets and were arrested and imprisoned as vagrants. At the age of twenty they were forced by economic pressures to seek work in South Africa. There were no technical schools or colleges, merely a few trade and craft schools. Some sixty-two years earlier the Basotho had contributed towards the building of a technical school, which had taken its pupils to a fairly high level in certain crafts. That situation, however, had interfered with the employment of white artisans from South African Rhodesia and Mozambique, and the British had refused to employ the graduates of the school in government service; when the Basotho had reacted against that, the school's standards had been lowered and it had ceased to be a technical school of any importance. Economic considerations made it difficult for children to complete their secondary school education or to go on to universities. Since 1940, Government scholarships for university education had been limited to a maximum of five a year and scholarships were granted for certain courses only. Basutoland had about 500 university graduates, including only twelve medical practitioners, two graduates in commerce, one in economics, one statistician, one veterinary doctor and one agricultural scientist. In 1948 the Basotho had taxed themselves especially to provide higher and technical education in overseas universities; yet after sixteen years there was not a single student who had completed any degree overseas with the help of the fund. The situation would only be remedied if the Basotho governed themselves.

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In successive resolutions the United Nations had offered assistance in the training of civil and technical cadres. A large number of Member States had offered scholarships in their schools and universities in response to General Assembly resolutions 845 (IX) and 1540 (XV). The United Kingdom had not helped a single Basotho student to study abroad under that scheme, the reason being that its plans would be undermined if the purposes of the scholarships were achieved. In 1961 the Basutoland Congress Party had succeeded in sending thirty-two students abroad under the scheme and it was now organizing scholarships for students from Swaziland and Bechuanaland.

It had been argued that Basutoland would be unable to fend for itself economically without United Kingdom assistance. That was incorrect, for the Basotho lived on what they themselves produced from the soil or by their own labour. The government statistics for 1950, for instance, showed that although there had been some imports of maize - the country's staple food - from South Africa in that year, those imports had been more than offset by exports of wheat, sorghum, beans and peas of more than twice the value. Indeed, the figures showed that although crop production was admittedly still low, the country was by no means dependent upon South Africa for its food supply and there was no doubt that in a free Basutoland production would be much higher. The current substantial disparity between buying and selling prices would also be considerably reduced if the Basotho were in control of their own affairs.

The fruit and livestock industries, which offered considerable possibilities of development, had been sadly neglected by the authorities. Although many cold-climate fruits were successfully produced in Basutoland, appeals to the Government to systematize production and to establish a canning industry had gone unheeded, with the result that the country still had to import fruit from South Africa. In the case of the livestock industry, exports of wool and mohair already brought in more than one million pounds a year, while sales of cattle could be increased considerably if the merciless exploitation of the Basotho by the white traders, with the connivance of the authorities, were eliminated. There was no doubt that, with government interest and assistance, Basutoland could derive a sizable income from its agricultural and livestock industries. Nor had

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the country's mineral resources yet been thoroughly surveyed. Diamond deposits had been found and diamond mining was beginning, but a thorough survey would show that the country possessed all kinds of other mineral deposits.<sup>b</sup>

The country's apparent poverty was in fact entirely due to the management of its natural and human resources by the United Kingdom authorities. Thirty-eight per cent of the current expenditure was met from United Kingdom funds but a good part of that percentage went into the salaries, pensions and other social services of the British themselves. With careful handling of the national assets by a national Government that 38 per cent could unquestionably be reduced and the national income increased many times over. Independence was the only key to the country's economic development.

Turning to the historical and political considerations, he stressed that Basutoland was not a conquered nation and the United Kingdom had no claim, by right of conquest or by treaty, to ownership of the land or government of the people. Since 1842, the time of the first association between the British and the Basotho, the latter had never compromised on the question of who owned the land and territory of Basutoland. The Basotho had always regarded their association with the British as an alliance and had consistently resisted the efforts of any foreigners to acquire land rights and of the United Kingdom authorities to impose their own direct administration. In 1871, when the British had annexed Basutoland to the Cape Colony, it had been in the face of strong opposition on the part of the Basotho. The resulting discord and tension had led to war in 1880, when the Basotho had refused to be disarmed by the Cape Parliament.

Mr. Coulibaly (Mali), Vice-Chairman, took the Chair.

The CHAIRMAN suggested that, in view of the late hour, the petitioner should continue his statement at the afternoon meeting.

The meeting rose at 1 p.m.